

## POLITICAL PARTIES: HOW DEMOCRATIC ARE YOU?

On the 23<sup>rd</sup> of January 2019, MVC sent a questionnaire titled, “How Democratic Are You: An Intra-party democracy (IPD) Questionnaire” to all political parties represented in the National Assembly. The questions were informed by intra-party democracy (IPD) benchmarks. These benchmarks are indicators which can allow one to measure to what extent political parties’ own rules, practices and intra-party institutions conform to democratic principles.

A political party’ constitution should serve as the primary rulebook, outlining the nature of the relationship between the party and its members. Although most political parties’ constitutions are available to the public, not all the questions MVC posed are answered in the party’s constitutions. MVC encouraged each political party in the National Assembly to respond as it would reflect their willingness to be accountable and transparent on how their party operates internally. In order for a political party to build public trust, it should be actively answerable and transparent on its internal decision-making rules and practices. However, no political party responded.

MVC is now launching its “Intra-Party Democracy: How Democratic Are You?” Campaign to not only share our work, but to encourage the media, civil society and researchers to further engage political parties on the same questions we have posed to political parties.

### What is intra-party democracy?

Intra-Party Democracy (IPD) is a set of requirements political parties should conform to in order to allow for fair participation of its members. The basic requirements of IPD includes *decentralisation* and *inclusivity*. Decentralisation of a party should allow for power to be fairly distributed to avoid power being concentrated by one leader or an “elite few” within a party. Political parties should also be inclusive to allow members to fairly participate in electing party leaders and formulating party policies. IPD criteria also includes various other requirements, identified in our questionnaire.

## WHY HAS MVC LAUNCHED THE “IPD: HOW DEMOCRATIC ARE YOU?” CAMPAIGN?

My Vote Counts (MVC) advocates for more transparency, accountability, fairness and inclusivity in South Africa’s political system. Political parties play a central role in any democracy’s political system and should serve as the link between the state and the interests of their voters. Globally, political parties are often in the spotlight for acting against the public interest. The abuse of power within political parties, particularly by “party bosses” who put their own or the party’s interest before the public interest, undermines the democratic wisdom of “rule by the people.”

Since the inception of MVC, a core focus of our advocacy has been centred on the need for transparency regulation of political parties private funding and how the secrecy thereof has undermined South Africa’s constitutional democracy and particularly right to make an informed vote. MVC has consistently made the public aware of the dangerous and undue influence private donors can have on political parties they fund.

**MVC would like to further raise awareness on the abuse of power within South African political parties through drawing attention to the relationship between party leaders and their members. The abuse of power within political parties has gained significant attention in the media, but there is still a significant gap of publicly available information on how political parties operate internally. This gap can be addressed through raising awareness on the importance of IPD. The public’s awareness of IPD will allow them to more effectively and comprehensively evaluate if and how democracy is upheld within a political party.**

### For a deeper insight into IPD, see the following:

- <http://www.myvotecounts.org.za/wp-content/uploads/2019/04/MVC-Intra-Party-Democracy-Policy-Brief.pdf>
- <https://www.myvotecounts.org.za/intra-party-democracy-ipd/>

## **WHAT IS THE AIM OF THE CAMPAIGN?**

MVC's "IPD: How Democratic Are You?" aims to:

- 1) Raise awareness of what is IPD is and why it matters;
- 2) Inform the public of IPD "benchmarks;"
- 3) Encourage civil society, the media, academia and research institutions to reduce the gap in credible and factual information on political parties' intra-party rules practices;
- 4) Encourage the media, civil society, the media and the public to consistently monitor the extent of IPD in political parties; and
- 5) Encourage political parties to be more open, transparent and accountable on how their parties operate internally.

## **KEY MESSAGES**

- 1) If a political party commits to upholds and competes with other political parties in a constitutional democracy, the party should also subscribe to democratic principles within the party.
- 2) Abuse of power within political parties infringes on the fair participation of members within political parties.
- 3) Political parties' internal operations should be more open and transparent.

- 4) An awareness of how political parties operate internally, can serve as a good reflection of how political parties would or do operate in public office positions.

## **WHAT QUESTIONS DID MVC ASK POLITICAL PARTIES?**

MVC's questionnaire had eight sections, each with questions that fell under the following themes:

1. Membership Audits
2. Intra-party elections
3. Public office holders
4. Disciplinary procedures
5. Transparency
6. Policy-making and party constitutions
7. Members Rights & Obligations
8. Accountability

See all questions from page 5 onwards.

## **IF POLITICAL PARTIES DID NOT RESPOND, HOW DID MVC COLLATE INFORMATION?**

MVC focused on collating information from the four largest political parties.

1. Political party constitutions
2. Available party policy documents
3. Media
4. Academic research
5. Court documents

The information presented mainly looks at the rules political parties have in their constitutions. On the one hand these constitutions contained important insight into the structure and institutions, how it is constituted, the various institutions within the party, procedural rules and assigned roles and responsibilities. However, readers must be mindful that the rules are not always stringently applied or applied at all. In some cases, it is evident when party's fail to follow or flout their own rules. Further, the citing of party's own constitutional rules or guidelines is itself not sufficient to prove whether the party does stand by or apply its own rules.

### **WHAT IS THE SCOPE OF THE FINDINGS?**

- The questionnaire was sent to all parties represented in the National Assembly, but MVC's findings presented here are focused on researching the four largest political parties.
- MVC has focused on answering five of the eight sections. All of the questions contained in these sections are provided in full below.
- The section numbers quoted below refer to the numbering in our findings. These sections are:
  - Membership Audits (section 1);
  - Intra-party elections (section 2);
  - Public office holders (section 3);
  - Discipline (section 4); and
  - Transparency (section 5)
- The three sections we have not yet provided answers for are:
  - Policy-making and party constitutions
  - Members Rights & Obligations
  - Disciplinary procedures

### **WHAT WERE THE CHALLENGES ENCOUNTERED IN ANSWERING QUESTIONS?**

- Scholars agree that there is a lack of empirical research on IPD in the context of South African political parties.
- Political parties are closed in sharing information on how they operate internally or liaising on how they operate internally.
- A challenge, particularly in researching older political parties, is that constitutions, and other party rules and guidelines are amended. This makes it difficult to track how long certain rules have been in existence, particularly when the older versions are not made available and when there is a lack of empirical research. If a party's recently amended constitution and/or other party policies fulfils relevant IPD criteria, one must be particularly caution against presenting the current rules as definitive findings or as part of an overall assessment.
- Not all political party constitutions contain the same amount of information. Some findings on certain parties contain more information due to its availability.
- Not one of the political parties researched have all their electoral rules and guidelines in the party's constitution as these rules are usually drafted separately before an intra-party nomination or election process. Further, not all political parties publish the documents containing all the rules and guidelines on

publicly available platforms. Although the media must be commended for their role in following party's intra-party election periods and/or events. It is sometimes challenging to rely on information in the media when different sources report varying accounts of information or "facts."

\*MVC has focused on the national structures of the party, including the ANC's National Executive Committee (NEC); the DA's Federal Executive positions elected by all delegates present at the Federal Congress; the EFF's Central Command Team (CCT); and the IFP's National Executive Committee (NEC).

- In order to reduce the time needed to answer the questionnaire and to avoid open-ended questions, MVC formatted the questionnaire in such a way that the party was allowed to select options. Where necessary, MVC included options for parties to provide answers by elaborating.

## **SECTION 1: MEMBERSHIP AUDITS**

### **Questions addressed in this report:**

1. Does the political party have regular membership audits?
2. If the political party does have membership audits, who conducts the audits? [Not included in the questionnaire sent to political parties]
3. Who certifies the membership audits?
4. Does the party disclose the number of members and if yes, where are these figures published?
5. If there are any reported cases of bogus branches or members, what action does the political party take? [Not included in the questionnaire sent to political parties]
6. Do the membership audits account for the race, gender and age of each member?

### **Further questions to consider:**

1. Does the party have membership audit guidelines?
2. If the party does have membership audit guidelines, who drafts these guidelines?
3. If the party does have membership audit guidelines, who affirms the final guidelines?

## SECTION 2: INTRA-PARTY ELECTIONS

### Questions addressed in this report:

1. Which national level party positions are elected by members?
2. Describe the process of elections to the positions referred to above. Are there stages and procedures leading up to and during the election process which are institutionalised in the party? How does the election process unfold?
3. How often must these elections take place?
4. Are there term limits for these elected positions?
5. Is voting conducted via secret ballot?
6. Who tallies the votes in a party's election [ Adapted from "Are these elections carried out by an electoral commission?"]
7. Are any party office bearer positions, which are not necessarily public representative positions, at national level appointed and if yes, which positions are these? [Any appointments to disciplinary committees are addressed on in the Discipline section].
8. What measures are in place to ensure that party leadership is representative of its membership's diversity in terms of gender, race, age and geographical spread (quotas)?
9. Are members granted the right to contest an electoral outcome and if they are, what dispute resolution mechanisms are in place and who adjudicate

### Further questions to consider:

1. What is the process of appointment and are there any criteria for appointment (e.g. must the appointee be a member of the party, if the appointee is a member should she/he have been a member for a minimum period of time, must the member have a particular qualification for particular appointments)?
2. Do any appointed positions carry party public policy-making authority (i.e. Do any appointed positions have authority on the party's role in public policy-making)?
3. Do any appointed positions carry party public policy-making authority (i.e. Do any appointed positions have authority on the party's role in public policy-making)?
4. If the answer to the above question is 'yes,' please identify which appointed positions these are that have a bearing on the party's role in public-policy making?
5. Can any member of the party contest an appointment of a party's national office bearer, and if yes on what basis is this allowed and how is such contestation facilitated?

### **SECTION 3: PUBLIC REPRESENTATIVES**

#### **Questions addressed in this report:**

1. Describe the nomination process for party members to be selected as Members of Parliament in the National Assembly?
2. Are any National Assembly representatives of the party appointed and if yes, which positions are these?
3. How are the selection panels/committees or any other relevant entity of the political party who plays a role in managing and (s)electing candidates for the National Assembly constituted?
4. Does the party set term limits for its representatives in the National Assembly?
5. Is voting conducted via secret ballot or by show of hands?
6. What are the criteria for nomination?
7. Is there an independent entity that tallies votes or are votes tallied by members or staff members of the party?
8. What mechanisms are in place to ensure that the party's public office holders are representative of its membership's diversity in terms of gender, race and age? Or are there none?

#### **Further questions to consider:**

1. Does the party have membership audit guidelines?
2. If the party does have membership audit guidelines, who drafts these guidelines?
3. If the party does have membership audit guidelines, who signs-off or affirms the final guidelines?

## **SECTION 4: PARTY DISCIPLINE**

### **Questions addressed in this report:**

1. What are the guidelines and rules stated in the party's constitution on when certain actions or behaviours warrant discipline (e.g. is there a code of conduct or disciplinary rules) AND; list actions that warrant discipline in the party?
2. How are disciplinary committees/entities of the political party constituted?

### **Further questions to consider:**

1. Does the party address issues that are considered to warrant a disciplinary process against a member, particularly when the issue is not expressly stated in the party constitution?
2. Does the party allow for a disciplinary process to be facilitated by a non-party affiliated panel?
3. Does the political party allow any member the option of observing the disciplinary process? [Adapted from questionnaire sent to political parties: Does the party allow for members of the political party to observe the disciplinary process?]
4. Does the party allow for interested members of the public and/or the media to observe the disciplinary process?



## **SECTION 5: TRANSPARENCY**

### **Questions addressed in this report:**

- 1) Is the current constitution and all previous versions available on the party's website? In addition, is their current manifesto available as well as manifestos from previous elections?
- 2) Are any provincial or local level constitutions available?
- 3) The full amount of public funds receive in each financial year and the source and amount of private funds/donations/services received from private source?
- 4) A record of the political party's expenditure?
- 5) Information on the history of the party's formation and the party's core principles.
- 6) A list and profile of all political party office holders who hold party office bearer positions and public office positions.
- 7) Which party office holders are profiled on the political party's website?
- 8) How does the political party's website facilitate access to party officials (e.g. is the phone number, email address and address of officials available)?

### **Further questions to consider:**

- 1) Information explaining how party leaders are elected?
- 2) How is information about the political party's change in leadership, change in the constitution or party policy conveyed to its members?
- 3) Do you inform the public of any change in national party leadership, change in the constitution or party policy conveyed to the public?
- 4) Are policy making conference made open to the public?
- 5) How is information about the party's disciplinary procedures that have been initiated and the outcomes thereof conveyed to its members?

The following sections contain the other questions that were sent to political parties, but are not answered in MVC's findings.

#### **SECTION 6: POLICY MAKING & THE PARTY CONSTITUTION**

- 1) Are the founding values of your Constitution based on democratic principles?
- 2) How does the policy-making process of the party unfold?
- 3) How does the policy-making process of your Constitution unfold?
- 4) Can sub-national structures of the party maintain autonomy when it comes to policy-making?
- 5) How can members participate in amending the party's Constitution?

#### **SECTION 7: MEMBER'S RIGHTS AND OBLIGATIONS**

- 1) Are members allowed to express their views and opinions freely on all issues even if these contradict the party position?
- 2) Are the repercussions for members who express a view that is inconsistent with the party position?
- 3) How is the freedom of expression enforced? Is it enforced in representative institutions only? Does the rule apply to officials who may be party office bearers, but who do not hold elected public office positions?

- 4) On what are the issues that members cannot express their views and opinions freely?
- 5) Can a member attend events, political rallies, meetings or other gatherings of groups which are not affiliated with their political party or other political parties, without formally requesting permission from the party?
- 6) If there are repercussions for a member who attends an event, political rally or meeting not affiliated with the party, what are these repercussions guided by?
- 7) Do members face a disciplinary process if they gather without the approval from party leadership?
- 8) Does the political party have a whistle-blowing function in the party and documented whistle-blowing protection rules?

#### **SECTION 9: ACCOUNTABILITY**

- 1) Does the political party report on the party's failure to deliver on the promises outlined in election manifestos to members?
- 2) If the answer to the above question is 'yes,' then please identify where such reports can be accessed?
- 3) Does the political party report cases of party corruption, criminality, maladministration or ill-discipline to members?
9. Do parties sanction members legitimately accused of the transgressions referred to in question three?