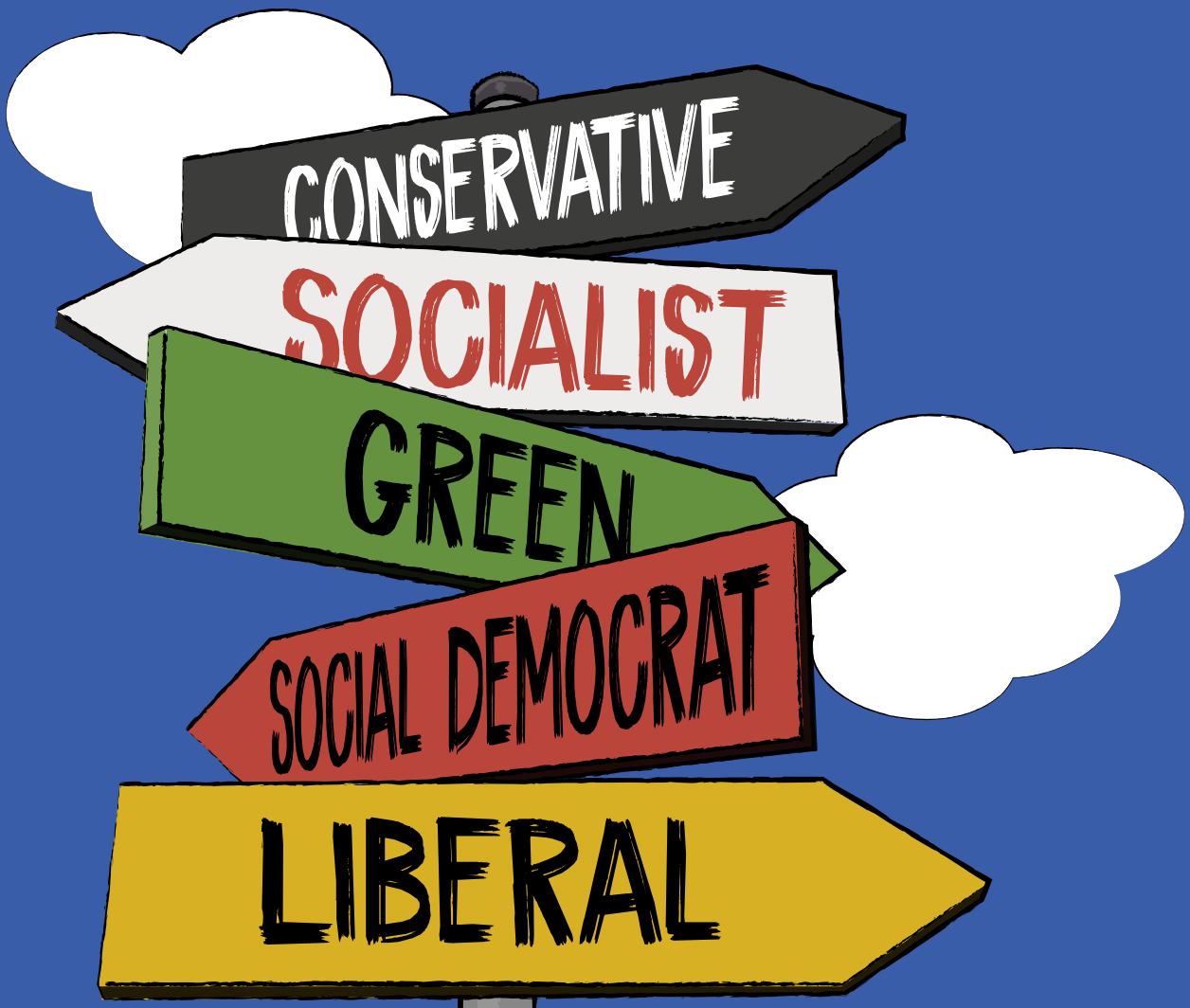
KONRAD-ADENAUER-STIFTUNG 4|2020

INTERNATIONAL REPORTS



Political Parties

Challenges and Perspectives

INTERNATIONAL REPORTS

4 | 2020

Dear Readers,

Political parties are a pillar of the democratic system. They assume central functions such as promoting citizen participation in political life and shaping public opinion. They have a major impact on our country's political development and serve as an interface between state organs and the public. Parliamentary democracy is ultimately always party democracy.

Developments under way in modern societies, such as increasing polarisation of political positions and the digitalisation of many areas of public and private life, present parties with enormous challenges, which they must find creative ways of overcoming.

Digitalisation in particular offers opportunities: Parties today have a much wider variety of options for integrating people, disseminating information about their own positions, and appealing to potential voters. Social media has long been indispensable to electoral campaigns. But parties must continue to communicate with their voters on all channels. A good digital campaign is a prerequisite in every corner of the world. Yet, it by no means replaces traditional forms of campaigning, such as classic canvassing, as Frank Priess notes in his article.

Technical developments are not the only force influencing politics. Societal change is also becoming visible in the party landscape in many places. New parties are being founded to challenge established ones. This is not a new phenomenon in itself, but, as Franziska Fislage shows in her description of the situation in Europe, the speed at which new parties are achieving success is. New parties benefit from developments that we have observed for quite some time: declining party loyalty, increasing voter volatility, and the fading of old political lines of conflict. New parties provide a feeling of being different – and their success is often fuelled by the decline of trust in political institutions.

The difficulty of building sustainable trust in the political system in the first place can be observed in Tunisia. Ten years after the revolution and the overthrow of dictator Ben Ali, the political mood there is sober, as Holger Dix writes. He identifies several trends that challenge fledgling democracies and make it difficult for them to establish themselves. This includes growing scepticism towards democracy, political parties' loss of importance as party system fragmentation advances, and political instability that manifests itself in frequent changes of government.

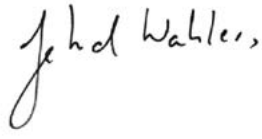
Parties in Latin America are also coping with loss of trust. The continent is experiencing increasing political polarisation, which charismatic populist leaders are capitalising on - despite the long traditions of many Latin American parties. China sees the weakness of Latin American parties as an opportunity to exert influence. Beijing is systematically expanding its relations to Latin American parties and harnessing its economic influence to drive partners into political and geostrategic dependency. Europe must not remain indifferent to this development, as Sebastian Grundberger notes. An especially good example of a party fighting to maintain its position can be observed in Mexico: The Partido Acción Nacional (PAN) has a long and varied history. Prior to the decisive 2021 elections, it enjoys the distinction of being the strongest opposition party and faces the challenge of renewing itself to a certain extent. It needs a convincing platform and must field politically experienced, credible candidates and forge strategic alliances, as Hans-Hartwig Blomeier and Ann-Kathrin Beck write.

Unlike Latin America, sub-Saharan Africa is home to greatly fragmented party systems. The parties themselves are largely indistinguishable from one another in their platforms and only weakly anchored in society. They also often depend on a strong leader figure – not least for funding. However, in their article Benno Müchler and Christoph Schmidt warn against focusing solely on deficits. It is important to bear in mind the political players who do not engage in politics merely as a business to gain access to state resources for self-enrichment.

New parties, clientele parties, mainstream parties. Even though the situation varies greatly from place to place and deficits are frequent, it remains clear that the democratic process is secure only where there is some party variety and parties are free to act, have meaningful platforms, and can communicate and lead. That is why strengthening democracy always entails strengthening parties.

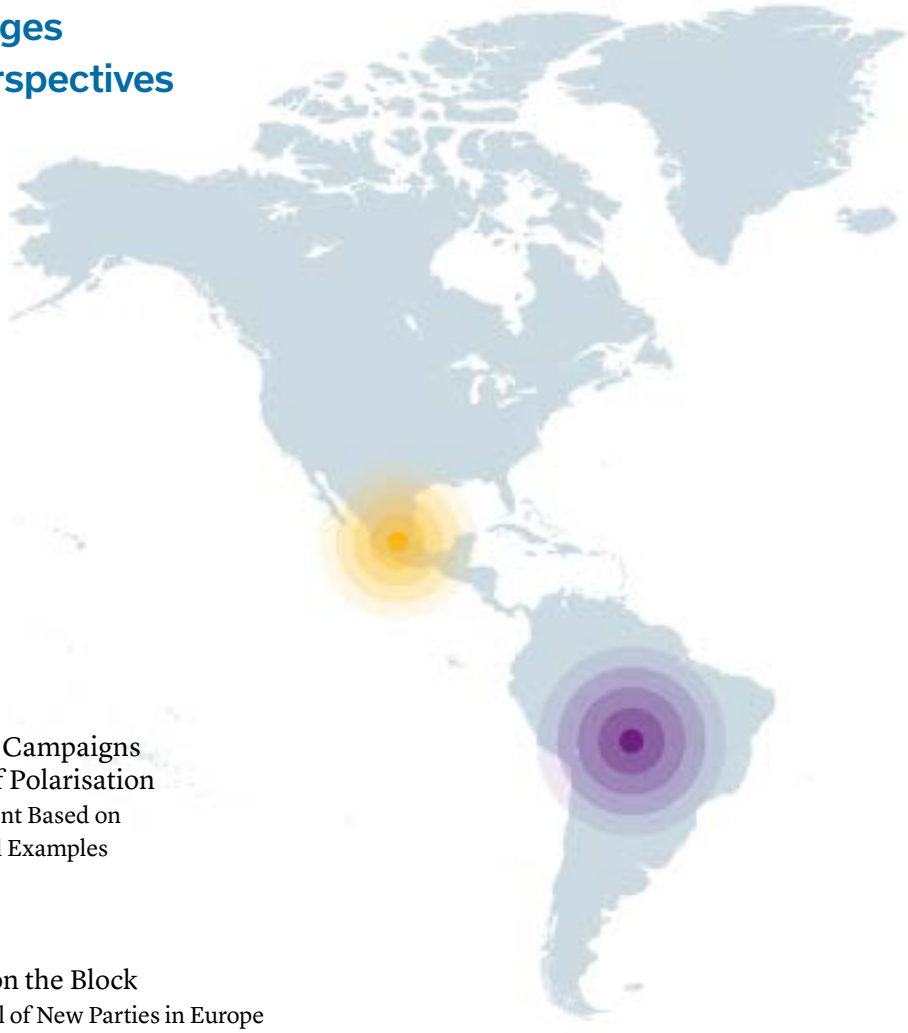
I wish you a stimulating read.

Yours,



Dr. Gerhard Wahlers is Editor of International Reports, Deputy Secretary General and Head of the Department European and International Cooperation of the Konrad-Adenauer-Stiftung (gerhard.wahlers@kas.de).

Political Parties
Challenges and Perspectives



6
Voting and Campaigns in Times of Polarisation
An Assessment Based on International Examples
Frank Priess

15
New Kids on the Block
The Potential of New Parties in Europe
Franziska Fislage

26
Parties in Crisis, Instability and "the Will of the People"
Recent Trends in Tunisia's Young Democracy
Holger Dix

37
Strategic Partners under Pressure
Seven Theses on the State of Party-Based Democracy in Latin America
Sebastian Grundberger

49
Mexico's PAN
An Opposition Party with the Potential to Govern?
Hans-Hartwig Blomeier / Ann-Kathrin Beck

59
Parties in Africa
The Case for Increased Engagement with a Neglected Issue
Benno Müchler / Christoph Schmidt

OTHER TOPICS

70
In Decline?
Migration, Automation, and Work Force in Japan
Rabea Brauer / Atsushi Kondo

81
Can EU Trade Foster Sustainable Development?
EU Efforts to Enforce Trade and Sustainable Development Chapters in Free Trade Agreements with South Korea and Vietnam
Carolin Löprich / Denis Schrey

Source: © Kevin Mohatt, Reuters.

Political Parties – Challenges and Perspectives

Voting and Campaigns in Times of Polarisation

An Assessment Based on International Examples

Frank Priess

Both democratic and non-democratic elections, and the hopes people place in them, raise the same basic questions: Who has the right approach to challenges of the future? Who will make it better for us in the years to come? These questions moved people in the past and continue to do so.

Once again, all eyes around the world turn towards the US presidential election. Political analysts and campaign workers alike consider the contest in the US to be the mother of all battles when it comes to technological innovations and developments in campaign practice. Nevertheless, the US remains a great exception rather than a great example – the framework conditions are too specific and the use of funds too unparalleled. Having said that, in the run-up to decisive weeks of the campaign, international advisers are wheeling their shopping carts through the US campaign supermarket, browsing for instruments that might be decisive even at home.

The focus was once again on the digital, and not just because of COVID-19. "It will certainly be the most digital election campaign in American history",[1] Mario Voigt predicted early on. This was an advantage for Trump with his Twitter followers and Facebook friends. The shady use of algorithms and user data from social networks such as Facebook with which Cambridge Analytica achieved notoriety are still fresh in everyone's minds and have been detailed in the book "Mindf*ck" by whistleblower Christopher Wylie.[2] As Paul Starr put it, "[t]he 2016 Brexit and US elections provided real-world examples of covert disinformation delivered via Facebook".[3]

Messages under the Radar

Personality traits are the basis for predicting voting behaviour, and that behaviour is to be influenced by highly personalised messages and information from the relevant social platforms, allowing unprecedented microtargeting. Psychological warfare techniques have the additional attraction of flying effortlessly under the radar of general attention and thus enhancing the element of surprise: Changes become noticeable only gradually, most messages are only visible in increasingly interconnected bubbles with public discourse being undermined. This is supplemented by instruments such as influencer marketing: Parties canvass credible representatives, especially in the younger target groups. In the German European election, the famous "Rezo video" entitled "The destruction of the CDU" was a wake-up call: The Christian Democrats were caught off guard by the high number of views and the reactions on all types of media. Its "timid" response in the form of a PDF was met with pity and derision. The CDU has now reacted and visibly placed its digital work on a new footing – its composed reaction to the theft of the letter C from party headquarters by Greenpeace activists is just one example of this.

While the influence of Twitter and Facebook has scarcely been digested, the community has long been considering potential political applications from new services such as TikTok and Telegram: A seemingly harmless app for short videos, but one that is used by large swathes of young audiences, immediately prompts campaigners to wonder whether it can also be used to deliver their own political messages. "Messenger services" are often the instrument of choice for coordinating and making announcements in closed user groups – the more discreet, the better. The Columbian communication expert Nury Astrid Gomez Serna has observed a development from "mass appeal to selectivity", not only in digital campaigning but in in-person campaigning, too.

Compounding the problem is that these instruments open the gates to influence from external actors – the degree to which Russia contributed to Donald Trump's 2016 electoral victory and to the success of the Leave majority in Britain's Brexit vote remains controversial and will probably never be determined conclusively. Parallel to this, deficiencies in cybersecurity play a role in further undermining trust in the legitimacy of democratic decisions, especially in societies that were polarised to begin with. If candidates suggest to their own adherents that defeat can only be the result of manipulation, this message may fall on fertile ground and bear unforeseeable fruit.

The polarisation of societies and weakening of their interior cohesion over the years – not to mention the role of filter bubbles – creates a framework for many election campaigns that imbues old differences with new characteristics. Urban-rural contrasts, party preferences based on education level or employment realities, generation gaps – these have always existed but now appear to be especially relevant fault lines.

The Problem with Forecasts

This also contributes to the phenomenon of election forecasts across the globe being completely wrong: Those who focus on Russia's major cities of Moscow and Saint Petersburg and the young, cosmopolitan voters there will estimate the opposition to Putin's "United Russia" as being stronger than those who consider rural, traditional spaces, which can be reached with entirely different messages and where nationalism and church affiliation play a far greater role. In the so-called Arab Spring, the focus on those who congregated in the squares of the capitals led to an underestimation of the traditional orientation and organisational force of associations such as the Muslim Brotherhood, whose goals have nothing to do with the expected path to Western modernity. And then there is wishful thinking – when looking at the US elections, not least in Germany, the tendency is to expect the coastal Democrats, who appear more modern and are supported by Hollywood stars, to defeat the "hicks" and "deplorables" from the Midwest and the Bible Belt.

Yet there is evidence that this picture could also be too black-and-white. Current regional elections in Russia show that, even outside metropolises, the public is outraged over corruption on the part of those in power, and that those who effectively protest this corruption and with sound tactics have a chance at victory – always assuming reasonably free and fair elections. The election in Belarus also bore testimony to the fact that protest movements against an authoritarian regime can encompass various classes of society. And in some places, such expectations compel those in power to prevent a partly democratic election, to eliminate rival candidates, and to intimidate public and the media. An example of this is Hong Kong.

Currently, we are witnessing a race between those using new tools to open new spaces and those trying to close such spaces again.

And we have come to learn that social networks can be a double-edged sword. At the beginning of some social or democratic movements, conventional wisdom dictated that such networks heralded an age of democratic development, which those in power could no longer control. "Spontaneous" gatherings for demonstrations and other activities developed enormous power, even in countries such as Iran during the 2009 "Green Movement". However, authoritarian regimes quickly learned to infiltrate social networks, forced them behind the "Great Firewall", and censored them mercilessly – sometimes with cutting-edge software and the support of Western technology companies worried about market share. Currently, we are witnessing a real race between those using new tools to open new spaces and those trying to close such spaces

Broad participation: The election in Belarus also bore testimony to the fact that protest movements against an authoritarian regime can encompass various classes of society. Source: © Tut.By via Reuters.

completely again. The group that ultimately wins remains to be seen.

"Network Sovereignty" – a Killer Term

The liberal West, which has long ceased to be a geographical term, should however ensure that authoritarian regimes cannot, from the outset, claim protection from international agreements in the area of telecommunications when evoking the language of "network sovereignty" as a smokescreen to subjugate civil society. And this does not take into account the damage these weapons of new surveillance instruments could do in the hands of authoritarian and totalitarian regimes – a social credit system such as that in China makes every last corner of people's private lives transparent to the state. It is worrisome enough that Chinese companies are exporting the associated software with great success – the customer list is revealing not only in Africa; it includes countries such as Venezuela, too. Much that is currently being developed with economic objectives and based on artificial intelligence and on big data has parallel political applications. Here, American technology companies are leading the pack, and Palantir, which specialises in data collection, is heading for an IPO. The question of how efficient data protection can counteract these trends and the extent to which the "insight interests" of users in business and politics can be limited is likely to be a decisive future question and will affect election campaigns as well. Eduardo Magrani says that many countries have no regulations governing any of this.[4]

Changes in media behaviour now also have a significant impact on public discourse in democratic societies. A common information base of the sort that used to be provided by public broadcasting and regional newspapers is becoming

increasingly rare – the journalist has lost power and influence in his role as the gatekeeper. The profession began to lose its ability to define thought decades ago – the electoral victories of Helmut Kohl and Ronald Reagan in the teeth of the entire intellectual class of media representatives were always striking examples. Yet, the media still retained a certain sovereignty over what could be thought. Today, however, the versions of reality held by various portions of the public are more and more disparate. The growing market for conspiracy theories of all shades is perhaps the most salient example of this. Those whose contacts are primarily within their own group and whose social networks reinforce their views and consider this to be representative of the entire society will have difficulty accepting electoral results that favour entirely different options. That brings us back to the US and this election campaign.

Voting bases are melting away and profiles are ever-more blurred.

Party Fatigue and Populist Candidates

An examination of recent elections, however, shows a few consistencies and a strengthening of long-familiar trends. For instance, while things look bleak for established parties, the trend towards trust in individuals and movements continues. Many parties have failed to move with societal developments and to open themselves and make themselves attractive for new generations and issues. Remaining members tend to cling on and form elite coalitions that may conceal and delay the decline but do little to change the overall trajectory. Since the Tunisian parliamentary elections in 2019, President Kais Saied, himself an independent, has not commissioned a leading party with heading a government. Saied himself tends toward approaches involving direct democracy.

But that does not necessarily mean that these new candidates are doing a better job or that the

Spoilt for choice: Who has the right answers to the challenges of the future? Source: © Issei Kato, Reuters.

trust placed in them is justified – and this calls the entire democratic system and its recruiting mechanisms into question. This development is especially worrisome in times of system competition, when authoritarian regimes try to score points with superior efficiency and show better results in such areas as combatting the COVID-19 pandemic. The focus should remain on the fact that such crises also highlight the deficits of authoritarian government (such as misrepresentation of information due to false caution or fear with no investigative journalism

to set the record straight), including the fact that citizens of such countries have no opportunity to punish those in power for substandard performance by voting them out.

The empirical record is unclear, as the example of Latin America shows. Party fatigue in Mexico and Brazil during recent elections has given rise to charismatic figures at the head of movements or new parties – and both exhibit a talent for polarisation, for populism: the people here, the corrupt elites there. To date, political successes of these figures have been extremely modest. At the same time, a "classic" governing party such as that of President Lacalle Pou in Uruguay has currently achieved the greatest success in the dramatic period of combatting COVID-19. In some places, conflicts arise whose years of stability make the upheaval almost entirely unexpected, even though the underlying problems of social inequality and injustice are by no means a new phenomenon. A prime example is Chile. The result is often a completely fragmented political landscape that does not allow any projections to be made about future developments, especially when individuals have become much more important to elections than the preferences expressed on party platforms. Peru has long been an example of such uncertainty. Everywhere, including in Latin America, voting bases are melting away, profiles are ever-more blurred, and many parties traditionally exhibit far more interest in successful campaign instruments than in strategy or the content that they ought to convey. However, the long-term ties of emotion and tradition should still not be completely ignored, especially in rural areas and among older voters. There is no uniform picture anywhere.

Democracy under Fire

This continues to be true of election and campaign framework conditions, which overall have scarcely improved in recent years. The number of countries whose elections Freedom House and others consider truly free is on the decline, and Reporters Without Borders expresses alarm in the face of great pressure exerted upon freedom of the press in many places. Many hopes for fair democratic competition have been dashed. A prime example is Southeast Asia, where countries such as Thailand and Cambodia have experienced clear setbacks.

The disparate access to mass media remains a lever that influences elections to the disadvantage of challengers, including in Europe. The disqualification of promising opposition candidates, party bans, manipulated voter rolls, lack of independent oversight bodies such as electoral courts, and persecution of the opposition to the point of politically motivated assassinations – unfortunately none of this has really gone out of fashion. In conflict situations, the international community is quick to call for new elections even where the minimum conditions for democracy are not met. Current examples can be found in nations as diverse as Mali and Venezuela. The opposition is then presented with the crucial question of whether it should stand for election or not: If it does, it legitimises a highly dubious process, but if it doesn't, it is forced to defend itself and closes even the smallest window for continued participation. What is clear is that elections are a necessary but not a sufficient indicator of whether a state can be considered a democracy. It remains interesting that even the murkiest dictatorships do not believe they can abstain from the (apparent) legitimacy in the form of elections.

A central category for voting decisions remains the personal trust that individual candidates are able to generate.

"Election Day Is Not Thanksgiving"

Both democratic and non-democratic elections, and the hopes they represent, raise the same basic questions: Who has the right approach to challenges of the future? Who will make it better for us in the years to come? These questions moved people in the past and continue to do

so. "Election day is not Thanksgiving" was a favourite saying of Angela Merkel's longstanding campaign advisor Klaus Schüler. His point was that gratitude is a very limited political category. Does the mood favour change? Are the people satisfied or dissatisfied? These are the questions that influence decisions – probably more so in parliamentary systems because of the stronger party identification than in presidential systems, especially when a successful incumbent has reached the term limit and has difficulty transferring his or her image to a preferred successor.

A central category for voting decisions remains the personal trust that individual candidates can generate – and such trust arises locally, independent of whether it is understood by people in foreign countries or not. That is why campaign tools such as motorcades, fairs, and large events are not becoming outdated in countries such as Tanzania; they remain central points for encounters between voters and candidates. Parties would be well advised to maintain a large toolbox of campaign instruments and to communicate with voters on all channels. Across the world, a good digital campaign is a prerequisite, but traditional campaigning techniques such as classic canvassing are by no means obsolete. "Americans are far from mere puppets in the hands of Silicon Valley," says Paul Starr of his country. In Africa, "election promise trackers" and similar instruments are effective for monitoring political performance in countries like Senegal, Kenya, and South Africa.[5]

Candidate-centred elections require that candidates appear authentic and credible – and then certain inconsistencies can sometimes be ignored. Likability counts, and proximity to the people is an important characteristic. "People don't like him" is virtually a political death sentence. And of course, elections today are still not a selection of ideal elements but rather a specific decision between two alternatives. A candidate has a chance even as the "lesser of two evils", which is why the "values and demeanour campaign" staged by the Democrats in the US as well as attempts to make the election a sort of referendum on Donald Trump and his quirks had its pitfalls.

The general question of the ultimate role of election campaigns remains open: Certain elements of a voting decision become established over a longer period of time, but in many places there is also a large number of undecided voters even shortly before the election. What's more, there are plenty of examples showing how a lead can be squandered at the very end of a race.

–translated from German–

Frank Priess is Deputy Head of the Konrad-Adenauer-Stiftung's Department for European and International Cooperation.

1 Voigt, Mario 2020: Trumps digitales Schweizer Taschenmesser für den Wahlkampf, 3 May 2020, in: https://bit.ly/36mkooQ [1 Oct 2020].
2 Wylie, Christopher 2020: Mindf*ck: Wie die Demokratie durch Social Media untergraben wird, Cologne.
3 Starr, Paul 2019: The New Masters of the Universe: Big Tech and the Business of Surveillance, Foreign Affairs, Nov–Dec 2019, in: https://fam.ag/33gXHjX [1 Oct 2020].
4 Magrani, Eduardo 2020: Hackeo al electorado: Apuntes sobre la desinformación y la protección de datos personales, in: Diálogo Político 1/2020, Konrad-Adenauer-Stiftung, pp. 57-63, in: https://bit.ly/35aGVml [19 Oct 2020]; Bolton, John 2020: The Room where it happened: A White House Memoir, New York; Rosenberger, Laura 2020: Making Cyberspace Safe for Democracy: The New Landscape of Information Competition, Foreign Affairs, May–Jun 2020, in: https://fam.ag/3ipblWp [1 Oct 2020].
5 Starr 2019, n. 3

Source: © Valentyn Ogirenko, Reuters

Political Parties – Challenges and Perspectives

New Kids on the Block

The Potential of New Parties in Europe

Franziska Fislage

They are the New Kids on the Block – the new political parties[1] in Europe. They describe themselves as being new and different. Some of them have achieved electoral victory in no time at all. The reasons for their success are varied and country-specific, but they also reflect a general shift in society. These parties not only change the party landscape, but also pose new challenges for the established parties. What does this mean for the future of party democracy and what opportunities do these changes afford to the established political parties?

In Ukraine, the 2019 elections took people by surprise in various ways. The first of these was the election of Volodymyr Oleksandrovych Zelensky as president. Zelensky was already in the public eye, but not in politics. Instead, he was previously a comedian and actor who played the lead role in a TV comedy series called Sluha Narodu (Servant of the People). In the show, he plays a history teacher who levels criticism against Ukrainian politicians and ends up being elected the country's president. The next surprise was that Zelensky's party, also called Sluha Narodu, became the strongest party in the Ukrainian parliament. A party that was formed just one year before elections as the successor to the Party of Decisive Change, and that most people had never even heard of a few weeks prior to the election, succeeded in mobilising enough support in the first ballot to win the election.[2]

However, Sluha Narodu is not the only new party to join Ukraine's political scene. In addition to Sluha Narodu, before the parliamentary elections in 2019, the political party Holos was set up by a well-known Ukrainian musician, Svyatoslav Vakarchuk.[3] But Ukraine is not the only country to see the emergence of new parties in recent years. Some of them won astonishing electoral victories – from directly entering parliament to winning the election and forming a government. These primarily include parties such as Podemos and Ciudadanos in Spain, ANO 2011 in the Czech Republic, NEOS in Austria, the Five Star Movement in Italy, SMC in Slovenia and La République en Marche (LREM) in France. The initial lustre and success of some of these new parties may have faded, but others have managed to hold their own or assert themselves in their respective party systems and put pressure on established parties. And there is no end in sight: The trend towards founding new parties that rapidly transform the party landscape is set to continue, so existing party systems will (and must) stay in motion.

The Old New

Of course, the formation of new parties is not a rare phenomenon. In fact, ever since the formation of party systems over a century ago, new parties have been set up time and again; otherwise there would be no explanation for the multitude of parties that exist in many European countries today. Many of these former newcomers can now look back on a decades-old tradition and have become an integral part of their country's party system. What is new, however, is the speed with which new parties can now achieve success. In many cases, when a new party is set up, it may only be a few years – or less – before that party enters parliament, or even takes over the office of president. The life cycle of political parties has taken on a new pace. The speed with which society is changing is impacting on the party landscape – in much of Europe, at least.

In the past, new parties and movements generally spent years in the shadows with no seats in parliament and minimal reach. To begin with, most parties had to content themselves with being part of the extra-parliamentary opposition.

The first steps towards establishing themselves inevitably entailed internal power struggles, quarrels over its direction, debates and discussions about positions and programmes, building nationwide structures and, last but not least, critical scrutiny by established parties and the public. During this "apprenticeship", they had to establish stable, democratic decision-making processes, lay the foundations for their programme, build up their party organisation and try their hand at election campaigning. Learning the tools of the trade was just as important as minorities within the party learning to accept majority decisions on party issues. This process was not always straightforward and could drag on for many years before culminating in initial victories at local level. In Europe, certain parties have established themselves with great success, whereas others, such as the Pirate Party, were quickly relegated to the political sidelines following the initial euphoria and failed to gain a political foothold over the medium-to-long term.

Today, many of these early stages in establishing a party seem to have fallen by the wayside.

In the past, parties and movements that lacked internal structures and clear organisation were scarcely perceived as serious competitors to the established parties. And even if they managed to enter parliament, they normally sat on the opposition benches as opposed to participating in government. Many parties had to spend years in opposition before winning the kind of election victory that would allow them to participate in government – usually as a junior partner at best. Today, many of these early stages in establishing a party seem to have fallen by the wayside.

Social Change as a Catalyst

In Europe, a number of new parties have demonstrated that it is no longer unusual to win an election at the first attempt and it is possible to enter parliament shortly after being formed. It is even possible for a party to participate in government after participating in its first election. This is linked to a wave of change in society that has acted as a catalyst and favoured such developments – developments that have benefited new parties and movements, in particular.

Voter Volatility and Declining Party Loyalty

Important aspects that contribute to this catalytic effect are the increase in voter volatility and decline in party loyalty. A glance at the most recent elections clearly reveals that core voters are largely a thing of the past. These core voters are being replaced by swing voters. For many years, Central and Eastern European countries were regarded as trendsetters in this respect. Unlike in Western Europe, these countries have invariably experienced high voter volatility. This has led to the formation of numerous new parties. However, voter volatility has come to the fore in Western and Southern Europe over the last few years. Italian political scientists even argue that Western Europe and Eastern Europe are converging in terms of electoral volatility.[4] Regardless of their motives for voting, recent studies on voter migration in Germany reveal that former CDU voters could shift their support to the Greens or DIE LINKE (The Left) in the next election. Conversely, former supporters of DIE LINKE are switching to the CDU and FDP, too.[5] Although it does not depict the norm, it shows how elections are increasingly being shaped by voters' moods and specific issues rather than by permanent ties to one party.

What does this mean for the parties concerned? Voters must be won over anew at every election. Parties can no longer count on anyone's vote. In a podcast called "Alles gesagt?" (Everything said?), Germany's former minister Thomas de Maizière recently drew attention to the extent in which politics is now guided by mood.[6] There is also evidence of this changeability in opinion polls: Before the COVID-19 pandemic, some of Europe's Green parties were at an all-time high.[7] However, the crisis has boosted the popularity of the governing parties that were previously out of

favour in the polls. The important issues of the environment and climate change that defined the pre-Corona era, have faded into the background again.

Parties have to open up, both in terms of their issues and their social structure.

The increase in voter volatility also goes hand in hand with a decline in party loyalties. The established parties find it increasingly difficult to attract new members, despite the fact that the younger generation is by no means apolitical, as evidenced by movements such as Fridays for Future. The decline in party loyalty is partly due to the growing individualisation of society, but also to the fact that young people's interest in politics – which is certainly strong – tends to be limited to temporary and issue-specific involvement and generally takes place outside the political parties. It is difficult to motivate politically minded young people to make a clear political commitment and get involved in traditional party politics, which is often perceived as dull and arduous.[8] In an increasingly globalised and individualised society, long-term involvement in associations or organisations appears unattractive and too strong a commitment.

Weakening of Traditional Battle Lines and the Right/Left Axis

Another aspect promoting the success of new parties is the weakening of traditional cleavages and the emergence of new divisions. The importance of previous cleavages is fading, especially those of state vs. church and labour vs. capital, which instigated the development of most established parties.[9] As long as these cleavages still existed, voters sympathised with a particular political camp and had correspondingly closely ties to their "social group". Yet, the cleavages that long shaped Europe's party systems are losing their essential characteristics and starting to crumble. This means a Catholic is no longer necessarily a Christian democrat, and a trade unionist may not be a Social democrat, especially since these two social milieus are themselves undergoing gradual erosion. Nowadays, very few party platforms can permanently secure the cohesion of a political community with a collective identity based on shared social standpoints. The cohesion of a political camp is no longer reflected in a relatively closed subcultural milieu. Political parties have to open up accordingly, both in terms of their issues and their social structure, to ensure they are better placed to represent their voters and members.

New "fault lines" are supplanting previous cleavages that increasingly determine the party landscape and favour the emergence of new parties.[10] Globalisation, the dynamics and speed of which were once again brought to bear by the refugee movements of 2015, is dividing parties and voters into new camps. On the one hand, there are the "globalists" who believe global problems require global solutions and that the nation state is progressively reaching its limits. In the other camp are the "nationalists" who take an increasingly sceptical and critical view of events over recent decades and call for a return to the strong nation state. According to Hooghe and Marks (2018), the eurozone crisis, i.e. the European currency and sovereign debt crisis from 2008 to 2010, and the migration crisis of 2015, were key to the emergence of transnational divisions that have such a major impact within Europe and favour the emergence of new parties.[11]

Wolfgang Merkel (2017) calls this new cleavage "cosmopolitanism versus communitarianism".[12] This is typically described as follows: cosmopolitans are people who have above-average education, above-average income and high human and cultural capital. While they support multiculturalism, they reject assimilation. They are characterised by a high degree of mobility, both geographically and professionally. They could be called the winners of globalisation. The so-called communitarians, on the other hand, are on average less educated and earn

Declining party loyalty: The established parties are finding it increasingly difficult to attract new members – even though the younger generation is by no means apolitical. Source: © Sergio Perez, Reuters.

below average. They feel the pressure of global competition more strongly than cosmopolitans, are neither geographically nor professionally mobile, and regard globalisation and multiculturalism as a threat. People's parties that claim to represent broad swathes of the population may contain elements of both types.[13] It is interesting to note that it is generally human capital (education) and cultural capital that give rise to divisions between cosmopolitans and communitarians, rather than the often discussed economic factors. This creates a new divide at the social level.[14] Societal developments currently witnessed in the US clearly reflect these divisions in society. This new divide also has an impact on the party system because right-wing populists, too, have been able to exploit this battle line to their own ends. Most right-wing populists focus on people's fears about loss of identity or cultural change.

Social divides are also increasingly causing tensions within the parties themselves.

In this context, it is also important to mention the fact that these new divides are also increasingly leading to tensions within the parties themselves.[15] The refugee debate of 2015 and how this was conducted within Germany's established parties, including the DIE LINKE, and within parliamentary factions such as the CDU/CSU, is a good example of this.

The disappearance of previous cleavages and the emergence of new fault lines, on the basis of which new parties emerge, means the right/left axis is gradually losing significance. Many of the new parties are trying to break away from this dichotomy and often even adopt post-ideological positions. In many cases, new parties straddle both "left" and "right" positions. This enables them to mobilise voters from the most diverse social milieus but makes it more difficult to categorise them according to the traditional right/left axis. The new parties in particular are increasingly operating on a liberal/illiberal axis and are forming alliances beyond the old right/left dichotomy. In Greece, for example, the left-wing populist party Syriza joined with the right-wing populist ANEL during the eurozone crises to form a government coalition (now voted out). In Italy, the left-wing populist Italian Five Star Movement joined forces with the right-wing populist Lega, which is now once again in opposition. Such coalitions are based less on common substantive positions than on shared beliefs regarding their political opponent, with the latter usually being an established party or "the establishment" as such.

The New New

In addition to these general developments, a number of country-specific factors also fuel the success of new parties. It often comes down to a loss of trust in political institutions. Lack of transparency, nepotism and corruption are keywords. But crisis phenomena also favour the founding of new parties. In addition, the electorate no longer believes the established parties have the capacity to solve problems. This is where the new parties come in; they try to offer an alternative with new faces and new accents.

It is with breath-taking speed that the new parties achieve electoral success. The mood of the times catapults them to the surface or takes them higher still. However, this is often done without a policy programme, party structure or organisation. Instead, it is individuals, such as the Italian comedian Giuseppe "Beppe" Grillo or the Polish rock musician Paweł Kukiz, who are founding protest or anti-establishment parties; or it is specific issues, such as the fight against corruption, that enable new parties to garner attention and temporary support. The speed with which one issue supersedes the last results in new parties that appear and disappear because they lack the policies and organisational framework to gain a more permanent foothold in the party system.

Many new parties give the impression of being different, and indeed they are in some respects. As mentioned earlier, especially the new parties are keen to position themselves outside the confines of traditional ideologies. They also espouse new methods of communication. At first, they might not even call themselves a party, so as to distinguish themselves from the other parties. New parties also tend to be very active on social media. Much of their communication also takes place on platforms where the party organises and members can be actively involved – if they actually have members.[16] The fixed membership principle that we are used to in traditional parties is no longer commonplace. For example, supporters of the party La République en Marche express their support by registering on the website to get up-to-date information. In Austria's NEOS, citizens do not require party membership to stand as candidates for first place on the federal list (passive voting right), and no party membership is needed for participation in the first stage of the pre-election procedure (active voting right).[17]

The fixed membership principle that we are used to with traditional parties is no longer commonplace.

In addition, new parties often consist mostly of people who have entered politics from other careers. This makes it easier for new parties to present themselves as new and different from the established parties, and to attract new voter groups. It is also a way of distancing themselves from professional politicians in the established parties. Although this openness to political newcomers may also be regarded as an asset for democracy, their lack of political experience may be a problem, especially in times of crisis. The new parties are often closely identified with a single leader. This strong leadership figure is usually tantamount to a lack of internal party structures. On many occasions, the leader is the person who founded the party. However, if this person leaves the party, its supporters often follow suit.

This lack of structure can be one of the prevalent weaknesses of new parties. They barely have time to establish and structurally organise themselves before entering government. When a crisis hits, this makes them more vulnerable than the established parties. LREM's handling of the "yellow vests" has borne witness to such structural problems. This can be devastating not only for communication in times of crisis, but the lack of horizontal and vertical structures may also hamper successful policymaking.[18] Apart from party organisation and structure, new parties often lack a policy programme because they are focused on a single issue. This is not enough to ensure their survival in the party system in the medium-to-long term. And if new parties are charged with government responsibility, this can quickly jeopardise their success and cause a drop in approval ratings. As a result, new parties can quickly find themselves back on the sidelines.

In summary, the main characteristics of new parties are as follows:

- They are a crisis phenomenon caused by corruption, nepotism, lack of transparency or loss of confidence in established parties and institutions.
- They are characterised by a strong leadership figure.
- They often describe themselves as a movement instead of a party, and thus try to consciously differentiate themselves from the established parties.
- They often consist of political newcomers and people who have entered politics from other careers.
- Their structures and policy programme are initially weak.
- They achieve rapid electoral success.

Consequences for the Established Parties

What do these developments mean for the established parties and for the future of party democracy? Although the new parties are

confronting their long-established competitors with new challenges, these current trends also afford a variety of opportunities to the future of party democracy.

The more heterogeneous society becomes, the more vital are laborious consensus-building efforts among the parties.

The established parties must work harder on their attractiveness if they want to continue playing an important role and ensure the vital stabilisation of the party system. Party democracy is and will remain a way of guaranteeing that views and attitudes of an increasingly diverse society are both reflected and represented. The more heterogeneous society becomes, the more vital laborious and often conflict-laden consensus-building efforts of the parties are. But this means they have to rise to the challenge. Parties need to provide new ways for people to get involved in temporary and issue-specific priorities that are more in line with how they now relate to politics. They also need to stay abreast of new communication methods, otherwise they will be left behind by new parties.

This requires them to carry out the necessary reforms and rethink their outdated attitudes to party work. To date, few established parties in Europe have succeeded in keeping up with the developments outlined above and in creating a suitable (digital) offer for their members and potential voters alike. They have either failed to make the necessary reforms, failed to be sufficiently bold in implementing them, or only realised the need for them when it was too late. Many of the established parties find it especially difficult to attract young people and win them over to their work. It is precisely this failure that benefits the new parties, who claim to be "different". By appearing unconventional, they often manage to mobilise young people who are keen to get involved in party politics, but in new ways.

It is, therefore, clear that these current trends also present an opportunity for the established parties. It is precisely digitalisation and an awareness of the problems and developments highlighted above that are creating unprecedented possibilities. Participation within the party and targeted offers for interested

Shaped by a strong leader: It is not unusual for individuals, such as the Italian comedian Giuseppe "Beppe" Grillo, to found protest or anti-system parties. Source: © Guglielmo Mangiapane, Reuters.

non-members, such as party-political discussion forums, platforms and apps that also have offers for non-members, could increase the attractiveness of established parties as well by heightening their presence. This may provoke certain tensions between interested non-members and longstanding members who want their membership to confer special rights, but an offer for interested non-members does not imply that they enjoy the same status as party members. However, if parties want to adhere to the membership principle in the long term, it is inevitable that they will have to create initial offers for interested persons not yet ready to

commit to full membership. In Germany and Austria, we already witness how the established parties are embracing the digital age, increasingly opening up to interested non-members, and creating issue-specific offers for their members.[19] However, more needs to be done with regard to offers for interested non-members and new members. If specific offers for new members and interested non-members exist at all, these have thus far been limited to opportunities to participate in online events or social media content. Integration such as through separate areas in a party app or platforms is almost non-existent in German and Austrian parties. However, the coronavirus pandemic has boosted the importance of digital technology. It has virtually forced many parties to make greater use of new tools and options for participation, such as online workshops and seminars, and therefore prepare for the future (digitally too).

There is a growing impression that the key criterion for the election outcome is a certain personality.

Party work is not the only area where the established parties need to change. There is a growing impression that the key criterion for the election outcome is a certain personality. For the established parties, this means promoting their own young politicians at an early stage and making the "right" choice of candidates. By "right" it is important to remember the German proverb: "The bait has to taste good to the fish. Not to the fisherman." In the past, established parties have all too often ignored new, young faces. Those chosen as candidates often had broad support within the party but were either unknown or unattractive to potential voters – and hence unable to mobilise them. In future, therefore, it will be even more important to integrate voters from the most diverse social backgrounds and make the party membership much more varied.

The established parties will also have to clearly demonstrate their problem-solving skills – especially in times of crisis. This is a major advantage they have over new parties. Established parties can manage crises and provide an anchor of stability that is needed in times of crisis. Thus, established parties must show how their longstanding political experience allows them to recognise and solve the problems experienced by most of the population. Communication is vital in this respect and will become ever more important in an increasingly fragmented society. This includes the use of a variety of communication channels. In an increasingly fragmented and dynamic party system, it is all the more important that the established parties do not lose their ability to connect. This means connecting to society itself, but also connecting and hence forming coalitions with other parties.

This connectivity does not mean they will become like the new parties; however, the established parties should see these developments as an opportunity and a clarion call. They should ask themselves how party democracy can remain the guarantor of success for citizens of the future. Linked to this is the need to constantly explore opportunities for forming coalitions with parties that have never before been an option in this respect. It is inevitable that party systems will change as a result of the new parties and movements. Yet, if the established parties manage to assume a role as anchors of stability in Europe's party systems, which are being shaken up by new political actors, and if they are able to offer solutions to a wide range of problems, then party democracy will have a future based on the premise: strength through flexibility.[20]

–translated from German–

Franziska Fislage is Policy Adviser for International Party Dialogue at the Konrad-Adenauer-Stiftung.

1 This article only refers to parties that have stood in an election, not to new parties that have been formed since then.
2 Trubetskoy, Denis 2019: Vorgezogene Wahl wird das Parlament umkrempeln, Mitteldeutscher Rundfunk, 21 Jun 2019, in: https://bit.ly/311MphR [7 Sep 2020].
3 Weininger, Isabel 2019: Auf dem Weg zu einem neuen Parlament, Country Reports, Konrad-Adenauer-Stiftung, 18 Sep 2019, p. 4, in: https://bit.ly/2GWpb6a [7 Sep 2020].
4 Emanuele, Vincenzo / Chiaramonte, Alessandro / Soare, Sorina 2020: Does the Iron Curtain Still Exist? The Convergence in Electoral Volatility between Eastern and Western Europe, in: Government and Opposition 55: 2, p. 308–326.
5 Tagesschau 2017: Bundestagswahl 2017, in: https://bit.ly/2SU1Ows [7 Sep 2020].
6 Wegner, Jochen / Amend, Christoph 2010: Thomas de Maizière, was ist heute konservativ?, Podcast: Alles gesagt? / Interviewpodcast, Zeit Online, 2 Jul 2020, in: https://bit.ly/3lIFvpR [7 Sep 2020].
7 Grabow, Karsten 2020: Europaweit grün? Trends und Perspektiven der Parteiendemokratie, Konrad-Adenauer-Stiftung, in: https://bit.ly/34ToUJf [7 Sep 2020].
8 Wiesendahl, Elmar 2001: Keine Lust mehr auf Parteien. Zur Abwendung Jugendlicher von den Parteien, Aus Politik und Zeitgeschichte (APuZ) B 10/2001, Federal Agency for Civic Education (bpb), 26 May 2002, pp. 7–19, here: p. 11 f., in: https://bpb.de/26416 [27 Oct 2020].
9 Hooghe, Liesbet / Marks, Gary 2018: Cleavage theory meets Europe's crises: Lipset, Rokkan, and the transnational cleavage, in: Journal of European Public Policy 25: 1, pp. 109–135, here: p. 127, in: https://unc.live/3dHkbOx [19 Oct 2020].
10 Ibid., here: p. 113.
11 Ibid., here: p. 127.
12 Merkel, Wolfgang 2017: Kosmopolitismus versus Kommunitarismus: Ein neuer Konflikt in der Demokratie, in: Harfst, Philipp / Kubbe, Ina / Poguntke, Thomas (eds.): Parties, Governments and Elites. The Comparative Study of Democracy, Wiesbaden, pp. 9–23.
13 Ibid., here: p. 12 f.
14 Ibid., here: p. 15.
15 Hooghe / Marks 2018, n. 9, here: p. 113.
16 Gerbaudo, Paolo 2018: The Digital Party, Political Organization and Online Democracy, London.
17 NEOS 2019: Statutes, p. 9 f., in: https://bit.ly/311P8rB [10 Sep 2020].
18 Devčić, Jakov / Fislage, Franziska 2019: Die "Gelbwesten" in Frankreich: Gelbe Karte für Macron? Analysen und Argumente 337, 17 Jan 2019, Konrad-Adenauer-Stiftung, in: https://bit.ly/3nO8RoD [7 Sep 2020].
19 Fislage, Franziska / Grabow, Karsten 2020: Innerparteiliche Beteiligung im Zeichen von Digitalisierung und Mitgliederschwund. Forthcoming.
20 Lange, Nico 2014: Stabil, weil beweglich. Was die Wahlergebnisse 2013 und 2014 für die künftige Entwicklung des Parteiensystems aussagen, Die Politische Meinung 529, Konrad-Adenauer-Stiftung, Nov–Dez/2020, p. 97, in: https://bit.ly/2H43JvP [14 Oct 2020].

Political Parties – Challenges and Perspectives

Parties in Crisis, Instability and "the Will of the People"

Recent Trends in Tunisia's Young Democracy

Holger Dix

January 2021 marks the tenth anniversary of the revolution in Tunisia, but the celebrations will be tempered by a strong sense of disappointment at developments since then. Representative surveys reveal that the vast majority of Tunisians are unhappy with their country's political, economic and social situation, and believe the country is moving in the wrong direction.

Since the 2019 parliamentary and presidential elections, a number of political trends have emerged that share responsibility for the country's sluggish development. They will impact Tunisia in the medium term, and put the development and the resilience of this still-young democracy to the test. These trends include: the growing marginalisation of the party system; intensifying conflicts regarding the competencies of democratic institutions; political instability with short-lived governments; and a lack of respect for the representative elements of parliamentary democracy, embodied, inter alia, by the failure to respect election results when forming a government. This sense of disillusionment with the achievements of the revolution is combined with a growing scepticism about the effectiveness of democracy and a romantic nostalgia for the pre-democratic era.

Trend 1: Growing Scepticism Towards Democracy and Nostalgia for the Former Authoritarian Regime

At a planning workshop organised by the Konrad-Adenauer-Stiftung in March 2020, the renowned Tunisian sociologist Riadh Zghal described Tunisia's political transition as follows: "Democracy has crashed down on our heads." The Tunisian revolution began on 17 December 2010 and ended less than a month later, on 14 January 2011, when the then president fled the country. Tunisia was unprepared for the resulting transition to democracy, which remains a work in progress. In his 2016 book "Tunisia, a Democracy on Islamic Soil",[1] Tunisia's late President Beji Caid Essebsi looks back at this time and describes how the country's sole political party, the RCD (Rassemblement Constitutionnel Démocratique), was effectively dissolved overnight. Suddenly, other political parties were permitted, and freedom of press was declared. Right from the start, this democracy also had to deal with the widespread assumption that such a system was basically unfeasible in an Islamic country.

The Tunisians themselves are increasingly critical of the results of their country's political transformation. In June 2020, the Konrad-Adenauer-Stiftung commissioned Sigma Conseil, a polling institute, to carry out a survey on the reasons for populism. When asked about the country's economic situation, 77 per cent of respondents said it had deteriorated over the last ten years. According to the survey, the primary responsibility for this lies with politicians (60 per cent of respondents), the state (47 per cent) and business (32 per cent). The respondents identified some major shortcomings in key policy areas that affect public perceptions of the effectiveness of the political system. For instance, 76 per cent of those surveyed were unhappy with education policy, and 65 per cent said a member of their family was unemployed. In another survey on economic inclusion in Tunisia, also conducted on behalf of the Konrad-Adenauer-Stiftung by Sigma Conseil, in December 2019, 60 per cent of respondents believed the social divide in Tunisia to have widened over the past five years.

Many Tunisians believe that the economic and social decline is linked to the political transition that began ten years ago, and do not see a democracy dividend. Trust in the country's political institutions is dwindling. In August

In support for the Ennahda candidate: The Islamist party has enjoyed considerable popular support since its formation in 2011 and is often described as Tunisia's only popular party.
Source: © Zoubeir Souissi, Reuters.

2020, only 23 per cent of those surveyed in the political barometer said they trusted the political parties or parliament. The coronavirus pandemic initially boosted the government's popularity, but it has dropped back to 49 per cent, well behind the social organisations that are still trusted by 69 per cent of Tunisians. The president is the only politician who still enjoys broad support at 88 per cent. He is a fierce critic of current political actors and won the 2019 elections on an anti-establishment platform.

In a survey carried out by Sigma Conseil on behalf of the Konrad-Adenauer-Stiftung in September 2020, 72 per cent of respondents agreed with the statement that democracy was going nowhere, and thought it would be better to have less democracy and more effectiveness instead. This growing scepticism towards democracy has also been reflected in declining voter turnout to parliamentary elections, from 51 per cent in 2011 to 41 per cent in 2014, and just 32 per cent in 2019.

The latest polls on voter preferences show that the PDL is the strongest party, alongside Ennahda. PDL is a party that remains close to the former regime of Ben Ali and is in a position to build on the growing sense of nostalgia for the pre-democratic era. The achievements of the revolution are fading in the face of political instability, a precarious security situation including numerous terrorist attacks since 2011, and the country's growing economic and social problems. Indeed, many Tunisians feel these achievements amount to little more than allowing freedom of expression.

Trend 2: The Importance of Political Parties is Declining

Since the revolution, Tunisia's party system has undergone a dramatic change. Before 2011, in most areas of society and politics, the political system was dominated by the RCD in what was effectively a one-party state. Six opposition parties were allowed to exist, but at best they were granted a niche function.[2]

After the revolution, legislation was passed to allow political parties to operate freely, and more than 220 parties have since been established, with varying degrees of significance and life spans. The resulting party system is becoming increasingly fragmented, and the parties have little influence in terms of setting the

political agenda, appointing political leaders, and stabilising the political system.

Politicians regularly migrate to more promising political homes, which leads to constant shifts in parliamentary majorities.

With one or two exceptions, this is primarily a result of being insufficiently representative due to inadequate manifesto statements and value orientation, internal conflicts and poor party organisation. Typically, Tunisian parties are organised according to the top-down model, whereby decisions are taken at the highest level and then communicated downwards – if at all. A career in a Tunisian political party often does not start on the local level. Quite often politicians without local or regional experience in party politics take over party leadership positions on the

national level, which weakens the significance of regional organisations still further. Most of the parties are poorly organised at the local level and largely ignore the regions, except during election campaigns, or at times of political tension.[3]

Moreover, party members and their elected representatives tend to have scant loyalty to their own parties. Politicians regularly migrate to more promising political homes, which leads to constant shifts in parliamentary majorities. This is partly due to the permanent internal conflicts caused by democratic deficits within party structures, and to the poor leadership skills on the part of party leaders. The dramatic fallout from such crises is evident in the case of the Nidaa Tounes party. In just five years, it has shrunk from being a majority party that provided the country's president, prime minister and parliamentary speaker, to being a fractured party with a mere three MPs. Unpublished surveys of current and former party members made available to the Konrad-Adenauer-Stiftung, show that the predominant reason former members turned their backs on their party was not poor policies, but internal party conflicts.

The Islamist party Ennahda ("Renaissance") is a special case in the Tunisian political landscape. The party has enjoyed considerable popular support since its formation in 2011, and has always been one of the strongest parties in parliament. It is often described as Tunisia's only popular party. Although its political agenda is fairly elusive, it enjoys better leadership, organisation and discipline than other parties. In terms of content, over recent years the party has tried to be seen as an Islamic conservative party modelled on Germany's Christian Democrats. However, its relationship with the Muslim Brotherhood remains opaque. To date, Ennahda has benefited from the extreme polarisation of secularists and religious conservatives in Tunisian society. While the secular camp is politically divided, Ennahda has built a core base amongst religious conservatives, allowing it to assert itself as a comparatively stable political power. However, Ennahda has recently lost a great deal of popular support, and its cohesion is crumbling, particularly since discussions began on whether the party's current leader, Rached Ghannouchi, should be given a third term – something that is prohibited by the party's statutes.

Many of the country's political parties lack transparency, and are perceived as somewhat dubious by the Tunisian public. In fact, only three of the 20 or so parties represented in parliament regularly submit their obligatory statement of accounts to the Court of Audit, and most political parties are opposed to the disclosure of campaign financing.[4]

It is, therefore, hardly surprising that the advocates of direct democracy have been gaining support and political influence. The victor in the 2019 presidential elections was Kais Saied, an independent candidate who distanced himself from other politicians through his anti-establishment stance. He also advocated various forms of direct democracy, and campaigned under the slogan "le peuple veut"(the people want) – suggesting that there was a recognisable popular will on which politics could and should be based. This explicitly contradicts the need for a competition of ideas represented by the parties, and hence their acceptance as pillars of representative democracy.

The poor performance of the established parties is a direct consequence of dissatisfaction with the party system.

In the 2019 parliamentary elections, the established political parties were among the losers. Some are only just fighting to survive, such as Nidaa Tounes, the liberal Afek Tounes party, and the left-wing alliance Front Populaire. The winners included political parties with populist tendencies. This category includes Qalb Tounes, which became the second-strongest party in parliament shortly after being founded, and whose leader reached the second round of the

presidential elections. However, many of its representatives felt so little loyalty to this still-young party that almost a third of them abandoned it after the elections.

The poor performance of the established parties is a direct consequence of dissatisfaction with the party system, which many Tunisians feel is too inward-looking. Even the term "classe politique" (political class), the usual way of referring to politicians in Tunisia, indicates the extent to which politicians and parties have either moved away from their representative function, or not yet achieved it.

The formation of the government after the elections once again underlined the dwindling significance of political parties. Rather than asking a party leader to form a government, the president turned to Habib Jemli, a fairly unknown and inexperienced politician with somewhat divided support from the Ennahda party. However, Jemli failed to gain a parliamentary majority for his cabinet, so the president appointed former presidential candidate Elyes Fakhfakh. Although Fakhfakh had extensive political experience, his party Ettakatol did not win a single seat in the parliamentary elections, and, as the party's nominee for the presidency, he attracted only 0.34 per cent of the vote. Fakhfakh gained the confidence of parliament for his cabinet, but the lack of a safe majority made it difficult for him to move forward. Indeed, his government lasted less than five months before he had to resign due to a conflict of interest. Once again, it was not a party politician but a technocrat who was asked to form a government. On 1 September 2020, Hichem Mechichi won 134 of the required 109 votes in parliament, and now heads a cabinet largely consisting of other technocrats. This highlights the declining significance of political parties, and reveals how it is now possible to rise to the highest political office in Tunisia without the support of a party. The parties are leaving it to other actors to shape Tunisian politics, including experts and associations, such as the UGTT trade union federation, or UTICA, the employers' association. These organisations are themselves only partially representative, but they are more adept at promoting their interests and mobilising the masses. As a result political parties are downgraded to the second tier of politics. However, the country's recent political history has shown that governments formed in this way, without party political support, tend to be extremely fragile.

Trend 3: Increasing Political Instability

Tunisia's political instability began with the revolution of 2011. From there it has been perpetuated by growing scepticism towards democratic institutions, and by the failure of politicians to deliver on their promises. It is likely to continue to affect the country for many years to come. Depending on how they are counted, there have been seven or perhaps even nine governments since 2011, along with numerous cabinet reshuffles. Hamadi Jebali's government was formed in December 2011, and lasted for 15 months until March 2013; his successor Ali Laarayedh managed just eleven months. Mehdi Jomaâ's government lasted twelve months (January 2014 to January 2015), and that of his successor, Habib Essid, 18 months (February 2015 to August 2016). Youssef Chahed led a government that was reshuffled several times, but which remained comparatively stable with a term of 42 months. The parliamentary elections of September 2019 ushered in another phase of extreme instability after the government of Elyes Fakhfakh, which was formed in March 2020, had to stand down in July 2020.

Tunisian governments start their fight for survival on the day they take office and simply try to postpone their dismissal for as long as possible.

Parliament confirmed the appointment of Hichem Mechichi, a political newcomer, as prime minister in September 2020. Considered to be an expert administrator, he briefly acted as a presidential advisor after the presidential elections, and then served as Interior Minister in the

Fakhfakh government for a few months. He does not have a secure majority in parliament, and initial impressions also suggest he may not always be able to count on the support of the president.

To put it bluntly, recent history shows that Tunisian governments start their fight for survival on the day they take office and simply try to postpone their dismissal for as long as possible. The five year mandate implied by the election is de facto irrelevant. Incoming governments are aware of the fact that they will most probably not have five years to formulate and implement policy. Operating in permanent crisis mode, it is almost inevitable that governments focus on what is in front of them and neglect long-term strategic planning. In this situation, even slight resistance to unpopular decisions (however necessary) leads to concessions, which increases susceptibility to populist solutions.

Along with certain clauses in the constitution (see Trend 4), another cause of this instability is the electoral system itself, which tends to produce a fractured parliament and unclear majorities. When Tunisian electoral law was drawn up, the aim of ensuring all relevant social groups were represented in parliament was prioritised over the aim of concentrating political parties and forming stable parliamentary majorities. It was decided to introduce proportional representation without an electoral threshold, and individual seats would be distributed using a quota system and the largest remainder method, which favours smaller parties. In the parliamentary elections of October 2019, the 217 seats were divided between 20 parties, with seven of them having a single MP.

According to the constitution, the Tunisian president gives the list with the most seats the mandate to form a government. If it is unable to obtain majority support, the president can then ask another candidate to form a government. If this government also fails to gain the confidence of parliament, the president can dissolve parliament and call new elections. After the 2019 parliamentary elections, the Ennahda party candidate, who was initially charged with forming the government, was unable to secure a majority in parliament. The president then selected another candidate and asked him to form a government. Yet, the party of this designated head of government failed to win a single seat in the elections, so this decision ignored the will of the electorate. Parliament's subsequent approval of Fakhfakh's appointment was driven more by a desire to avoid fresh elections than by support for the man and his policies. This tendency for election results to play a subordinate role in the formation of a government was underlined again when the Fakhfakh government stood down in July 2020, and Hichem Mechichi, an independent, was asked to form a government. In early September 2020, parliament approved his cabinet, which consisted almost entirely of ministers who had not even stood in the previous parliamentary elections.

With the difficulty of creating stable government majorities, and the rise of extremist parties in parliament, the situation is strongly reminiscent of the multi-party system that prevailed in Germany's Weimar Republic. In the aforementioned Sigma Conseil survey of June 2020, 78 per cent of respondents disagreed with the statement that Tunisia's parliament truly represents their interests and reflects their political views. Meanwhile, 70 per cent of respondents said the government does not represent them.

Trend 4: Conflicts of Competence are Hampering Good Governance

Drawn up in 2014, Tunisia's constitution is the result of a negotiation process designed to avert two threat scenarios. Firstly, following the experience with the Ben Ali regime, it was important to prevent presidents having too much power. Therefore, parliament was given a wide range of competencies, and executive powers were divided between the president and the prime minister. Secondly, the power of the Islamists had to be kept in check. As the strongest political party, they advocate a parliamentary system with a president who is not involved in the work of government. In order to restrict their influence, it was decided that the president should be elected directly, and given executive functions.

Thus, according to Article 71 of the constitution, the executive consists of the president of the republic and a government that is presided over by the head of government. The president represents the country, and sets the guidelines for foreign policy, as well as defence and security policy, while the prime minister is responsible for all other policy areas. The fact that the president is directly elected gives him greater democratic legitimacy than the prime minister, who is elected by parliament. Despite the fact that the prime minister is responsible for the majority of government business, the public perceives him as interchangeable and hence less powerful – partly because of the rapid turnover of governments since the revolution. The experiences of recent years show that this division of executive power into two "presidents" is only practicable if the two office holders work together politically, or if the prime minister has a stable majority in parliament. However, this has rarely been the case since the adoption of the constitution.

Moreover, after the 2019 parliamentary elections, Ennahda's leader Rached Ghannouchi was appointed as parliamentary speaker, effectively increasing the number of "presidents" who can exert political influence. Ghannouchi explicitly addresses current political issues in his capacity as parliamentary speaker, not as party leader. It was in this capacity, for instance, that he initiated his own diplomatic moves

For stable majorities: Some minor reforms to electoral law would counteract the fragmentation of parliament – an electoral threshold, for example, would reduce the number of political parties represented in parliament.
Source: © Zoubeir Souissi, Reuters.

towards Turkey. This caused an outcry among anti-Islamist groups in Tunisia, who suspected he was working with the Muslim Brotherhood. Ghannouchi also took sides during the Libyan conflict, thus abandoning Tunisia's traditional diplomatic neutrality in this respect. He also exceeded his authority when he released an official statement criticising the peace agreement signed by Israel and the United Arab Emirates.

According to an African proverb, when elephants fight, it's the grass that suffers. Many Tunisians now think the country has three presidents – the president of the republic, the prime minister, and the parliamentary speaker. They are all vying for power and stirring up conflict between democratic institutions.[5] This conflict, which is playing out beyond the scope of democratic checks and balances, is weakening the agency of the state, causing public disquiet about Tunisia's political leadership, and diminishing international confidence in a country that relies on strong international relations.

Instruments for Consolidating Representative Democracy

The political crisis in Tunisia highlights the levers that could be used to make its democracy more resilient, as well as to counter excessive reactions, such as calls for direct democracy, or for the temporary suspension of democratic principles ("government by decree"). Other far-reaching demands include changes to the constitution; although there are many good reasons for this, it would be very time-consuming, and thus would not provide a solution to the current, acute political crisis. The following measures would be less costly, and easier to implement in the medium term:

Strengthen Civic Education

The low levels of trust in democracy and its principles and procedures (Trend 1) are mainly due to lack of knowledge and information. This is why civic education should be a more important element of education at all levels. Targeted civic education measures should also be directed at current political actors, particularly local councillors elected in 2018 over the course of the country's decentralisation, as well as local administrative officials. This would help them to carry out their tasks, and strengthen the population's confidence in democracy in their daily lives.

The rift between the "political class", represented by the parties, and society as a whole needs to be repaired.

Strengthen the Representative Function of the Party System and Sanction Political Parties

The party system should not be above the law. Legal sanctions must apply to parties that, for example, fail to meet their obligations regarding accountability, or violate rules of internal party democracy. Merely implementing these measures would result in a greater concentration of the party system. It is important to repair the rift that exists between the "political class", represented by the parties, and society as a whole. Achieving this requires parties to attract more supporters who are not existentially dependent on politics, or who do not aspire to a political career. For example, young people could be encouraged to become involved in politics through a low-threshold offer, such as joining the youth wings of political parties, which should be highly decentralised. This could also help to create a critical mass of party members, which is key if parties are to monitor themselves more effectively. Such measures could halt the declining significance of political parties (Trend 2), and thereby strengthen representative democracy.

Reform Electoral Law

Some minor reforms to electoral law would counteract the fragmentation of parliament. Proportional representation should be retained, but an electoral threshold of three to five per

cent should be put in place. Laborious and complicated voting systems should be avoided. This also applies to the introduction of a majority voting system, which could overstretch the maturity of Tunisian democracy by excluding a large proportion of the electorate from the distribution of seats. This would leave Tunisia's diverse society poorly represented in parliament. An electoral threshold would reduce the number of political parties represented in parliament, and promote more stable majorities (Trend 3). It would also encourage micro parties to merge with other parties to avoid potentially ending up with no seats. This would improve their organisational capacity and political relevance (Trend 2).

Establish the Constitutional Court

It is vital to finish establishing the Constitutional Court, a process that has been gridlocked since 2015. The Court should consist of twelve judges, four of whom are to be appointed by parliament, four by the supreme judicial council, and four by the president of the republic. So far, the Court remains vacant because parliament has failed to endorse four candidates, who must be elected by a two-thirds majority. Some politicians seem to be nervous of creating an excessively independent body, or fear that the majority situation in parliament would lead to the appointment of religiously conservative judges who would interpret the law accordingly. To some extent, these fears are an expression of the country's lack of experience with a constitutional court. The process could be set in motion if the Judicial Council and the president selected their eight judges, thus increasing the pressure on parliament. Establishing the Constitutional Court would reduce the conflicts of competence described in Trend 4, and thus allow for more constructive governmental action.

Introduce Rules on Switching between Parties

Political nomadism in parliament weakens its representative function, as members of parliament tend to distance themselves from the will of the electorate. Frequent switching between parties leads to permanent shifts in the balance of power. This makes it difficult to retain legitimate control over the executive branch, and promotes instability. Moreover, at the end of a legislative period it is almost impossible for voters to assign political responsibility to particular MPs for their parliamentary decisions, and to vote accordingly. It would be helpful if MPs committed to displaying greater loyalty to their party, or if rules were introduced on switching between parties. For example, specific time frames could be set for changing parties, as is the case in South Africa. Moreover, voters would be able to punish political nomadism if governmental or non-governmental bodies provided more detailed tracking and documentation of this phenomenon. Regulation and monitoring would create obstacles to switching parties, which would then reduce the political instability that arises from the dearth of secure majorities in parliament (Trend 3).

Democracy came under pressure before it was able to build the resilience it needed.

Conclusion: A Difficult First Decade of Democracy

Tunisia's first ten years of political transition have certainly been eventful. Its democracy came under pressure before it was able to build the resilience it needed to weather internal and external crises. Terrorist attacks with catastrophic effects on the tourism that is so vital to the economy, the almost decade-long war in neighbouring Libya, the growing influence of authoritarian states in the region, and, most recently, the coronavirus pandemic have all created difficult conditions for the development of democracy. Depending on one's perspective, Tunisia's recent political developments can be presented as an incomplete success story, or as incomplete proof of the failure of democracy. To date, the picture has been clouded by political instability, an inconsistent approach to freedoms, the lack of a sense of responsibility in

politics and society, and by politicians' inability to design and implement long-term solutions to the country's development bottlenecks. Elements of a success story undoubtedly include organising parliamentary and presidential elections that meet democratic standards, the adoption of a democratic constitution in 2014, an active civil society that protects democracy, and a free press. Overall, Tunisia remains an important benchmark in the region in terms of its cultural, religious and democratic development. A successful continuation of this democratic transition would also send an important signal to countries that have not yet begun or completed this process, and would spur on local advocates of democracy. Failure would fuel anti-democratic movements, and confirm the sceptics' view that democracy is unfeasible in the Arab world.

–translated from German–

Dr. Holger Dix is Head of the Konrad-Adenauer-Stiftung's office for Tunisia / Algeria, based in Tunis, Tunisia.

1 Essebsi, Beji Caid 2016: Tunisie: la démocratie en terre d'Islam, Paris, p. 36.
2 Biegel, Rainer 1996: Tunesien, in: Politische Parteien und gesellschaftlicher Wandel. Berichte zur KAS-Themenkonferenz Afrika / Naher Osten, pp. 397–406.
3 M'rad, Hatem 2017: Introduction, in: Konrad-Adenauer-Stiftung / Association Tunisienne d' Etudes Politique (eds.): La Politique dans les régions: Quels défis pour les partis politiques?, Tunis, pp. 7–9, here: p. 7.
4 Jeune Afrique 2020: Tunisie: le cri d'alarme de Chawki Tabib sur la libanisation de la vie politique [Tunisia: The alarm call of Chawki Tabib for the Lebanisation of political life], 6 Jul 2020, in: https://bit.ly/34LWDUJ [12 Oct 2020].
5 Lipowsky, Janosch 2020: Drei Präsidenten in der Krise, KAS Country Reports, Konrad-Adenauer-Stiftung, 22 May 2020, in: https://bit.ly/3khkxOq [16 Aug 2020].

Source: © David Mercado, Reuters.

Political Parties – Challenges and Perspectives

Strategic Partners under Pressure

Seven Theses on the State of Party-Based Democracy in Latin America

Sebastian Grundberger

As far as its party systems are concerned, Latin America bears a much stronger resemblance to Europe than the so-called Global South. If they are to ride the storm of social protests, populist cure-all promises, and Chinese advances, Latin America's parties will need strategic support from Europe. In a time of global changes, Latin America's shared values makes it an indispensable partner.

The coronavirus hit Latin America while it was amid a stress test for democracy. In various countries on the continent, the pandemic went hand in hand with acute social conflict, distrust in institutions, an eroding political and societal consensus, and populist cure-all promises. In the coronavirus crisis, the already-weakened political parties were scarcely able to control the narrative as bearers of coherent political concepts. This inability is not only due to the prominence of the executive in crisis situations and an increasingly weakened institutional linkage between government and one strong political party on the continent. The pandemic also makes it fundamentally more difficult to provide answers based on the familiar left-right spectrum. Even if structural challenges facing Latin American parties tend to receive scant international attention during the crisis, they not only remain eminently relevant, but also crucially important for the future of democracy in the region. The developments in Latin American party-based democracies should be followed with attention, especially if Europe views the countries of Latin America as strategic partners based on shared values. Below, seven theses will highlight several of these developments, which shall be discussed in more detail.

1. Latin America's Democracies Remain Party-Based Democracies (for Now)

Unlike the decolonisation processes in Africa and Asia, which took place much later, that in Latin America gave rise to political "parties" in practically all countries shortly after their independence. The groupings that gave themselves the name "party" in the first half of the 19th century were reserved for the elites of Spanish origin. Yet, despite their elite character, they represented opposing ideologies – conservative and clerical on the one hand and liberal and trade-oriented on the other. The first half of the 20th century saw the rise of left, socialist, or even communist parties to join the mix. The advent of mass media embedded the parties more strongly in the middle and lower classes. Over the course of the Cold War, Latin America's parties were often pulled into that conflict's functional logic whether through a strong linkage to the ideology of one side or through the propagation of a "third way" and sympathy for the Non-Aligned Movement. Over the years, additional parties have been founded based on current issues, with some of them being able to establish themselves permanently. However, Latin America's party systems have remained remarkably stable into the 21st century.[1] This is true despite the continent's history having included military coups and dictatorships in practically all countries. After such episodes, it was frequently the old parties that played an important role in re-establishing democracy. Examples of this are Argentina, Chile, and Uruguay.

Even though this theory of stable Latin American party systems is increasingly being called into question today, two things have not changed: Latin American countries have become accustomed to the existence of some type of "parties" over the last 200 years, and existing political groups in most countries can partly be classified according to positions along the ideological

scale from left to right, between authoritarian and libertarian/pluralistic, between nationalist and cosmopolitan. Latin America's ideological schools of thought and the associated parties overall correspond much better to European categories than is the case in Africa or Asia. Moreover, the continent has been home to important ideological parties for many decades, and they continue to have significant influence on the formation of governments. The clearest example of this is the centre-right Partido Nacional, founded as early as 1836, which has headed the government of Uruguay since 1 March 2020. The origins of the Columbian Partido Conservador and Partido Liberal, which continue to be politically relevant, date back to 1848/1849, and Mexico's Partido Acción Nacional (PAN) was formed in 1939. This all gives Latin America exceptional potential for party cooperation.

2. Societal Polarisation Exacerbates the Loss of Reputation of Political Parties and Institutions.

Surveys indicate that, despite three to four decades of civil government in most Latin American countries democratic institutions have failed to overwhelmingly gain the trust of citizens as guarantees of good governance or institutional stability. In 2018, the Latinobarómetro study[2] showed that only 24 per cent of Latin American respondents were satisfied with democracy in their countries; this was the lowest percentage since records began in 1995. In contrast, 71 per cent were "not satisfied". Brazil was at one end of the scale with only nine per cent satisfaction with democracy, followed immediately by Peru and El Salvador (eleven per cent each), Venezuela (twelve per cent), and Mexico (16 per cent). Overall, only 48 per cent of respondents indicated that they fully support democracy, while a record number – 28 per cent – declared themselves to be "indifferent". These weak values directly impact on a wide variety of democratic institutions such as electoral authorities (28 per cent trust), judiciary (24 per cent), government in general (22 per cent), and parliaments (21 per cent). Political parties fared particularly badly, garnering just 13 per cent support from respondents. That is down from 24 per cent in 2013. Political parties' loss of reputation can thus not be viewed in isolation from falling support for democratic institutions and democracy in itself. Nevertheless, it is notable that political parties have borne the brunt of this damage.

Latin America has increasingly participated in the trend towards eroding basic political consensus.

When searching for an explanation for these trends, it helps to examine global developments. For instance, in recent years Latin America has increasingly participated in the trend towards eroding basic political consensus and polarising the political landscape into two irreconcilably opposing camps. What in Argentina is known as "la grieta" (the fissure) is a feature characterised by a growing number of countries in the region, albeit with varying levels of severity. Countries such as Brazil, Chile, and Peru have moved in a similar direction over the last few years – not to mention countries such as Bolivia, Ecuador, Nicaragua, and Venezuela that have been or still are subject to "Bolivarian"/autocratic governance styles. Wherever debates are used to paint political opponents as irreconcilable political enemies instead of political competitors, the space for institutionalised parties with their internal discussions and committees serving as articulators of social demands becomes limited. Willingness to defend democratic institutions against any threat from the far left or the far right also often diminishes as societal polarisation increases.

3. Interest Groups – Not Parties – Are Articulating the New Social Protests

In Chile, Columbia, and Ecuador, severe social and sometimes violent unrest shook parts of Latin America just before the coronavirus outbreak. The political crisis in Chile in particular prompted observers to wonder how the "most

prosperous country in Latin America [...] suddenly transformed into something resembling a battlefield".[3] Referring to the situation in Chile, sociologist and author Carlos Peña stated that one of several causes of the crisis was that "the state had scarcely been reformed and was increasingly considered obsolete by a society progressing ever faster". This gave rise to a situation in which "society has reached a complexity that a state designed in the 19th century is no longer equipped to deal with".[4] This diagnosis can certainly be applied to the political parties as part of this institutional design. In none of the above-mentioned contexts were political parties decisively involved as articulators of social demands. On the contrary – protestors frequently perceived the parties, often internally weakened by corruption scandals and disputes, as part of the unjust system they were fighting. In such cases, as early warning systems anchored in society, the parties were unable to include social demands, divert them into institutional channels and thus avoid a violent explosion.

When parliamentary democracy is ultimately replaced by a plebiscite system, parties lose nothing less than their raison d'être.

The primary mobilisers for protests were often elusive interest movements that had no clear leaders and operated primarily through social media. Such groups functioned under slogans such as "No más AFP" (No more AFP) in Chile and, a few years before, "Vem pra Rua" (Let's take to the streets) as part of the 2016 protests against Brazil's Dilma Rousseff government. Then there are student movements and various collectives for which it is difficult to discern a single driving force. While these movements thus replaced parties in their mobilising function, they were largely unable to provide political solutions or new, democratically legitimised forms of political leadership. On the contrary, they crowd out existing parties and parliamentary factions with emotionally charged demands that are greatly amplified in virtual space. Substantive discussions about such matters as technical details for designing a retirement or electoral system thus become moralised in a way that is highly detrimental to the absolutely necessary dialogue on these issues. This public moralising also shifts several elements of democratic decision-making that are reserved for parliaments in representative democracies to the streets or the internet. When this process advances to the point where parliamentary democracy is ultimately replaced by a plebiscite system, parties lose nothing less than their raison d'être, and cease to function as a buffer against authoritarian ambitions.

4. The Caudillo Keeps Coming Back – in the Analogue and Digital Worlds

Despite all the problems, the current social protests are expressions of demands by a larger and increasingly educated middle class for new forms of social and political participation – and thus, in a sense, for more democracy. It therefore appears even more anachronistic that this dissatisfaction with "politics" and "the political class" benefits a traditional species of "Latin American political fauna"[5]: the "caudillo". This designation, which originally derives from military jargon for a warlord, is used in Latin America when a charismatic populist leader purports to be a tribune of the people, and assumes or uses power, sometimes by shady means. Today, just as before, Latin America's contemporary populists see a kind of "binary struggle between 'the people' on one side and some sort of corrupt, exclusive elite on the other"[6] and thus benefit from moralising politics.

It is notable that of the five Latin American countries cited above, which are least satisfied with democracy according to Latinobarómetro's 2018 survey, three – Brazil, Mexico, and El Salvador – have entrusted their destiny to populist caudillo figures since that survey was published. The new caudillos have learned to use digital media in a targeted manner for their purposes,

branding their style of politics as "modern", even though it appears to have its origins in the continent's distant political past.

An especially striking example is the president of El Salvador, Nayib Bukele, who has become a sort of cyber caudillo. He was elected in 2019 by promising to move away from business as usual, that is, his country's traditional parties. He initially called himself "the coolest president in the world" on Twitter, then proceeded to resort to the most classic of all Latin American caudillo tactics for consolidating their power: military might. The strategy reached its

Broad dissatisfaction: Protestors frequently perceived the parties, often internally weakened by corruption scandals and disputes, as part of the unjust system they were fighting. Source: © Pablo Sanhueza, Reuters.

symbolic apex with the occupation of the parliament building by armed forces on 9 February 2020.[7] Given this background, it sounds almost cynical when Bukele calls the party he founded along caudillo lines, in his image, and according to his whims "Nuevas Ideas" (New Ideas) of all things.

The coronavirus pandemic has shown several populist leaders to be clearly deficient in crisis management.

Even though the coronavirus pandemic has shown several populist leaders to be clearly deficient in crisis management,[8] the idea that the crisis will permanently rein in the caudillos and move the population to elect moderate ideological parties appears to be wishful thinking at best. On the contrary, the impoverishment of large parts of the population caused during the course of the pandemic and the feeling of abandonment by an already weak state structure, may amplify the desire for populist conceptions of politics and the supposedly simple solutions they present.

5. Short Life Spans, Little Cohesion – the "Peruvianisation" of Latin American Parties

While some caudillos are becoming a danger to the democratic constitution of Latin American states, there are also micro-caudillos who determine the direction of their political parties and attract far less international attention. Particularly in countries where fixed party systems are only in the embryonic stages, promising presidential candidates tend to found "parties" themselves. The life span of these organisations is often limited to the duration of the candidate's own political activity as primary leader. In Peru, former President Pedro Pablo Kuczynski even named a party after his initials (Peruanos Por el Kambio). After the premature end of Kuczynski's presidency in 2018, his "party" disintegrated, too, and its members scattered to join new groups. This phenomenon, which has become typical of Peru, has repeatedly prompted political scientists to refer to that Andean country as a "democracy without parties"[9]. The Peruvian academics Fernando

During the coronavirus pandemic, large parts of the population in Latin America suffered from a feeling of abandonment by an already weak state structure. Source: © Sergio Moraes, Reuters.

Tuesta, Paula Muñoz, Milagros Campos, Jessica Bensa, and Martín Tanaka explain the fundamental characteristics of this model:[10] In ever shorter political cycles, amorphous "political franchises"[11] form around leader figures, dissolving just as quickly. Once these franchises are in government, there is no high-ranking party official to assume important governing roles. This leads to technocratic governments without a clear political direction. There is

also an increased danger that individuals who become involved in such political projects will pursue personal in lieu of political goals. A serious hazard resulting from this is the increased danger of illegal structures influencing politics, a great destabilisation of politics and "mercantilisation"[12] of candidacies and campaigns.

This trajectory of political parties, described here in a Peruvian context, is becoming increasingly noticeable in countries, such as Columbia and Chile, where party politics is comparatively more institutionalised. Other countries, such as Ecuador, Bolivia, and Venezuela, are farther along in the process of party system dissolution. Central American countries are suffering the same fate, except for Costa Rica.

Presence of a new player: The feeling imparted to visitors about their own importance drives the Latin American guests into the open arms of the Chinese Communist Party. Source: © Ivan Alvarado, Reuters.

The Uruguayan political scientist Juan Pablo Luna therefore sees the Peruvian model as a possible future scenario for other Latin American countries.[13]

6. Latin American Parties Are Looking for their Place in "Digital Democracy"

The term "digital transformation" is still used primarily in business, while its effects on political actors and parties take a much less prominent place in public consciousness.[14] But the challenge is not only for political parties to establish and assert digital space; their capacity to adapt to digital democracy and its dynamics is becoming an increasingly decisive factor in their electoral chances as well. This applies to Latin America in a special way. Although, despite progress, the region remains far behind Europe and the US in expanding digital infrastructure,[15] statistical data show that the continent has the most intensive daily use of social media than any other region worldwide. According to a 2019 study, Latin Americans spent an average of about three and a half hours on social media every day – almost twice as much as North Americans.[16]

Latin America's parties urgently need to find strategic answers to the reality of digital democracy if they are to remain effective in future.

Nevertheless, Latin America's parties have so far been largely passive with respect to developments in digital communication instead of innovatively harnessing new capabilities for such party work as membership recruitment, programme discussions, and engaging in fundraising.[17] While in Latin America we witness skilled election strategists using very innovative and professional digital electioneering approaches in campaigns tailored strongly towards specific individuals, such techniques are rarely used for the often homespun routine party communication and party work. Overall, parties often view digitalisation to be insufficient as a future method of shaping politics. For instance, scarcely any political specialists have made digitalisation their area of focus. Party working groups on the matter are even scarcer. All this means that it is easy for the unwieldy traditional Latin American parties, often fraught with internal regulations, to fall behind the highly emotional, personal caudillo style of politics in this point. Because the internet, and especially the many social media platforms, allow leading political figures to directly address increasingly segmented voter groups more than ever before, an important function of political parties – territorial presence and the associated proximity to the citizens – is being called into question at the very least. It is therefore extremely urgent for Latin America's parties to find strategic answers to the reality of digital democracy if they are to remain effective in the future.

7. China Has Recognised the Weakness and Potential of Latin American Parties and is Trying to Capitalise on it

While political parties in Latin America have frequently been the focus of attention in academic and political circles primarily due to signs of crisis, another global player has recognised the potential of this weakness: the People's Republic of China. For years, Beijing has been specifically incorporating Latin American parties into its geostrategic power play as part of the "new model"[18] of party relationships touted by China's head of state and party leader. The model involves parties focusing on their "commonalities" and "respecting" one another instead of concentrating on their differences. In 2015, China's Communist Party hosted the "China-CELAC Political Parties' Forum"[19]; "more than 60 political parties and organisations" from Latin America and the Caribbean attended a second such event in 2018.[20] Beijing's most important enticement for Latin America's political parties continues to be personal invitations to travel to China. According to author Juan Pablo Cardenal, such trips and the great hospitality displayed to guests have a "hypnotic effect"

on visitors that can "obfuscate" the impression of the "complex reality of China and its political system"[21]. The feeling imparted to visitors about their own importance, contrasted with the insignificance and hostility that they encounter at home, drives the Latin American guests into the open arms of the Communist Party.

China uses its economic involvement in Latin America to entice partners into political and geostrategic dependency.

Beijing's intertwining of party and government leadership in China merely leads to a rhetorical divide between governmental and party relationships. Latin American party representatives do not always realise that there is a direct relationship. It is especially important to China's strategy to also cultivate close relationships to governments and governing parties of various ideologies.[22] Examples here are the links between China's Communist Party and the governing parties in Brazil (Partido de Trabajadores, 2003–2016), Ecuador (Alianza País, 2007–2017), Peru (Partido Nacionalista Peruano, 2011–2016), and Argentina (Propuesta Republicana, 2015–2019), which all sent important groups of participants to the above-cited fora or on trips to China.

In all these examples, the Communist Party presented itself, to a certain extent, to be on the same level as the established democratic parties of Latin America and emphasises cooperation and the exchange of ideas and experience. By signing joint documents of "respect" and "solidarity", the Communist Party uses Latin American parties as a shield of legitimacy. There is scarcely any critical questioning of the strategic interests behind these invitations to China and the pompous declarations, which are difficult to read in Spanish or Portuguese. Since the public at home barely notices the signing of such documents, parties lose very little political capital on the national stage.

China uses its economic involvement in Latin America to entice partners into political and geostrategic dependency. Party representatives are told this directly in the context of assessing political events in China or overlooking human rights issues during official visits. Another example are loans that are sometimes granted only on condition that Chinese companies are commissioned with implementing infrastructure measures, and that the governments in question take a China-friendly position on Taiwan.[23]

Party Dialogue Is a Strategic Task in a Partnership Based on Values

As far as party systems are concerned, the Latin American countries bear a much stronger resemblance to Europe than the so-called Global South. Even though the process of erosion ("Peruvianisation") may even be farther along in some Latin American countries than in European Union countries, for instance, many of the challenges identified here for Latin American parties are relevant for their European partners, too. Because the concept of party in the two regions is fundamentally similar, both sides would reap a lasting benefit from increased dialogue.

This is especially true because authoritarian alternatives to the party-based democracies are clearly evident in both regions as examples of the dangers of failure. The issues that could be delved into in party dialogue include all questions pertaining to linking parties with their societies – whether that be party platforms, the search for an overarching basic societal consensus, and parties' structural orientation towards the quickly changing communication and debate models in the digital age, for instance.

If Europe neglects party cooperation, it is leaving such work to China and its state party, which supports a dictatorship. China's engagement in forms of party cooperation, with the associated potential of propagating the Chinese political party model to Latin America, cannot and must not be met with apathy in Europe. Europe should therefore pay closer attention to parties

as indispensable bearers of living, liberal, pluralistic democracies in Latin America, and recognise them as strategic partners with shared values. Europe's willingness to strategically promote such a party dialogue will be a major factor in deciding how Latin America's party-based democracies can survive their stress test.

–translated from German–

Sebastian Grundberger is Head of the Konrad-Adenauer-Stiftung's Party Dialogue and Democracy in Latin America Regional Programme, based in Montevideo, Uruguay.

1 Referring to the 1980s, 1990s, and early 2000s, Manuel Alcántara Sáenz highlighted this "stability" of the Latin American party systems as late as 2004. Alcántara Sáez, Manuel 2004: Partidos Políticos en América Latina: Precisiones actuales, estado actual y retos futuros, CIDOB edicions, Barcelona, p. 29.
2 Informe Latinobarómentro 2018: Latinobarómetro Opinión Pública Latinoamericana, in: http://www.latinobarometro.org/lat.jsp [5 Oct 2020].
3 Pena González, Carlos 2020: La crisis social en Chile y sus implicaciones para América Latina, Diálogo Político 1, in: https://bit.ly/38roRrA [9 Nov 2020].
4 Ibid.
5 The expression can be traced back to Vargas Llosa, Álvaro 2004: La fauna política latinoamérica – Neopopulistas, Insoportables y reyes pasmados, Santiago de Chile.
6 Latin News 2020: Latin American Populists and the virus, Latin American Special News Report, p. 1, in: https://bit.ly/3dLW5Cz [22 Oct 2020]. In their rhetoric, caudillos tend to equate themselves with the people. An example: "Yo no me voy a divorciar del pueblo; vamos a estar siempre juntos." (I will not divorce from the people, we will be united always.) Galván, Melissa 2019: 50 frases de AMLO en sus primeros 50 días de gobierno, Expansión Política, 19 Jan 2019, in: https://bit.ly/37J3txF [22 Jul 2020].
7 Bermúdez-Valle, Álvaro 2020: El Salvador: la conversión del presidente "millennial", Diálogo Político, 21 Feb 2020, in: https://bit.ly/3d2fA9x [5 Oct 2020]; Bermúdez-Valle, Álvaro 2020: El Salvador y la cooptación del Estado desde la emergencia sanitaria, Diálogo Político, 30 Jul 2020, in: https://bit.ly/2Svc2D7 [5 Oct 2020].
8 Usi, Eva 2020: América Latina: el coronavirus desnuda a los líderes populistas, Deutsche Welle, 2 Jul 2020, in: https://bit.ly/36xefpQ [5 Oct 2020].
9 Luna, Juan Pablo 2017: El fin de los partidos políticos?, Diálogo Político 1, here: p. 54, in: https://bit.ly/3mbHsv7 [22 Oct 2020].
10 Tuesta Soldevilla, Fernando / Muñoz Chirinos, Paula Valeria / Campos Ramos, Milagros / Bensa Morales, Jessica Violeta / Tanaka Gondo, Martín 2019: Hacía la Democracia del Bicentenario – Comisión de Alto Nivel para la Reforma Política, Konrad-Adenauer-Stiftung, pp. 21–37, in: https://bit.ly/3oh6niQ [22 Oct 2020].
11 Ibid., p. 29.
12 Ibid., p. 30.
13 Luna, Juan Pablo 2016: Perú, ¿el futuro político de Chile?, Centro de Investigación Periodística (CIPER), 29 Nov 2016, in: https://bit.ly/3d0sd4L [5 Oct 2020]; Tuesta et al. 2019, n. 10, p. 22.
14 Ford, Elaine 2019: El reto de la Democracia Digital. Konrad-Adenauer-Stiftung, here: p. 112 , in: https://bit.ly/31wwpEO [22 Oct 2020].
15 ASIET 2020: El estado de la digitalización de América Latina frente a la pandemia. La región en busca de la resiliencia digital, 5 May 2020, in: https://bit.ly/3cYx3zu [5 Oct 2020].

16 Navarro, José Gabriel 2020: Social media usage in Latin America – Statistics & Facts, Statista, 15 May 2020, in: https://bit.ly/2GB8wEE [05 Oct 2020]; Duarte, Fernando 2019: Los países en los que la gente pasa más tiempo en las redes sociales (y los líderes en América Latina), BBC World Service, 09 Sep 2019, in: https://bbc.com/mundo/noticias-49634612 [5 Oct 2020].

17 Ford 2019, n. 14, pp. 113–114.

18 Xinhua Español 2017: Enfoque de China: Xi pide a los partidos políticos del mundo construir comunidad de futuro compartido para la humanidad, 2 Dec 2017, in: https://bit.ly/30Bi35Q [5 Oct 2020].

19 The Community of Latin American and Caribbean States (Comunidad de Estados Latinoamericanos y Caribeños, CELAC) currently comprises 33 countries.

20 Spanish People Daily 2018: Representantes de partidos políticos de China y América Latina buscan soluciones para dificultades de desarrollo, 29 May 2018, in: https://bit.ly/35D2f4n [26 Jul 2020].

21 Cardenal, Juan Pablo 2018: El "poder incisivo" de China en América Latina y el caso argentino, CADAL, Buenos Aires, here: p. 24, in: https://bit.ly/36xGFA8 [5 Oct 2020].

22 Examples here are the links between China's Communist Party and the governing parties in the particularly resource-rich countries such as Brazil (Partido de Trabajadores, 2003–2016), Ecuador (Alianza País, 2007–2017), and Peru (Partido Nacionalista Peruano, 2011–2016). The Communist Party also sought close relations with PRO, the centre-right party of former Argentine President Mauricio Macri (2015–2019).

23 Alsina, Andrés 2019: China, tan vecina: la creciente influencia del gigante asiático en América Latina, la diaria política, 12 Jan 2019, in: https://bit.ly/3ivwDlp [5 Oct 2020].

Source: © Gustavo Graf, Reuters.

Political Parties – Challenges and Perspectives

Mexico's PAN

An Opposition Party with the Potential to Govern?

Hans-Hartwig Blomeier / Ann-Kathrin Beck

The Partido Acción Nacional (PAN) can look back at 81 years of history and tradition, although it has spent most of this period in opposition. In the run-up to Mexico's super election year of 2021, the party is once again keen to demonstrate its ability to govern at local and state level. In this way, it aims to position itself as a real alternative at the national level for the next presidential elections in 2024. However, the challenges it faces are immense in light of the country's structural problems and of the historical peculiarities of the Mexican party system.

2021 is set to be a super election year in Mexico, and both candidates and parties are already gearing up for the election campaign. All 500 members of the national parliament are up for re-election, along with 15 of 32 governors, more than 1,000 members of state parliaments, as well as city councils and mayors in almost 2,000 municipalities.[1] The Partido Acción Nacional (PAN) is under particular pressure to field candidates with strong programmes, personal credibility, political experience, and good communication skills. It also has to find ways of forging strategic alliances. Currently the strongest opposition party, it plays a vital role in standing up to the governing party, the Movimiento Regeneración Nacional (MORENA) and its ubiquitous media presence. It has to attempt to crack MORENA's almost unchallenged majority in the Chamber of Deputies, and to prevent its growing influence at the local and regional levels. Should it fail in this task, the incumbent president Andrés Manuel López Obrador could rule with little or no opposition and few political constraints or counterweights until 2024. This would have alarming consequences for Mexican democracy.

The Mexican Party System

In order to understand more about the development of the PAN, one must look back at the last 100 years of Mexican party democracy. This necessarily includes the history of the Partido Revolucionario Institucional (PRI), which spent more than 70 of those years in government. Its dominance has led to 20th century Mexico being described as a "perfect dictatorship". For many years, politicians were not allowed to stand for re-election in an attempt to prevent long terms of office and multiple mandates,[2] but the party perfected the art of transferring posts within the party cadre. Transfers between the three branches of government also flowed freely for many years. Even employee and employer associations and civil society organisations resembled party organisations more than independent bodies.

Looking back at Mexico's history, the Mexican Revolution (1910 to 1920) led to political instability, characterised by political feuds and frequent transfers of power. In 1929, the PRI[3] managed to consolidate power and formed stable governments that lasted for decades. But the policies of these governments were not always focussed upon the welfare of the people. Particularly under Lázaro Cárdenas (President from 1934 to 1940), they had a strong socialist and populist bent and harnessed different sectors of society for their own purposes: for example, workers' associations and traditional landowners were instrumentalised for political ends. This was in contrast to the vision of Manuel Gómez Morin, one of PAN's founding fathers. He considered establishing a new party early on, calling for long-term policies, stronger institutions and a departure from the political *caudillo*.[4] He believed social measures should be guided by the principle of subsidiarity and the interests of the nation as a whole, and that the

common good should take precedence over the supremacy of the state. Voter participation as an element of securing the political rights of the individual and the promotion of civic education were key concerns for Gómez Morin, who went on to set up PAN.

PAN was officially founded in 1939 and originally had a strongly conservative and Christian-democratic identity, although the secular nature of the party was emphasised. The party attracted middle class voters – particularly academics and entrepreneurs, who had a decisive influence on the party's orientation.

Over the following decades, the PRI continued to build its hegemony by being generally omnipresent in the lives of Mexicans – and through repeated electoral fraud. Despite this, Gómez Morin (who remained a strong influence within PAN) held firm to his conviction that political participation can only be consolidated through elections, and so PAN continued to field candidates, particularly at the local level. A local PAN deputy was elected for the first time in 1947 (Alfonso Hernández Sánchez in Zamora, Michoacán).

PAN went through a (not always linear) process of establishing its identity.

In the years that followed, PAN went through a (not always linear) process of establishing its identity. The party became a key gathering place for government opponents. As time went by it was influenced by staunchly Catholic, rather nationalist, tendencies, and then by groups that espoused a more left-wing approach towards social assistance. But PAN continued to attract supporters and, despite the growing political repression instigated by PRI governments, it managed to build its political influence in local parliaments, particularly in the northern states.

However, PAN's growing presence in local government was accompanied by internal struggles about its direction, with independent candidates joining PAN in the hope of gaining political power rather than on the basis of shared convictions. Internally, the party was riven by constant arguments about its direction, fuelled by sociopolitical issues, values, and also by strategic concerns (coalitions with other parties, cooperation with the PRI) or its proximity to specific target groups (e.g. the Church, business).

Meanwhile, the PRI was finding it increasingly difficult to maintain its hegemony. The incapacity of PRI-led corporatist state structures became increasingly apparent, especially after the 1985 earthquake, the debt crisis of the 1980s ("the lost decade"), and the currency crisis of 1994/1995. Mexico began opening up its economy to the outside world, culminating in the implementation of the North American Free Trade Agreement (NAFTA) in 1994. This had a major impact on the country and called into question its many years of party hegemony. At the 1988 elections, the PAN significantly increased its influence by winning 101 of 500 seats in the national Parliament. The PRI also lost ground to the Partido de la Revolución Democrática (PRD),[5] a left-wing splinter of the PRI, formed in 1989. This led to a noticeable increase in pluralism in Mexico's party-political system.

PAN won its first gubernatorial election in 1989 when Ernesto Ruffo Appel was elected in Baja California Norte. By the mid-1990s, PAN provided six of Mexico's 32 governors.

Twelve Years of PAN Government

In the years that followed, PAN chose the pragmatic path of *gradualismo*, a gradual approach to gaining government responsibility that was a departure from its hitherto rigorous opposition stance. It cooperated with the PRI on specific political projects, which stirred up controversy, but which increased its political influence.

In a lost position? The escalating violence and the drug cartels' growing strength – who Felipe Calderón's administration openly declared war on – had a major impact on the country, with PAN being apportioned most of the blame.
Source: © Daniel Becerril, Reuters.

It all culminated in the election of Vicente Fox in 2000 – for the first time, a PAN politician became the president of Mexico. This led to an almost euphoric sense of excitement, but also a heavy weight of expectations. His first term in office was followed by another (much narrower) victory by PAN's Felipe Calderón, who remained in office until 2012, meaning that PAN spent twelve years in national government.

The challenges for both PAN administrations were immense: corruption, nepotism, and political cronyism remained deeply rooted in the political system and in the entire state apparatus. The PRI – now an opposition party – blocked most of the planned reforms in Parliament, and PAN's lack of a parliamentary majority made it difficult to push through its agenda. Concessions from the opposition (particularly the PRI) were

few and far between, and generally very hard won. As the years went by, the Mexican people began to feel that many PAN politicians had simply joined the corrupt elite rather than standing up to them. Felipe Calderón's administration openly declared war on the drug cartels, but they continued to grow in strength and the violence escalated. Combined with the economic and financial crisis of 2008/2009, this had a major impact on the country, with PAN being apportioned most of the blame. The ongoing US court case against Genaro García Luna, the security minister in the Calderón government, also reinforces the impression that the fight against the drug cartels has not only taken its toll in terms of bloodshed but also involved concessions and collusion with the cartels themselves.

The incumbent president Andres Manuel López Obrador is a prototype of the Mexican caudillo.

PAN was punished for this in 2012, and a new PRI president came to power in the shape of Enrique Peña Nieto. The "Pacto por México" between his government, the PRI, the PAN and the PRD, which had also grown in strength, allowed the backlog of reforms to be addressed. In Parliament, this PRI government was also dependent on opposition support, but many Mexicans felt this led to an excessive rapprochement between the PRI and the PAN. The current president, Andres Manuel López Obrador (AMLO), subsequently took advantage of this in his election campaign.[6]

Diversification of the Party Landscape

The Mexican party system is now much more diverse. The PRD, the Movimiento Ciudadano, the Partido Verde Ecologista de México, and the Partido del Trabajo (PT) were largely established in the 1990s (mainly as a result of PRI splits) and compete with each other in shifting coalitions and local strongholds. The PRI is currently rather quiet at the national level, but it can look back on 90 years of broad-based structural development. It currently provides eleven out of 32 governors, and still has a strong local presence in many areas of Mexico, although current polls indicate further losses on the horizon. The main beneficiary of these is likely to be the MORENA, which has also been joined by numerous former PRI politicians.

Established as recently as 2011 by López Obrador and others, the MORENA views itself as a "movement" rather than a party. It still lacks established structures and is characterised by two key factors: firstly, its leader, the incumbent president López Obrador as a prototype of the Mexican *caudillo*; and, secondly, a mish-mash of extremely heterogeneous groups and politicians who believed MORENA provided a real opportunity for change, or perhaps an opportunity to achieve their own political goals. However, at the national level, the party members of both these groups have now reached the limits of their influence and the party is increasingly beset by cracks or even trench warfare. This is currently manifesting itself in a fierce dispute over the party leadership between the former founding father of the PRD, Porfirio Muñoz Ledo, and the current leader of the MORENA faction in the Chamber of Deputies, Mario Delgado (also from the PRD).[7]

PAN's Current Situation – National Opposition and Local Government

The 2018 Election Defeat: A Continuation of the Downward Spiral or a Chance to Rebuild?

PAN's rather unconvincing result in the 2012 presidential election, when their candidate Josefina Vázquez Mota won only 25.68 per cent of the vote, can be attributed to the party's exhaustion after twelve years in government and voter disappointment. In 2018, its performance was even worse, when Ricardo Anaya stood as the PAN candidate. Aged just 39, he brought great verve and dynamism to the campaign but failed to unite the country's desire for change (*cambio*) and for a new kind of politics. In the end he

attracted just 22.36 per cent of the vote and was roundly defeated by 64-year-old López Obrador, who won 53.19 per cent of the vote.

Following this defeat, and the gruelling election campaign involving numerous external attacks, and, above all, the internal conflicts – triggered by the fact that Margarita Zavala, the wife of former PAN president Felipe Calderón, decided to stand as an independent – the party was left facing some major challenges. It needs to overhaul its programme and personnel, face up to MORENA's threatened omnipotence, and reposition itself as an alternative governing party. In this context and faced with the task of halting the previous downward spiral, Marko Cortés overcame significant internal party disputes to be appointed its leader in early 2019.

The coronavirus pandemic has placed PAN under heightened scrutiny in the federal states. But this is where it can prove its capacity to govern.

Local Government Responsibility

MORENA undeniably dominates the national stage at present, with coalition majorities in both chambers of Congress, the omnipresence of the president, and clear agenda setting through a daily press conference (known as *mañaneras*). However, PAN remains the strongest opposition party in Congress[8] (though it has very limited influence in real terms) and is still a strong and significant player at the state and municipal levels. It currently provides around 400 of the country's 2,500 mayors and nine out of 32 governors.[9]

It should be stressed that the impact and challenges of the COVID-19 pandemic have brought PAN governments closer together. They have not only had to find individual solutions for their very different states, but have also adopted a joint position towards the national government in the form of the Asociación de Gobernadores de Acción Nacional (Association of PAN Governors, GOAN). Their role is not insignificant because of the power they enjoy in the regions, but it is limited by the fact that Mexico's states are financially dependent on federal budget allocations. A radical opposition can quickly be controlled by the federal government through subtle or not-so-subtle financial measures, such as budget cuts in the security sector.

The importance of PAN's regional presence is enhanced by the fact that all the latest polls relating to public satisfaction with the performance of mayors and governors have PAN politicians clearly ahead. For example, in the governors' ranking they occupy four of the top five positions.[10] The picture is similar among the mayors of larger cities.

The ruling party traditionally benefits in times of crisis, so PAN is under heightened scrutiny in the federal states. This is where it can prove its capacity to govern and demonstrate that it is able to set up and implement successful policy programmes that benefit the population (at present this mainly relates to controlling the pandemic and reviving the economy).

Image and Acceptance Problems

A significant challenge for the PAN continues to be the involvement of civil society in its decision-making processes, as well as the debate on its orientation. All too often it is perceived as an elitist party that does too little for ordinary citizens. It is true that PAN's national leadership has taken steps to involve more civil society actors, but the results are often unconvincing. PAN's political opponents seize on its traditional proximity to the business community to emphasise its elitist image. On the other hand, this closeness provides the party with an opportunity to position and present itself as a counterweight to the current government's rather anti-business stance. However, this also has its difficulties, partly because business circles have set up their anti-government movements and are not prepared to be co-opted by PAN.

Mexican society is also extremely heterogeneous, which presents a challenge to political parties of every hue. Parties would need to engage more intensively with the 20 per cent of the Mexican population that consider themselves as indigenous, as well as more generally with low income groups. However, PAN is currently doing very little to address the concerns of these groups, and fails to include their views and representatives in its decision-making and political processes. The party has a great deal of catching up to do in this respect.

The involvement of civil society in decision-making processes and the debate on PAN's orientation is a significant challenge.

It is, therefore, not surprising and indicative of the current balance of power that PAN stands at just 24 per cent in the latest polls on voting intention,[11] well ahead of the PRI (just under 12 per cent), but also far behind MORENA (40 per cent), which is reaping the benefit of the president's ongoing popularity (around 50 per cent).

Policies and Communication

Overall, PAN can still be classified as a conservative and Christian democratic party, although its policy orientation is not unanimously supported within the party. Work is currently underway on a new party manifesto, which will be adopted this year and provide a basis for the 2021 election campaign. Its orientation is based on humanist principles and on Christian, conservative values, with a focus on families, sustainable economic and social policies, international responsibility, domestic security and combatting corruption. However, the way this is put into practice tends to cause friction between the party's arch conservatives and its more liberal wing.

There is also room for improvement as regards the party's communication ability and media presence – a fact that was already evident during the 2018 election campaign. During the coronavirus crisis, certain PAN politicians have been very proactive and skilful at communicating via digital means, but this has not yet had an overall impact on the PAN as a party.

Leadership and a New Competitor

In President López Obrador, MORENA has a clear advantage that PAN still lacks: a leader that is perceived as a contender for the highest government office. PAN's two former presidents have turned their backs on the party (Calderón with his resignation, Fox with a more or less explicit show of disinterest, despite showing up at the PAN anniversary celebrations in 2019 and 2020). The most recent presidential candidate, Ricardo Anaya, accepted a teaching position in the US after the election debacle of 2018, but made a surprise return in late September when he announced his desire to re-enter politics, although it can be assumed that he will focus mainly on his home state of Querétaro. The party's current national leader, Marko Cortés Mendoza, is concentrating on the party's structural work – a sensible and much-needed task.

Looking ahead to the 2024 elections, the party still has some time to groom new leaders. The governors provide a good source of potential candidates, such as the youthful but successful governors of Yucatán and Guanajuato, Mauricio Vila and Diego Sinhue. Another positive development is the union of 15 former governors, mayors and current PAN deputies in the Unidos por México initiative. The specific aim of this organisation is to support PAN from within by engaging with the public, making policy proposals, and identifying candidates for the upcoming elections. PAN has the advantage that many of this organisation's members have served as governors and are respected both within the party and externally. However, none of PAN's leading politicians have yet actively positioned themselves at national level (something that is understandable and sensible from a tactical point of view, given that the next presidential elections are not until 2024).

Politically relevant player: MORENA undeniably dominates the national stage at present; however, PAN remains the strongest opposition party in Congress and is still a strong and significant player at the state and municipal levels.
Source: © Henry Romero, Reuters.

However, a new challenger to PAN has emerged from within its own ranks. Former President Felipe Calderón and his wife Margarita Zavala have founded their own movement, México Libre (ML), which is courting conservative voters. President López Obrador likes to engage in political skirmishes with Calderón, which has only increased ML's popularity. ML is already at around ten per cent in the latest polls. However, in order to be able to run in the 2021 elections, ML had to be registered as a party by the INE, the national electoral authority, and its efforts to achieve this seem to have failed. The INE has refused to register it as a party because it has failed to clearly account for more than five per cent of its income.[12] ML appealed to the Supreme Electoral Court, but this was also rejected in mid-October 2020, so all legal avenues now seem to have been exhausted. It is unclear what Calderón, Zavala, and their not inconsiderable number of supporters plan to do next. The PAN leadership have invited them to re-join the party, but this is unlikely to be accepted, at least by Zavala and Calderón, due to fierce differences of opinion. However, PAN is the party set to reap the greatest benefit from the absence of ML at the 2021 elections.

Looking Ahead to 2021 and 2024: Challenges and Opportunities

Against this background, Mexico is gearing up for a super election year. An adjustment to the legislative periods means that more positions than ever before will be up for re-election in June 2021: 500 national MPs, 15 governors, more than 1,000 local MPs, and almost 2,000 mayors.[13] At present, MORENA has a majority in Parliament, along with its coalition partners, but the party only has six governors, so its political majority could shift drastically.

PAN has two clear objectives: to work with the other opposition parties to overturn MORENA's majority in the Chamber of Deputies, and to consolidate or expand its own government presence at the regional level.[14] These are both ambitious aims, particularly in view of the fact

that PAN has a very mixed history when it comes to alliances and coalitions, including the recent negative experiences of 2018. However, in purely mathematical terms it is clear that a united opposition is the only way to halt the advance of MORENA.

This will require the right policies, communication strategies and the ability to attract popular support, but it will also depend on the party successfully closing ranks and presenting a united front. However, the new option of re-election has made this more difficult than expected in

some regions. Power struggles have already flared up in traditional PAN strongholds. The relationship between governors and mayors harbours particular potential for conflict.

The 2021 elections will set the tone for Mexican politics in the years to come. Today, however, the country's politics and democracy urgently need a convincing, powerful opposition and a political alternative to MORENA and to President López Obrador for 2024. Without this strong opposition, Mexican democracy could be on course for a very one-sided and increasingly authoritarian future.

PAN has to be proactive rather than reactive at the federal level. If it is to stand a fighting chance at the 2024 presidential elections, it has to focus on good governance, modern policies and developing future leaders. It is likely that the mistrust felt by many Mexicans and the fact that the party is still trying to establish its identity will make PAN's journey back to government much more difficult in 2024 than it was in 2000. Only time will tell whether it will succeed.

–translated from German–

Hans-Hartwig Blomeier is Director of the Konrad-Adenauer-Stiftung's office in Mexico.

Ann-Kathrin Beck is Trainee at the Konrad-Adenauer-Stiftung's office in Mexico.

1 Instituto Nacional Electoral 2020: Calendario Electoral 2021, 10 Aug 2020, in: https://bit.ly/37m6mUC [18 Aug 2020].
2 The electoral reforms of 2015 ushered in a process of change. 2018 was the first time that mayors were allowed to stand for re-election, and the same will apply to members of the national Parliament in 2021. Governors and the president are still not eligible for re-election.
3 At that time, it was still called the Partido Nacional Revolucionario (PNR).
4 Charismatic populist leaders who come to power using somewhat dubious methods but who claim to represent the people, whereas in reality they are more interested in bolstering their own power than in the welfare of their citizens.
5 The PRD was formed in May 1989 by Cuauhtémoc Cárdenas and Porfirio Muñoz Ledo. The current president, Andrés Manuel López Obrador, was also involved, running for the PRD without success in the 2006 presidential elections. In 2012, López Obrador left the PRD to set up a new movement called MORENA. He stood as its presidential candidate in 2018 and, this time, was successful.
6 During the 2018 elections he coined the term "PRIAN", alluding to the closeness between the two parties. This closeness is based less on the substance of their policies than on similarities in terms of corruption.
7 As at: 16 Oct 2020.
8 PAN currently has 83 of 500 deputies in the Chamber of Deputies and 23 of 128 senators in the Senate.
9 PAN currently provides the governors of Aguascalientes, Chihuahua, Querétaro, Guanajuato, Tamaulipas, Durango, Baja California Sur, Quintana Roo, and Yucatán.
10 Ranking de Gobernadores 2020: Ranking de Popularidad, Jun 2020, in: https://bit.ly/3jctLKI [20 Oct 2020]; in terms of popularity and governance, four PAN governors are in the top five places, with Mauricio Vila (Yucatán) coming out on top.
11 Encuesta Massive Caller, 11 Aug 2020, Porcentaje Nacional de Intención de voto.
12 In August 2019, the electoral authority INE ordered ML to account for non-identifiable payments via the CLIP application. However, ML continued to accept donations in this way until Jun 2020.
13 Instituto Nacional Electoral 2020, n.1.
14 In 2021, elections will be held in four of the nine states that have a PAN governor: Baja California Sur, Chihuahua, Nayarit and Querétaro.

Political Parties – Challenges and Perspectives

Parties in Africa

The Case for Increased Engagement with a Neglected Issue

Benno Müchler / Christoph Schmidt

Thirty years ago, the vast majority of sub-Saharan countries chose the path of parliamentary democracy. What is the state of the multi-party systems today? At first glance, the verdict is: defective. However, this generalisation is dangerous and overlooks important differences and new tendencies. Below are six arguments for further research.

If the number of parties were an indicator of the state of democracy, the Democratic Republic of the Congo – with its 599 registered parties,[1] 34 of which are currently represented in parliament – would be one of the most democratic countries in the world. The 2011 Parliament had 98 parties; in 2006, there were 67.[2]

Experience shows that the mere existence of several parties, or the holding of elections, does not make a democracy. Particular caution also appears advisable for all states that include terms such as "democratic" or "people's republic" in their name. Indeed, German history provides a reminder of this.

The annual Democracy Index of the Economist Intelligence Unit (EIU) puts the Democratic Republic of the Congo at the opposite end of the list – at the second-to-last place out of 167 countries. Only the Democratic People's Republic of Korea is less democratic.[3]

African Parties: Not Enough Data

Democratic systems require parties if they are to function. Thirty years after a majority of the 49 sub-Saharan African states[4] chose multi-party democracy, the state of their parties is in serious doubt. Prevailing opinion considers them to be fragmented, unstructured, undemocratic, marked by patronage, tribalist, and indistinguishable in terms of ideology. This view is, moreover, hardly unjustifiable. Yet this generalisation is dangerous and overlooks individual differences and important tendencies. Further analysis and observation is needed – it would provide important insights for international party research, for the work of external funding agencies, and would generally contribute to an improved understanding of these countries as the importance of Africa grows.

Fundamentals: Why Parties?

Although there is no uniform definition in the scientific community of what a party is, there is a consensus that parties are indispensable to the functioning of a democratic system.[5] Despite all the criticism they face, efforts to improve upon parties have so far failed. Parties function "like no other organisation" – as an interface between political citizenry, extra-parliamentary organisations, and government, at the federal, state, and municipal levels.[6] Their five basic functions are generally recognised to be: the articulation, representation, and aggregation of interests; the determination of political content; the recruitment of voters and political personnel; government and opposition work; and the mobilisation and integration of members and the electorate.[7] Research has identified that the primary types of party are the mass party, the catch-all party, and the dignitary party.

Broken Party Systems in Africa: Seven Deficits

Parties in Africa appear to deviate greatly from these ideal types. Multiple research papers[8] have pointed out their weaknesses, which can be reduced to seven fundamental problems.

1. The majority of party systems in the 49 countries of sub-Saharan Africa are greatly fragmented. An overview of the current composition of the national assemblies as directly

elected chambers shows that more than half of them have five or more parties represented. Sixteen of them have ten or more – South Africa, for instance, has 14. In several cases, it cannot be conclusively determined how many parties actually exist in the national assembly, because in many countries, parties join forces before elections to form alliances since they are incapable of achieving majorities alone. The proliferation of parties weakens the power of the opposition.

2. Parties frequently cannot be assigned to any political tendency and appear indistinguishable from one another. It is not rare for party manifestos to be absent altogether. Selected categories such as liberal, conservative, and social democratic are not translated into political content.

3. The parties are severely under-financed. There is little or no government financing of parties. Members can contribute little to party finances because most of the population is poor. Many parties are therefore dependent on a single chairman with financial clout.

4. In greatly fragmented systems, parties, especially small and micro-parties, are scarcely active outside of elections, be it externally (articulating interests) or internally (mobilising and integrating the electorate).[9] The "voter association" accusation is common.

5. Only a few parties are socially anchored, both broadly and locally through party-affiliated organisations, such as youth, women's, business, or social associations.

6. Membership figures are extremely difficult to verify, and statistics are rarely kept.

7. There is scarcely, if at all, any democratic decision-making. Party leadership has no accountability to membership after the founding convention. The democratic selection of candidates for elections and party offices is similarly questionable.

The Dominance of Party Leaders with Financial Clout

In an autocratic system, these deficits can be explained by the fact that parties are founded to give the appearance of democracy. In general, however, the central basic problem for political parties in African states – states which continue to suffer from weak economies and unevenly distributed resources – seems to be financial dependence on a chairman. Such figures frequently have little interest in internal change, which means that conditions for the long-term establishment of democratic parties are neglected.

Parties are often founded to gain access to state resources, which are then distributed to the parties' supporters.

The American scholar Catherine Lena Kelly describes this phenomenon more fully in one of her most recent papers on the issue, using the example of Senegal. At the time of her research (mid-2018), the country had around 300 registered parties. Kelly writes that the primary function of parties is to negotiate access to the state and its resources, not to win elections.[10] It is not uncommon for parties to be founded in order to gain a stake in the state, as well as contracts, and offices, in return for mobilising voters and securing parliamentary seats in a regional area. After access to state resources has been secured, those resources are then distributed among the party's supporters (patronage). The more capable the party leader appears, the better the chances that he can find supporters. Kelly noted an overwhelming tendency for parties to form coalitions with those in government instead of taking up opposition. Opposition is not attractive because of the risks involved, including financial ones. Opposition is attractive primarily to strong former members of the government who are familiar with the system from inside, and whose resources and knowledge increase

Armed conflicts, coups d'état, attacks: Many young African democracies continue to suffer from insecurity.
Source: © Joe Penney, Reuters.

their chances of producing a switch that places them in the highest positions of power.[11]

Patronage and the proliferation of parties do long-term damage to trust in the political system. Conversely, dependency on a single party leader also often means that the party is faced with financial collapse when that person leaves without a process in place for choosing a successor. A current example is Forces Cauris pour un Bénin Émergent (FCBE), which dominated Benin's politics for a decade under former President Thomas Boni Yayi. The FCBE lost power in 2016. After a quarrel, Yayi recently announced his intention of founding a new party.[12]

The general suspicion of patronage and the accusation that politics is run primarily as a business, overlooks all the players that engage in politics because of their convictions.

Limited Democratic Leeway

Apart from internal difficulties, African parties are also challenged by external influences. Many young African democracies continue to suffer from insecurity due to armed conflict, state repression, or general restrictions on democratic latitude imposed by the governing party. There are many examples of this:

- The coup d'état in Mali, Boko Haram terror in Nigeria, or civil war in South Sudan make the political work of parties impossible.

- In country after country, the opposition is the target of repression. A drastic example was the presumably politically motivated 2017 attack on Tanzanian opposition leader Tundu Lissu, in which he was shot 16 times and barely survived.

- Elections in many countries continue to exhibit great deficiencies that distort the results and cause long-term damage to the political landscape. Deficiencies include exclusion and suppression of parties during

campaigns, discrimination against them, manipulation of results, and election boycotts by opposition parties.

Six Arguments for Further Research

These deficits and the generally widespread discouragement regarding sub-Saharan Africa's democratic development in the last 30 years raise the question as to why greater research into African parties would in fact be beneficial. The question is a reasonable one. But there are six arguments in favour of further study.

1. Academically sound knowledge about African parties is greatly deficient. Overall, there have been few papers which have dealt with parties in Africa. The majority of papers

available are from English-speaking countries. The results cited above require further assessment. Few parties can be considered well-researched (South Africa's African National Congress, ANC, is an exception).

2. The picture in Africa varies from place to place. The party landscape is as multifaceted as the continent itself. While DR Congo's fragmented party system represents one extreme, Ghana's represents the other. Since Ghana's first multi-party parliamentary elections in 1992, a competition has arisen among four parties that will likely result in a binary choice: The current Parliament includes only the New Patriotic Party (NPP) and the National Democratic Congress (NDC). Ghana is considered to be one of the most stable democratic systems on the continent. Since 1992, a total of just six parties have reached Parliament – despite increased competition. In 2016, nine parties stood for election. In 2012, there were 16.

3. Generalisations are dangerous. The general suspicion of patronage and the accusation that politics is run primarily as a business that allows private individuals to enrich themselves from the state and its resources, overlooks all the players that engage in politics because of their convictions. Such players are present in every African country, not just a few.

4. Democracy needs time. Few recall that the first German Bundestag in 1949 contained eleven parties. The Weimar Republic remains a cautionary tale. There were 15 parties in the Reichstag in 1928.

5. Further analysis of the party landscape would generally provide more knowledge about politics and society in the individual countries. Given the increased interest in Africa, this would be a good time for such an effort.

6. The most important argument, however, is that by instituting multi-party systems 30 years ago, states de facto introduced the element of competition. No matter how autocratic a given country is, its ruler is in danger of losing power, or at least new forces have a chance of gaining it. American author Catherine Lena Kelly is therefore correct when she refers to "competitive authoritarianism".[13] A superficial examination generally misses this fact.

There Is Competition in Africa

A closer examination of individual countries quickly confirms that there is competition – both within the governing faction and within the opposition. Nobody's position of power is secure. This means that, among parties and their personnel, there is interest and demand for securing and expanding power. In today's globally networked world, this puts African parties under increased pressure. This situation has increased competition and presents political players with the growing challenges of pursuing politics in a more modern, citizen- and member-oriented manner.

Given a young, better-educated population, all parties must consider how to reach people in the long term.

Many parties are outdated and must consider how to reach people in the long term if they wish to remain relevant. This is particularly true in the face of the ever growing opportunities for criticism and participation presented by social media on the one hand, and by a young, better-educated population on the other. Platforms, agenda setting, greater participation of younger voters and women, improved political communication, and better party financing models are all becoming more important. As in Europe, the ability of parties to absorb scientific insights and trends and communicate this content to members and voters will also become more decisive in Africa. If African party leaders fail to translate complex content, or to understand that content in the first place, they are in danger of appearing obsolete.

The Case of Kenya

Kenya is a good example of the dynamics prevailing in various African countries, and of the challenges parties are facing in their roles as societal interfaces. Since the end of the single-party system in 1994, Kenya has developed a multifaceted party landscape. There is a democratic culture within the parties, but it has some shortcomings.[14]

Within the country's patriarchal structures, politics is dominated by "strong men". This makes it difficult for young people and women to get a hearing for their political concerns. Nevertheless, party formation and party work is mostly free from restrictions in Kenya. An important indicator of this is the fact that the current Kenyan National Assembly includes 20 parties, but eleven of them have only one or two representatives. The process of establishing a party is legally secure but politically volatile, and this affects not only micro and regional parties, but also affects government formation:

Each of the three presidents since 1994 has formed his government with a different party or coalition. After the end of each two-term period, the parties and coalitions disappeared into political irrelevance. The currently governing Jubilee party, which was formed in 2016 as a the result of a merger of several of the president's supporting parties, may well fall apart into their former camps when President Kenyatta leaves office in 2022. This could be a comeback opportunity for an old governing party.

If the parties fail to integrate young people into democratic processes, the patriarchal system threatens to establish itself for this generation.

The Kenya African National Union (KANU), the party of Kenya's independence movement that governed by itself for decades, lost in 2002 with Uhuru Kenyatta – whom Daniel arap Moi had selected as his successor – to the opposition coalition led by former Finance Minister Mwai Kibaki. This resulted in reduced KANU electoral success – since 2017, the party has had ten of the 350 seats in the National Assembly, and three of 68 in the Senate.[15] The fact that KANU might, after all these years of irrelevance, once again play a role at the national level is partly due to the fact that the party has worked on correcting its deficits in the past few years. Women and young people have been integrated more explicitly into its political work.[16]

Young People and Women Will Do More than Tip the Scales

Kenyan demographics eminently favour the integration of young people. More than half of Kenya's population is under 35 years of age. Of those, 24.2 million live in rural Kenya and 10.8 million in urban areas. If the parties fail to integrate young people throughout the country into democratic processes, the patriarchal system threatens to establish itself for this generation as well. This is because urban, politically active youth are increasingly expressing frustration with the elites' nepotism.[17]

Another problem is the participation of women. While young men can make careers within the system, things are much more difficult for committed young women. The Kenyan constitution therefore provides for a gender quota in the Parliaments.

In Kenyan electoral law – whose original model was formed according to the British first-past-the-post system – so-called nominated seats in both houses have been allocated to representatives of women, young people, and people with disabilities, since 2013. Parties can provide recommendations for these seats according to their share of votes. Nevertheless, neither of Kenya's houses fulfil the one-third quota. Since well-networked dignitaries are especially likely to be elected, particularly as representatives of local ethnic groups, young female candidates

Politically active and involved? To date, it is still much more difficult for committed young women to build a career within in the political system. Source: © Thomas Mukoya, Reuters.

suffer from a disproportionate lack of organised support. This is where broad-based parties can contribute to delivering more diversity to Parliaments.

In its 2010 constitutional reform, Kenya decentralised its political structures. But parties paid little heed to these tendencies toward decentralisation. For instance, there are still regional parties in Nairobi whose purpose is to represent the interests of specific ethnic groups. Decentralised party structures can serve as a vehicle for political decision-making. When a party succeeds in drafting a manifesto, such decentralised structures are especially useful for anchoring it in society. To achieve this, however, parties must let go of their "strong men", who would no longer need to serve as advocates for their communities, but instead would have to justify their actions based on the party's programme. So far, however, parties have focussed on mobilising their constituencies and representing their interests, rather than engaging in political work within or outside Parliaments.

Money Determines Campaigns

If parties with manifesto-based agendas are to be noticed at all, there will first need to be a joint political effort to counter voter bribery, which is widespread in Kenya.[18] This practice relegates political content to the background, and strengthens candidates who can best provide their constituents with gifts, often in the form of money. No single party will be able to dismantle this system by itself. The support of a party with a political agenda will help politicians be viewed as politicians instead of as patrons.

While the Independent Electoral and Boundaries Commission sets spending limits a year ahead of elections, the limits in 2017 were 4.3 million for senators and governors, and 330,000 US dollars for National Assembly candidates.[19] For the purposes of comparison, the budgets for large parties in Germany were between 30,000 and 40,000 euros per voting district in 2017.[20]

In established parties, the awareness is growing that young politicians expect a stronger political orientation.

The major role financial resources play in campaigns frustrates politically active young candidates in particular. Kenya's Ukweli party was founded as an initiative of young activists and stood for election for the first time in 2017, but had no chance against established parties despite the popularity of its agenda. But while parties with a clear political agenda, such as the Ukweli party, are attempting to adapt their structures to the political establishment, awareness is growing in other parties, such as KANU, that young politicians also expect a stronger political orientation.

The 2022 elections may determine whether these developments will make Kenya a blueprint for other African countries. The legal conditions for free elections have long been established in Kenya. The other deficits described above can, however, also be clearly identified in the country. The fact that a new political generation may change even the meaning of parties could be an indicator. It must now be determined whether parties are serious about their programmes, and can thereby mobilise voters, or whether the lead up to the elections will be dominated by alliances of ruling elites and parties that will once again degenerate into "voter associations". The latter would certainly not help the country in its development.

Recommendations for and Approaches to Further Research

Understanding the politics and society of African countries must be the objective and the basis of intensified cooperation with sub-Saharan African countries. Party research – at the interface between constituencies, supporters, members, society, party apparatuses, elections, the state, government, and opposition – can make a major contribution to this effort.[21]

The field is fascinating and goes back to 1990 and earlier. In a 1978 Dolf Sternberger, Bernhard Vogel, Dieter Nohlen, and Klaus Landfried series paper that is still worth reading today, a number of authors[22] presented the beginnings and previous developments of African parties, which had their roots in the twilight of the colonial age, when the powers that were trying to organise the transition to independence.

SLPP, UNIR, PNDS Tarayya, PAICV, PDCI, AFDC-A, UDP, MPS, DP, JP, PP, PF, RPF, MDC, CCM, APC, FCBE, Mouvement Cœurs Unis – the thicket of party systems, some of them greatly fragmented, may be easier to navigate when one realises that, in most countries, several parties have established themselves at the front of the pack. The Inter-Parliamentary Union (IPU), which is freely accessible online, provides basic information on the election results for the National Parliament of each country for the past few decades. A database could be created for African parties much like the one the

Berlin Social Science Centre (WZB) created in the Manifesto Project for European and North and South American parties. It could be maintained with the internet's modern capabilities and continuously expanded.

In addition to basic questions, such as the constitutional anchoring of parties, party financing, electoral legislation, party structure, party programmes, and the history of the most important parties, such a political science project should address issues that vary by country. These include the discussion of electoral thresholds as a means of preventing fragmentation, campaign strategies, agenda setting, party alliance formation in national and regional elections, the importance of ethnic and regional lines in African parties,[23] and the nature and function of the pre-political sphere in Africa – none of which have so far been extensively researched.

No Reservations about Democracy

Finally, in view of the global system competition with China, external actors wishful of promoting democracy must become more active in their efforts; expand dialogue with African players; and more strongly and broadly support the further democratisation of these countries. Calls for more autocracy are becoming louder, both among African governing parties and citizens, who are understandably dissatisfied with their governments' performance. External supporters of democracy must not shy away from this debate. African governments regularly spin the question, saying that democracy was introduced against the will of African countries. This allows them to avoid discussion of their own faults. They also point to China and Singapore as examples of the supposed development advantages of autocracy.

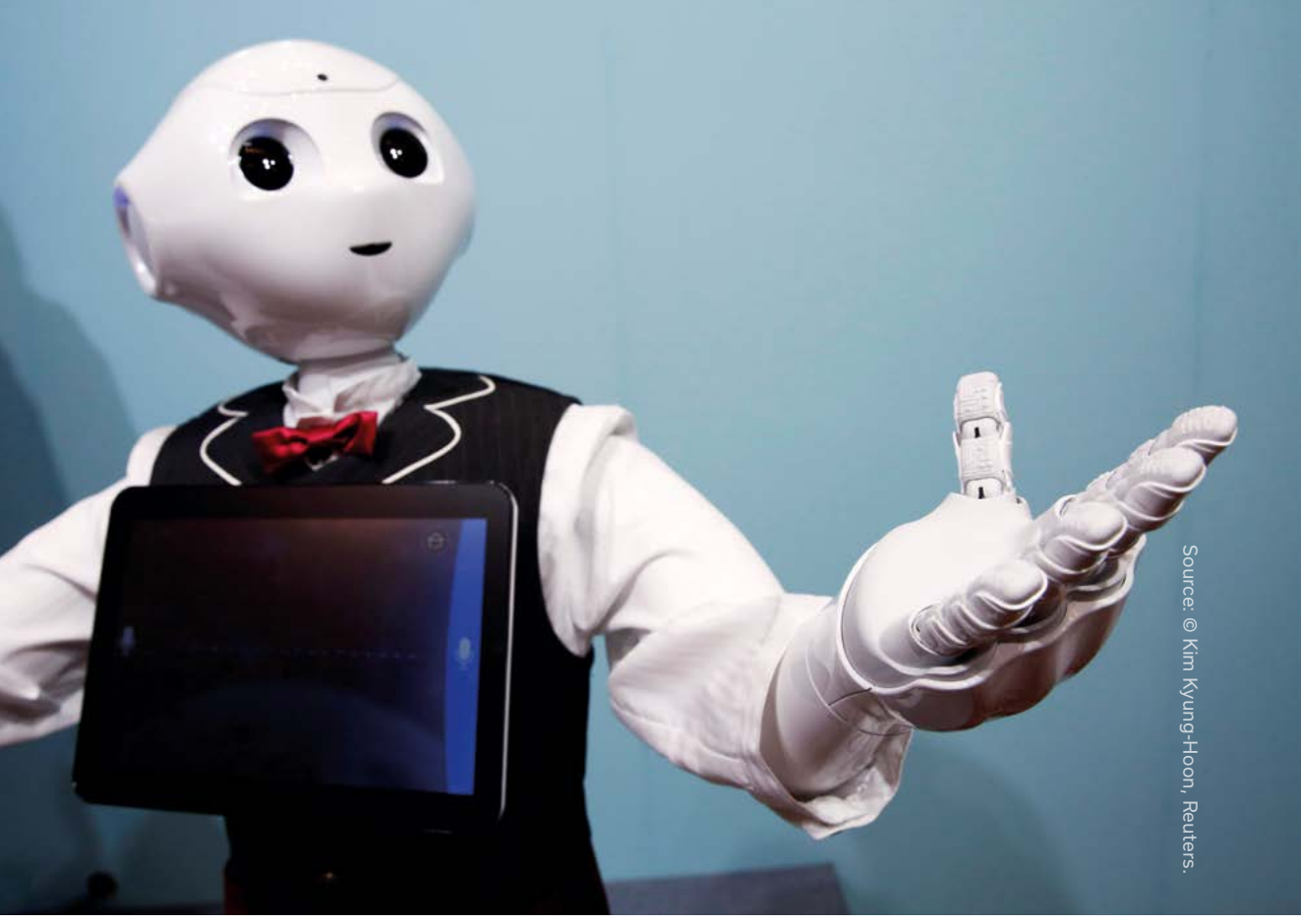
Demagogues and self-styled prophets should therefore be regularly reminded that it was the African countries themselves that chose, after the Cold War, in the vast majority of cases, to introduce multi-party democracy, and so they are themselves responsible for its subsequent neglect – not any external power. Moreover, a great majority of African countries already have a long history of autocracy – with no successes in economic development to show for it. While enthusiasm for democracy was great after the independence wave of the 1960s, all but five African countries had one-party systems by the 1980s. The continent's younger generation, which is interested in politics, is especially in need of this reminder. More than 60 per cent of the population of sub-Saharan Africa is under 25 years of age.

–translated from German–

Benno Müchler is Head of the Konrad-Adenauer-Stiftung's office in the Democratic Republic of the Congo.

Christoph Schmidt is Trainee at the Konrad-Adenauer-Stiftung's office in Kenya.

1 Journal Officiel 2018: Liste des Partis Politiques Autorisés à fonctionner en République Démocratique du Congo, 30 Apr 2018, in: https://bit.ly/3mwfwCr [31 Aug 2020].
2 Inter-Parliamentary Union 2020: Congo, in: https://bit.ly/3jEMcYz [31 Aug 2020].
3 The Economist Intelligence Unit 2019: Democracy Index 2019, in: https://bit.ly/3oyYYLQ [29 Oct 2020].
4 There are 54 countries in Africa. The North African states are as follows: Algeria, Egypt, Libya, Morocco and Tunisia.
5 Niedermayer, Oskar 2013: Die Analyse einzelner Parteien, in: idem (ed.): Handbuch Parteienforschung, Wiesbaden, p. 62.
6 Niedermayer, Oskar 2020: Die Rolle und Funktionen von Parteien in der deutschen Demokratie, in: Parteien in Deutschland (Dossier), Federal Agency for Civic Education (bpb), 28 Apr 2020, in: https://bpb.de/42035 [22 Aug 2020]. The updated online dossier provided by Germany's Federal Agency for Civic Education provides an initial comprehensive view of the German party system and of new developments. It includes contributions by Frank Decker, Ulrich von Alemann, Heinrich Pehle, Oskar Niedermayer, and others.
7 Jun, Uwe 2013: Typen und Funktionen von Parteien, in: Niedermayer (ed.) 2013, n. 5, p. 123.
8 For a German-language introduction, see Erdmann, Gero 1999: Parteien in Afrika. Versuch eines Neuanfangs, Africa Spectrum 34: 3, pp. 375–393. For more depth, see the well-researched dissertation by Stroh, Alexander 2014: Erfolgsbedingungen politischer Parteien im frankophonen Afrika. Benin und Burkina Faso seit der Rückkehr zum Mehrparteiensystem, Leverkusen. English-language sources include papers by Bienen, Henry / Herbst, Jeffrey 1996: The Relationship between Political and Economic Reform in Africa, Comparative Politics 21: 1, pp. 23–42.
9 For instance, Manuela Römer indicated in an article about Chad that in 1996, a number of parties were founded only shortly before the presidential election and the later parliamentary elections, but were not visible thereafter and were unable to establish themselves. This phenomenon can still be observed in many African countries. Römer, Manuela 1999: Chad, in: Nohlen, Dieter (ed.): Elections in Africa. A Data Handbook, Oxford, p. 229.
10 Kelly, Catherine Lena 2020: Party Proliferation and Political Contestation in Africa. Senegal in Comparative Perspective, p. 27.
11 Ibid., pp. 33–35.
12 Radio France Internationale 2020: Bénin. L'opposition lance un nouveau parti, "Les Démocrates", 29 Jul 2020, in: https://bit.ly/3jH80mj [25 Oct 2020].
13 Kelly 2020, n. 10, p. 28.
14 Cernicky, Jan 2020: Neue Regierungskoalition in Kenia, KAS Country Reports, 16 Jun 2020, in: https://bit.ly/2TyPhim [31 Aug 2020].
15 Cernicky, Jan 2020: Tektonische Verschiebungen in der politischen Landschaft Kenias?, KAS Country Reports, 31 Mar 2020, in: https://bit.ly/35Ns1Tf [31 Aug 2020].
16 Nanjala, Sarah 2020: Half of Kenyan population is aged below 35 years, Nation, 18 Mar 2020, in: https://bit.ly/3kFGmrm [31 Aug 2020].
17 Ward, Matt 2018: Corruption may undermine Kenyan government credibility, Expert Briefings, in: Oxford Analytica.
18 Bigambo, Javas 2016: Voter Bribery as an Election Malpractice in Kenya, Dec 2016, Centre for Multi-Party Democracy, in: https://bit.ly/2TyPQbY [29 Oct 2020].
19 The East African 2016: IEBC sets limits for campaign spending ahead of Kenya election, 11 Aug 2016, in: https://bit.ly/3mP1jRb [3 Nov 2020].
20 Handelsblatt 2017: Millionenvorteil für die Union, 18 Aug 2017, in: https://handelsblatt.com/20205862.html [16 Nov 2020].
21 Niedermayer, Oskar 2013: Parteienforschung im Rahmen der Sozialwissenschaften, in: idem (ed.) 2013, n. 5, pp. 14–18.
22 Nuscheler, Franz / Ziemer, Klaus 1978: Die Wahl der Parlamente und anderer Staatsorgane in: Sternberger, Dolf / Vogel, Bernhard / Nohlen, Dieter / Landfried, Klaus (eds.): Africa: Politische Organisation und Repräsentation in Afrika, Berlin / New York.
23 German political scientist Sebastian Elischer has written an important, detailed paper on this issue using Kenya, Ghana, and Namibia as examples: Elischer, Sebastian 2013: Political Parties in Africa. Ethnicity and Party Formation, New York.



Source: © Kim Kyung-Hoon, Reuters.

Other Topics

In Decline?

Migration, Automation, and Work Force in Japan

Rabea Brauer / Atsushi Kondo

On almost every corner in Tokyo, there is a friendly, elderly citizen who guides passers-by, waves cars into parking lots, helps school children to cross the roads, or does other important service jobs for the community. Notably, almost all taxi drivers in Japan have passed the official retirement age. Yet in restaurants, no customer bats an eye about a robot serving dinner. Meanwhile, in Japan's praised convenience stores, one is mostly waited upon by Asian staff who speak impeccable Japanese. However, if a Gaikokujin[1] ever gets a seat on Tokyo's crowded subways, that foreigner will most of the time enjoy an empty seat next to him or her. How does it all add up?

Japan's elderly population makes up for a declining work force in a number of sectors, not limited to service jobs. Konbinis[2] and other stores as well as the manufacturing industry depend heavily on foreign interns and trainees, however foreign workers do not feel all too warmly welcomed in guarded Japan. Over the past years, Japan's government has realised that this equation has some flaws. From "womenomics"[3] to a renewed migration policy, from advanced automation to improved working conditions: many policies are being rolled out to shake off Japan's image as a nationalistic, inward-looking island, where robots are replacing the human work force.

Drastic Prospects for the Greying Nation: Sliding into an Unsustainable Society?

Japan's generation of baby boomers (1947 to 1949) dramatically reshaped its now highly constrictive population pyramid. Life expectancy has increased to 84 years of age. Combined with the low fertility rate of 1.37 children per woman,[4] Japan sees an unprecedented rate of population ageing. The continuous decline of the working-age population is a serious problem for Japan. The UN World Population Prospects (2019)[5] show that Japan's total working age (15 to 64) population shortage from 2020 to 2050 will be of about 21 million, increasing to a total shortfall of 54 million by 2050. The population aged 65 or older will nearly double – from 18 million in 1995 to 34 million in 2045, decreasing slightly to 33 million in 2050. One in three Japanese will be 65 or older by 2025. The total dependency ratio (ratio of non-working population per 100 working population) will increase from 69 to 97 per cent during the same period – the highest figure within the OECD. Those figures will be even more drastic if the unemployment rate does not remain low. In January 2020 a rate of 2.4 per cent[6] was recorded – the lowest level in 20 years. However, because of the effects of COVID-19 on the labour market, this figure rose to 2.9 per cent in August 2020.[7]

To cope with its labour shortage, Japan first and foremost needs four policies: female labour participation, the elderly's labour participation, migrant workers, and technology development. In 2019, the female labour participation rate was at a record high of 72.6 per cent, compared to 74.9 per cent in Germany;[8] the labour force participation rate of those aged 65 years and over was already high (25.3 per cent) in Japan, as compared to 7.8 per cent in Germany.[9] In 2000, the UN Population Division released a report stating that in order to keep the size of the working-age population constant at the 1995 level, or at 87 million, Japan would need more than 33 million immigrants from 1995 through to 2050.[10] This is unfeasible, as Japan would have to accept 600,000 foreign workers annually, which is far

Ageing Society: One in three Japanese will be 65 or older by 2025. Source: © Issei Kato, Reuters.

from the latest records of 200,000 new foreign workers per year.

Dealing with Labour Shortage: New Migration Programmes Are Aching to Succeed

Between 1945 and 1990, Japan maintained extremely strict immigration controls. During the eighties, foreigner's rights somewhat improved, while roughly 10,000 refugees from Cambodia, Laos and Vietnam – Indochina's war-torn countries – were accepted by means of a Cabinet decision. Between 1990 and 2012, ethnic repatriates were allowed back into Japan, and a side door opened for trainees and technical interns. Unskilled workers, though low in numbers, also managed their way into Japan. As of 2012, migration policies were loosened only to introduce a point-based system for highly skilled foreign professionals. In 2019, immigration was opened for middle-skilled workers. This decision became one of the most significant legislations, which the former Prime Minister Shinzo Abe introduced during his time.

As of the end of 2019, the number of non-citizen residents who stayed for more than three months in Japan and registered at the municipal office totalled 3 million, compared to the overall population of 126 million. The technical interns and trainees made up the highest number amongst non-citizen residents, at 411,000, according to the Ministry of Justice. Second in line are the international students, accounting for 345,000.

In 2015, a new status of residence was granted to highly skilled professional workers. They are referred to as specialised and technical labour in the terminology of Japan's immigration policy, and work as engineers, instructors, researchers,

journalists, or in the medical sector. In 2019, this category numbered 270,000.

The number of care workers – a self-evidently essential line of work within an ageing society – currently amounts to 22,700.[11] The Economic Partnership Agreements, signed in 2008 with Indonesia, the Philippines, and Vietnam started to open Japan's labour markets to foreign nurses and care workers; they are, however, required to pass Japan's examination in order to stay longer than three or four years. Since 2019, if they fail the examination, but achieve a score of at least 50 per cent of the passing standard, they are permitted to remain for one additional year to bolster the shortage of labour in the growing care homes and nursing facilities.

Labourers shy away from complaints because they would be sent home whilst their families depend on their income.

To attract more students, the Japanese government introduced the so-called 300,000 International Student Plan in 2008. Only ten years later this number was achieved. In order to expand employment opportunities for foreign students who have graduated from a Japanese university or graduate school, they are permitted to work provided they achieve Japanese Language Proficiency (N1 level), are a full-time employee, and receive remuneration equivalent to, or more than, a Japanese citizen would receive for the same work.[12]

Two programmes under the migration scheme target foreign unskilled workers and sort them into technical interns and trainees. The so-called technical interns receive minimum wages but no overtime compensation and are allowed to stay for a maximum of five years in a company that applied for this programme. Technical interns have been working across sectors in small- and medium-sized enterprises (SMEs) and large companies since the introduction of the programme in 1993. They are protected by the labour law but cannot change their employer if the company does not agree to let them go. Labourers shy away from complaints because they would be sent home whilst their families depend on their income. Thus, the litigation risks for employers are very low.

Japan suffered harsh criticism in the US State Department 2020 Report on "Trafficking in Persons", because the migration scheme is still seen as a system for human trafficking. The abuses cited in the report are listed as debt-based coercion, wage-garnishing, confiscation of passports, threats of deportation, poor living conditions, and physical violence.[13] The government is aware of these issues and tries to mitigate the violations.

The trainees, not to be mistaken for technical interns, are permitted to remain for only one year, with the possibility of upgrading to the position of technical intern after that period. With this incentive in mind, the programme is hence the unabashed entrance door to fill up the technical intern positions. Trainees are unskilled workers, paid fees below the minimum wage, and until recently did not even benefit from labour law protections. This programme was originally designed to allow non-citizens to acquire technical knowledge and skills by working in Japan with the objective to transfer knowledge to developing countries. Instead of pursuing this honourable idea, the programme gained a dubious reputation. Workers were subject to constant abuse and human rights violations. The 2017 Technical Intern Training Act aimed to prevent such cases by establishing substantial penalties for rights violations, and requiring a formal training plan for each intern. Figures show that the treatment of trainees has significantly improved since then.

Numbers of irregular residents and visa overstayers have dropped in recent years, mainly due to a tightening of controls. 82,000 Asian nationals, mostly from the Philippines, China, Vietnam, and Thailand, are counted as illegal residents. Most of them stem from terminated technical intern programmes.[14]

A new category was introduced last year to mitigate labour shortages in specified industry fields. These new policies aim at middle-skilled workers for positions that require considerable technical knowledge and special skills. 14 fields within Japan's economy have been singled out as being in dire need of external work force: the food service industry, food manufacturing, agriculture, construction, industrial machinery, and electronics amongst others. The main obstacle for this programme is the demanding N4 test level of Japanese Proficiency required of workers. In other words: This program does not meet targeted numbers, let alone the required numbers. In 2019, the government expected 47,550 incoming middle-skilled workers, yet only eight per cent came. Another difficulty lays in that the mutual agreements between Japan and the sending countries, such as Vietnam, have been delayed. Finally, the application process is also a lengthy and complicated affair. Realising the low interest, the government will soon have to draw its conclusions and improve regulations for prospective employees and their employers.

During the COVID-months, the government demonstrated a high degree of flexibility that was unthinkable before.

COVID-19 Calls

During the COVID-19 pandemic, the government responded swiftly to the disruptions in employment of trainees and technical interns. Those laid off were enabled to seek employment elsewhere in Japan for another year, regardless of the time already served. Those who completed their internship, but could not return home because of border closures, were allowed to stay in Japan and continue to work in the same position, or allowed to look for other employment options.

During the COVID months, the government demonstrated a high degree of flexibility that was unthinkable before. En passant, it has contributed to a "new normal" migration policy, probing another possible model for Japan's much troubled labour market.

The goodwill of the authorities and the swift solutions they enacted, however, have not helped everyone during the past months. A high number of employers asked their technical interns and trainees to sign a document known as a Confirmation of Will. This serves as confirmation that the signee was suspending their training programme and returning home of their own free will.[15] As soon as the worker quits, all labour protection is lost, and he or she must return to their home country. Since many of the foreign workers contract heavy loans to finance their stay in Japan, this behaviour by numerous companies adds to the woes of foreign workers. Japan's labour ministry stated that 3,428 foreign technical trainees were dismissed during the COVID months.[16] But this figure does not include the resignations triggered – or forced – by this Confirmation of Will.

The Acceptance Issue: It's Complicated

To attract human resources, Kato Hisakazu from Meiji University writes, "Japan has to change in many aspects. Japan must create a society, where excellent foreign students will want to continue to work". Kato questions whether Japan – as an insular country with inward-looking traditions in terms of cultural customs and language – is attractive at all.[17] Like others, he sees the solution to Japan's work force shortfall in attracting foreign students to serve as future work force, in addition to Japan's own engaged young generation. This system would, however, neglect the inclusion of those foreign workers already in the country. Those need mid- and long-term perspectives. The very first step towards feeling welcome depends on favourable visa categories and the achievement of resident status. The upper limit of five years residency and the tight regulations regarding family reunifications are not helpful for foreign workers who plan to spend their professional lives in Japan. Although not borne out in reality, a widespread fear remains that an ever-increasing number of foreign workers will

cause turmoil at workplaces and disrupt the public order of local communities.[18] However, when one delves deeper into this subject, signs of a slow perception change are visible. With Japan's population becoming older and smaller, both the government and the population are shifting their deeply conservative views on immigration; public opinion is on the side of change.

Parallel societies do not pose a problem in Japan.

In the past, Japanese governments have not used the term "immigration policy" or "integration policy". Instead, officials used the term "alien policy". Four stages evolved in the development of integration policies after World War II. From 1945 to 1979, "exclusion, discrimination and assimilation" was the leading policy. Between 1980 and 1989, "equality and internationalisation" prevailed. While international human rights treaties had some influence during the eighties, the national government's initiatives to improve foreigners' rights remained weak.[19] This attitude is connected to the fact that Japanese governments in the 1980s did not use the term "integration policy" to refer to their policy, but rather spoke of an "internationalisation policy" in the 1980s. In accordance with the ratification of the International Covenants on Human Rights in 1979 and the accession to the UN Refugee Convention and its Protocol in 1981, the Japanese Parliament amended the social security laws concerning the treatment of non-citizens in Japan.[20] Following, from 1990 to 2005, the leading policy focussed in "settlement and living-together", while, from 2006 onwards, the "intercultural living-together" policy has set the tone for immigration.

In 2019, the Japanese government issued a revised version of a document titled "Comprehensive Measures for Acceptance and Coexistence of Foreign nationals".[21] These include 172 measures to promote the acceptance of non-citizens, and to create an environment propitious to the achievement of a society of harmonious coexistence with foreign nationals. A basic survey of non-citizens will be conducted soon to grasp the problems that non-citizens are facing in their work, daily, and social lives. According to the MIPEX (Migrant Integration Policy Index) 2015, Japan ranked 27th out of 38 countries.[22] In a 2019 survey about the specific needs of foreign residents, 63.7 per cent called for more rentable residences for foreign nationals, 44 per cent sought more hospitals with services in English or their mother tongue, and 33 per cent requested the promotion of multilingual administrative services.[23] Shunsuke Tanabe, a professor at Waseda University, believes that Japanese people lack the opportunities to interact with foreigners, despite their increase in numbers. He notes that younger people in particular have less interest in going overseas or in forging relationships with foreigners. Tanabe warns that these attitudes could lead to prejudice and discrimination.[24]

Parallel societies do not pose a problem in Japan. This is firstly due to the low ratio of immigrants, and secondly due to the low unemployment rate in Japan. The non-citizens' unemployment rate is 5.4 per cent compared to the low overall rate.[25] The International Social Survey Programme National Identity III[26] shows that 56 per cent of Japanese think immigrants should have the same rights (the third highest figure among the 31 countries/regions surveyed); 24 per cent think immigrants should be reduced (the second lowest figure); 15 per cent think immigrants take jobs away (the fourth lowest figure); and only 16 per cent of Japanese believe immigrants have a negative effect on Japanese culture (the second lowest figure).[27] Different opinion surveys by newspapers show that roughly 54 per cent are positive about accepting foreign workers in order to cope with the labour shortage in Japan.[28] Interestingly, 75 per cent of Japanese think that immigrants today want to adapt to Japanese customs and way of life,[29] viewing the choice to migrate to Japan as based on interest in Japanese culture. A first nationwide survey will be published at the end of 2020 with the aim of showing reliable data of perceptions on

both sides, and of giving a reliable voice to the foreigner workers' experiences.

Retirement: Is 80 the New 65?

The government has recently pushed through new legislation to raise the maximum age for starting pension benefits from 65 to 70 years of age. Civil servants will have to retire at age 65, instead of age 60. The government also plans to reduce pension benefits for workers aged 60 to 65. The bills will go into effect in 2021. The average employee's pension is of about 150,000 yen (1,200 euros), below the targeted pension-to-wage ratio of 60 per cent, which would mean 220,000 yen (1,800 euros). If fewer workers pay into the pension funds and more elderly citizens draw from it, this ratio will continue to deteriorate. In raising the pension age, the government is betting on the favourable health status of older adults and anticipates that many are highly motivated to continue working, or to participate in community activities.

A great hope to mitigate the effects of the decreasing workforce is technology.

That a retirement age of 70 is not the end of the road was shown by electronic retailer Nojima. This company decided, in August 2020, to let their employees work until they are 80 years old, if they choose to. The move could spur followers in the retail and other sectors, which rely heavily on human capital and already face a labour shortage. Thus, Japan's policies may offer ideas to other Asian nations, including China and South Korea, which likewise have to deal with an increasingly ageing population by 2050.

Besides the pension reforms, Abe's administration brought about further reforms to promote greater flexibility, enabling working from home and reduced working hours. Yet such changes require a cultural rethink, as they challenge traditional norms.

How the Robots Help Out: Technology and Human Work Force

A great hope to mitigate the effects of the decreasing workforce is technology. The steady loss of human resources will inevitably have a negative long-term impact on Japan's economy. Since Japan has always embraced technology, and is a frontrunner of much technological development, there is a strong belief that Artificial Intelligence (AI) and robots will be able to sustain productivity, enhance the human workforce, and maintain technological progress. In contrast to the perception that automation may pose a threat to the human workforce and have a negative impact on almost all occupations, Japan sees automation as an incentive. Automation and robotics have always been an integral part of, and familiar concepts in, Japanese society. Of the 700,000 industrial robots used worldwide in 2018, 500,000 were used in Japan.[30] Japan is one of the most robot-integrated economies in the world. It is already possible to only be served by robots in restaurants, hotels, clothing stores, airports, convenient stores, banks, and medical consultancies. "Pepper"[31], a semi-humanoid robot manufactured by a Japanese robotics giant, and other similar models, are widely accepted as cute little automated hosts and clerks. Yet these automated solutions play a serious role, for they are crucial to compensate for eroding services due to lacking human labour. Recent IMF prefectural level data shows that the increased use of robotics has an overall positive impact on domestic employment, productivity, and income growth. Notably, these findings are the opposite results of surveys based on US data.[32]

The ageing and declining population will be reason to further accelerate robotics in Japan. Human labour gaps in health care and elderly care are already to be filled in this manner. For this reason, the Ministry of Health, Labour, and Welfare estimated in 2018 that the number of caregivers needs to rise by 550,000 to 2.45 million by 2025.[33] In order to ensure efficient medical and long-term care, the government has encouraged the use of robots and AI.[34] The latter is already in use for medical

Migrant worker from Thailand: In order to address the challenges posed by its ageing population, Japan relaxed its strict regulations for foreign workers. Source: © Malcolm Foster, Reuters.

and care databases. Highly innovative care robots, such as robotic wheelchair-beds, transfer assistance lifts, and robot assist walker support for helpers are also already in service.[35] Rural areas struggle with shortages of physicians and nurses. Thus, information and communication technologies are currently being developed to create a long-term integrated care infrastructure.[36]

However, robots can only do so much. Given the large number of needed care givers, Japan must keep its doors open to foreign support. The same applies for labour-intensive industries, thus

technical interns and specifically skilled workers are still required. Another solution to handle future labour shortages in decisive fields is an inclusive approach, which combines the usage of technology with an infusion of foreign work force. The latter is furthermore crucial to bear the responsibility of social security. Only labourers pay into pension and social welfare funds – not robots. Even if GDP is maintained through automation, and although gains in employment and wages have been noted in areas with high robot density, from 2018 to 2040, Japan's social security expenditure will rise by 60 per cent. The breakdown of this expenditure shows a 2.4-fold nursing care cost surge, a 1.7-fold health care cost surge, and a 1.3-fold pension cost surge[37] – leading to a very distressed social welfare state. The downside of automation might also hit female part-time labourers, who have been brought into jobs under specific policy measures with great efforts. Moreover, the positions occupied by women are often part-time. Such jobs are especially susceptible to automation,[38] which could have the unwanted effect of leaving more women unemployed.

The Solved Equation?

It has been a priority for Prime Minister Abe's administration to address the public policy challenges posed by an ageing and declining population. With policies aimed at birth rate decline, such as the "Plus One Policy" plan in 2009, the government allocated funds to childcare facilities, reduced educational costs (although these are still immensely high) and improved family housing in 2017. Shinzo Abe's comprehensive economic policy package, dubbed Abenomics, focusses on technological innovation to raise productivity by reducing physical labour, reducing the caregiver's burden through AI, minimising health care costs, investing in child education, and providing incentives to increase female labour participation. Last year, the consumption tax was raised from 8 to 10 per cent (stalled during the COVID-19 pandemic) to bolster the heavily burdened social security system. With the world's highest life expectancy and lowest birth-rate, further changes will have to be made to adapt the welfare system to these population shifts. Another significant move was to relax Japan's strict regulations for foreign workers. This could be a durable longer-term solution for the immigration-shy but rapidly ageing country.

Considering the current changes in the admission policies, Japan already implements a de facto immigration strategy – much to the dismay of some conservative members of the Liberal Democratic Party. Those have been traditionally cold on the idea of accepting more foreigners, citing concerns such as a higher crime rate and loss of homogeneity. The Yamato soul and spirit, referring to "pure" Japan, kept its influence throughout the Meiji period and inspired nationalistic thinking in the twentieth century.[39] And to some extent, this view still exists.

To receive the foreign workers that Japan wants to attract, the government needs to lower the entry barriers for the skilled-worker programme. Otherwise, this migration scheme will only function on paper. The projected and challenging numbers of 300,000 workers per year will not be reached any time soon – giving ample time to Japan's population to digest the current influx of workers and non-residents, and to become more receptive.

The technical intern system, prone as it is to heavy abuses, should be abolished for the sake of justice alone. "Confirmations of Will", whereby companies forced interns into self-dismissals during the months during the pandemic illustrate how volatile employment for foreign nationals still is. As a solution, the Intern scheme could be absorbed into the skilled-worker programme. The trainee system, if strictly adhering to protection schemes and human rights, is sufficient and a sensible contribution to development assistance, as its original idea intended.

The newly appointed Justice Minister Yoko Kamikawa, one out of two female ministers in the Cabinet of new Prime Minister Yoshihide Suga, has pledged to improve the situation of foreign nationals residing in Japan. Kamikawa

plans to address the challenges faced by foreign nationals, and hopes for a more supportive environment where foreigners are treated as ordinary citizens and "where people of various backgrounds are accepted [...] and don't feel isolated."[40] Kamikawa is tackling thorny issues. The empty seat in the train, which occurs when nationals choose not to sit next to foreigners, is a true symbol of isolation and an unsupportive environment. The dire need for foreign labour may have changed the somewhat hostile attitude towards foreign residents and workers over the past years, but the daily discrimination is still felt in many ways by workers, students, and longer-term residents. A more open and honest dialogue between all stakeholders might help in reducing discomfort on both sides. It is about time for the Japanese Government to close the gap between the work force Japan needs to bridge its demographic shortcomings, and the less favourable living/working environments for foreigners. To solve the equation further, the government also needs to invest more in families, in childcare, and education facilities. If women are to participate in the labour market it should be full time and in secure jobs. The "womenomics" programme has by no means unfolded its true potential yet.

As much as the clock is ticking for Japan's society, if greater equality was brought to the labour force (between regular and non-regular employees, or between foreign workers and Japanese nationals) and if automation and new technologies were smartly integrated into the work process, Japan could serve as a prime model for countries sharing the same population prospects. Yet, raising the retirement age to 80 years may not be a solution for everyone, and might meet with resistance in other states with a less healthy and diligent population.

Rabea Brauer is Head of the Konrad-Adenauer-Stiftung's office in Japan.

Atsushi Kondo, LLD. is a Professor at Meijo University's Faculty of Law in Tokyo, Japan.

1 Japanese for "foreigner".
2 Convenient stores.
3 Former Prime Minister Shinzo Abe introduced the "womenomics" programme to support women and their career opportunities. Schad-Seifert, Annette 2015: Womenomics, Internationale Politik, Mar–Jun 2015, pp. 20–23, in: https://bit.ly/3ntFVBc [16 Nov 2020].
4 UN, Department of Economic and Social Affairs, Population Division 2019: World Population Prospects 2009, Volume II: Demographic Profiles, in: https://bit.ly/3718lOd [14 Oct 2020].
5 UN, Department of Economic and Social Affairs, Population Division 2019: 2019 Revision of World Population Prospects, in: https://bit.ly/3jThPP0 [25 Aug 2020].
6 Trading Economics 2020: Japan Unemployment Rate, in: https://bit.ly/313p2EE [25 Aug 2020].
7 Ibid.
8 OECD Stat 2019: LFS by sex and age – indicators, in: https://bit.ly/3lKz1Xp [25 Aug 2020].
9 OECD Data 2020: Labour force participation rate, in: https://bit.ly/2Ftm6Kb [25 Aug 2020].
10 UN, Department of Economic and Social Affairs, Population Division 2001: Replacement Migration: Is It a Solution to Declining and Ageing Populations?, in: https://bit.ly/37NH0iF [28 Oct 2020].
11 Japanese Ministry of Health, Labour and Welfare: Inquiry desk, in: https://mhlw.go.jp/content/11655000/000590311.pdf [16 Nov 2020].
12 Japanese Ministry of Justice 2019: 2019 Immigration Control and Residency Management, Nov 2019, p.120, in: https://bit.ly/376z4ci [27 Oct 2020].
13 US Department of State 2020: 2020 Trafficking in Persons Report 20th Edition, Jun 2020, pp. 282–286, in: https://bit.ly/37SmMnU [27 Oct 2020].
14 Kondo, Atsushi 2015: Migration and Law in Japan, Asia & the Pacific Policy Studies 2: 1, 5 Jul 2015, pp.155–168, here: p.161, in: https://bit.ly/3e3mjQR [27 Oct 2020]; Immigration Bureau, Ministry of Justice 2009: Guidelines on Special Permission to Stay in Japan, Jul 2009, in: https://bit.ly/2H7TaYI [25 Aug 2020].
15 Yuka, Onisi 2020: Japanese companies leave foreign trainees in limbo amid pandemic, NHK, 10 Oct 2020, in: https://bit.ly/3782nuO [14 Oct 2020].
16 Ibid.
17 Kato, Hisakazu 2018: A Strategy for Accepting Foreign Workers for A Sustainable Society, Economy No. 45, Japan Foreign Policy Forum, 23 Mar 2018, in: https://bit.ly/3jYVu2F [14 Oct 2020].
18 The Straits Times 2018: Consider more acceptance of foreign workers, The Japan News, 19 Nov 2018, in: https://bit.ly/3nMpsJn [14 Oct 2020].
19 Iwasawa, Yuji 1998: International law, Human Rights law, and Japanese Law, Oxford.
20 Kondo, Atsushi 2001: Citizenship Rights for Aliens in Japan, in: idem (ed.): Citizenship in a Global World: Comparing Citizenship Rights for Aliens, New York, pp. 8–30, here: p. 17.

21 Japanese Ministry of Justice 2018: Comprehensive Measures for Acceptance and Coexistence of Foreign nationals, 25 Dec 2018, in: https://bit.ly/3iRzPbi [25 Aug 2020].
22 Solano, Giacomo / Huddleston, Thomas 2020: Migrant Integration Policy Index 2020, in: https://mipex.eu/japan [27 Oct 2020].
23 The Japan Times 2019: 90 % of foreign residents in Japan say they need more public support with living conditions, survey finds, 25 Jun 2019, in: https://bit.ly/3lFOx6Q [25 Aug 2020].
24 Maiko, Eiraku 2019: The changing view of foreigners in Japan, NHK, 9 Jan 2019, in: https://bit.ly/2H0iccr [25 Aug 2020].
25 OECD 2018: Settling In 2018, Indicators of Immigrant Integration, 9 Dec 2018, p. 77, in: https://bit.ly/3jGGGVz [27 Oct 2020].
26 ISSP Research Group 2015: International Social Survey Programme: National Identity III – ISSP 2013, GESIS Data Archive, in: https://bit.ly/37PDC6T [28 Oct 2020].
27 Murata, Hiroko 2017: Relation between Attachment to One's Country and Attitudes toward Immigrants, From the ISSP Survey on National Identity, NHK Broadcasting Culture Research Institute, Oct 2017, in: https://bit.ly/2J4cZko [27 Oct 2020].
28 Ebuchi, Tomohireo / Takeuchi, Yusuke 2018: 54 % of Japanese in favor of accepting more foreign workers, Nikkei Asian Review, 29 Oct 2018, in: https://s.nikkei.com/2GOqh3X [14 Oct 2020].
29 Gonzalez-Barrera, Ana / Connor, Phillip 2019: Around the World, More Say Immigrants Are a Strength Than a Burden, Publics divided on immigrants' willingness to adopt host country's customs, Pew Research Center, 14 Mar 2019, in: https://pewrsr.ch/3edfmx3 [27 Oct 2020].
30 Schneider, Todd / Hong, Gee Hee / Le, Anh Van 2018: Land of Rising Robots, Finance & Development 55: 2, Jun 2018, in: https://bit.ly/2H3DIN0 [28 Oct 2020].
31 Introduced in 2014 as the first robot to be capable of displaying emotions and speaking Pepper is 120 centimeters tall, encompasses 20 different motors, face as well as voice recognition, and reacts to human emotions. Moreover, Pepper speaks 20 different languages so far. He is the Japanese C-3PO.
32 Schneider et al. 2018, n. 30.
33 Japanese Ministry of Health, Labour and Welfare 2018: About the required number of long-term care personnel based on the 7th long-term care insurance business plan, 21 May 2018, in: https://bit.ly/35c3l6X [25 Aug 2020].
34 Japanese Cabinet Office 2018: Basic Policy on Economic and Fiscal Management and Reform 2018, 15 Jun 2018, p. 81, in: https://bit.ly/3dsJF2f [25 Aug 2020].
35 Brucksch, Susanne / Schultz, Franziska 2018: Ageing in Japan: Domestic Healthcare Technologies, German Institute for Japanese Studies, May 2018, in: https://bit.ly/3lMboOh [25 Aug 2020].
36 Brucksch, Susanne 2018: Japan and Its Rapid Ageing Society: Does e-health Technology Provide a Solution?, Journal of Aging Science 6: 2, 31 Aug 2018, p. 2, in: https://bit.ly/37RGIr8 [27 Oct 2020].
37 Japanese Ministry of Finance: How much will social security costs increase?, in: https://bit.ly/3do6yUy [25 Aug 2020].
38 Kondo, Keisuke / Hamaguchi 2017: Regional Employment and Artificial Intelligence in Japan, RIETI Discussion Paper Series 18-E-032, Research Institute of Economy, Trade and Industry, May 2018, in: https://bit.ly/31MutrV [28 Oct 2020].
39 Van Wolferen, Karel 1990: The Enigma of Japanese Power, People and Politics in a Stateless Nation, New York, here: p. 253.
40 Osumi, Magdalena 2020: New justice minister pledges support for non-Japanese residents, The Japan Times, 2 Oct 2020, in: https://bit.ly/3nQ7vty [14 Oct 2020].

Source: © Yves Herman, Reuters.

Other Topics

Can EU Trade Foster Sustainable Development?

EU Efforts to Enforce Trade and Sustainable Development Chapters in Free Trade Agreements with South Korea and Vietnam

Carolin Löprich / Denis Schrey

By integrating chapters on Trade and Sustainable Development (TSD) in Free Trade Agreements, the European Union highlights its commitment to a "values-based trade agenda", which fosters economic, social, and environmental development simultaneously. Tackling non-compliance and fostering the implementation of TSD commitments is crucial to achieving high labour and sustainability standards through trade tools.

The European Union (EU) is the largest trading block in the world. While EU trade policy is an exclusive EU competence that seeks to create jobs and generate economic growth, it has evolved over the years to support changing policy priorities in the Union's external action. Thus, economic and social development have become interdependent and mutually reinforcing components of the EU's long-term sustainable development ambitions. As foreign governments increasingly count on protectionist measures to curtail trade, the EU's ambition to use trade policy as a tool for the promotion of "European principles and values"[1] becomes more important than ever. The ongoing COVID-19 crisis has led to a stagnation of global economic growth with estimates suggesting a contraction of the global GDP by up to 5,2 per cent.[2] In this context, the economies of developing countries are predicted to suffer the most. The EU, with its commitment to multilateralism, free trade, and the promotion of social standards, should lead efforts to tackle these challenges in times of great economic uncertainty.

The EU manages its global trade relations with 72 countries through 41 existing trade agreements. Though these agreements vary in scope, they all abide by the principles of the World Trade Organization (WTO). Free Trade Agreements (FTAs) grant preferential market access through reciprocal market opening for developed countries, such as the Republic of Korea (hereafter South Korea), and emerging economies, such as the Socialist Republic of Vietnam (hereafter Vietnam). FTAs currently cover more than a third of EU trade, which could increase to two thirds if all ongoing negotiations are successfully concluded.[3] The new generation of EU preferential trade agreements seeks to encourage the establishment of stronger, values-based regimes by including dedicated Trade and Sustainable Development (TSD) chapters in all comprehensive trade agreements since 2014.

Trade and Sustainable Development Chapters

Trade liberalisation always entails the risk of lowering standards of labour and environmental protection in order to reduce costs.[4] TSDs therefore aim to ensure that economic performance is not implemented at the expense of environmentally and socially sustainable practices, ultimately leading to a "race to the bottom".[5] These chapters are a commitment by the trading partners to enforce multilateral labour and environmental laws, and to promote sustainable public procurement. Until now, they have been included in trade agreements with Canada, Central America, Colombia, Ecuador, Georgia, Japan, Mercosur, Mexico, Moldova, Peru, Singapore, South Korea, Ukraine, and Vietnam.

Even though TSD chapters are binding to the signatory parties, their implementation is not covered by the trade agreement's general dispute mechanism. Hence, they are neither subject to enforceable dispute settlement procedures, nor to economic and financial penalties in the case of non-compliance. Instead, TSD chapters have their own dedicated dispute resolution mechanism in which enforcement is achieved through public scrutiny measures, and via the cooperation of several administrative sectors.[6]

In case of a dispute between trading partners, an independent panel of arbitrators can be established to investigate non-compliance claims. Their findings are presented in a report and reviewed by both parties before the arbitration panel issues a final ruling. The accused party must then report on its measures to tackle the grievances within an agreed period of time.

The main criticism is that the EU does not implement tough measures when there is evidence of a partner's non-compliance.

Additionally, TSDs enable a monitoring and advisory role for civil society representatives via organised Domestic Advisory Groups (DAGs), which regularly review the progress made on the sustainability provisions, and act as a watchdog for their implementation. The EU sets up a DAG for every trade agreement, and the group meets annually with their partner country's counterpart to discuss their advice. In order to ensure balanced representation of all interests, each DAG has a subgroup for employers, trade unions, and non-governmental organisations. The European Commission also appointed a Chief Trade Enforcement Officer in July 2020 to reinforce sustainability commitments within FTAs. The appointee will cooperate closely with the Commissioner for Trade, conduct consultations over alleged violations of sustainability commitments, and initiate dispute settlement procedures whenever necessary.

Although the EU has taken a number of steps to make sustainability a core theme of its trade ambitions, the approach to TSDs is often criticised as "lacking teeth".[7] The main criticism is that the EU does not seem to be willing or able to implement tougher measures, such as tariff conditionality, withdrawal of trade preference, or stricter economic sanctions, even when there is evidence of a partner's non-compliance. Instead, the EU prefers a promotional approach in which "provisions do not link compliance to economic consequences but provide a framework for dialogue, cooperation, and/or monitoring"[8] in order to avoid broader political and diplomatic consequences. This approach fundamentally differs from the conditional approach, which allows the implementation of sanctions if one of the parties violates the TSD agreements. This option can include both pre-ratification and post-ratification conditionality, and is often used in FTAs concluded by the United States or Canada.[9]

The European Commission is evidently aware of the lack of assertive enforcement in TSDs.[10] After a number of consultations launched in 2017 with a variety of stakeholders, the Commission published a 15-Point Action Plan. The proposed actions aim for more assertive enforcement by increasing the monitoring role of civil society, creating a more flexible cooperation with the International Labour Organization (ILO) and the Organisation for Economic Co-operation and Development (OECD), and making more EU resources available for ensuring partners' compliance with their commitments.

Yet, the current model has so far been unsuccessful in generating significant sustainability improvements. Therefore, in a recent joint proposal, France and the Netherlands called on the EU to raise or lower tariffs according to a partner's performance in meeting sustainability obligations. This joint proposal echoes a frequent demand to make "sustainability requirements enforceable, verifiable and sanctionable".[11]

Although the EU considers itself to be a "fierce defender of a multilateral rules-based trade system",[12] it often hesitates to be more assertive when a trading partner fails to comply with TSD commitments.

The Case of South Korea

The EU–South Korea FTA, applied since July 2011 and formally ratified in December 2015, is the first new generation agreement between the EU and an Asian partner.[13] From an economic

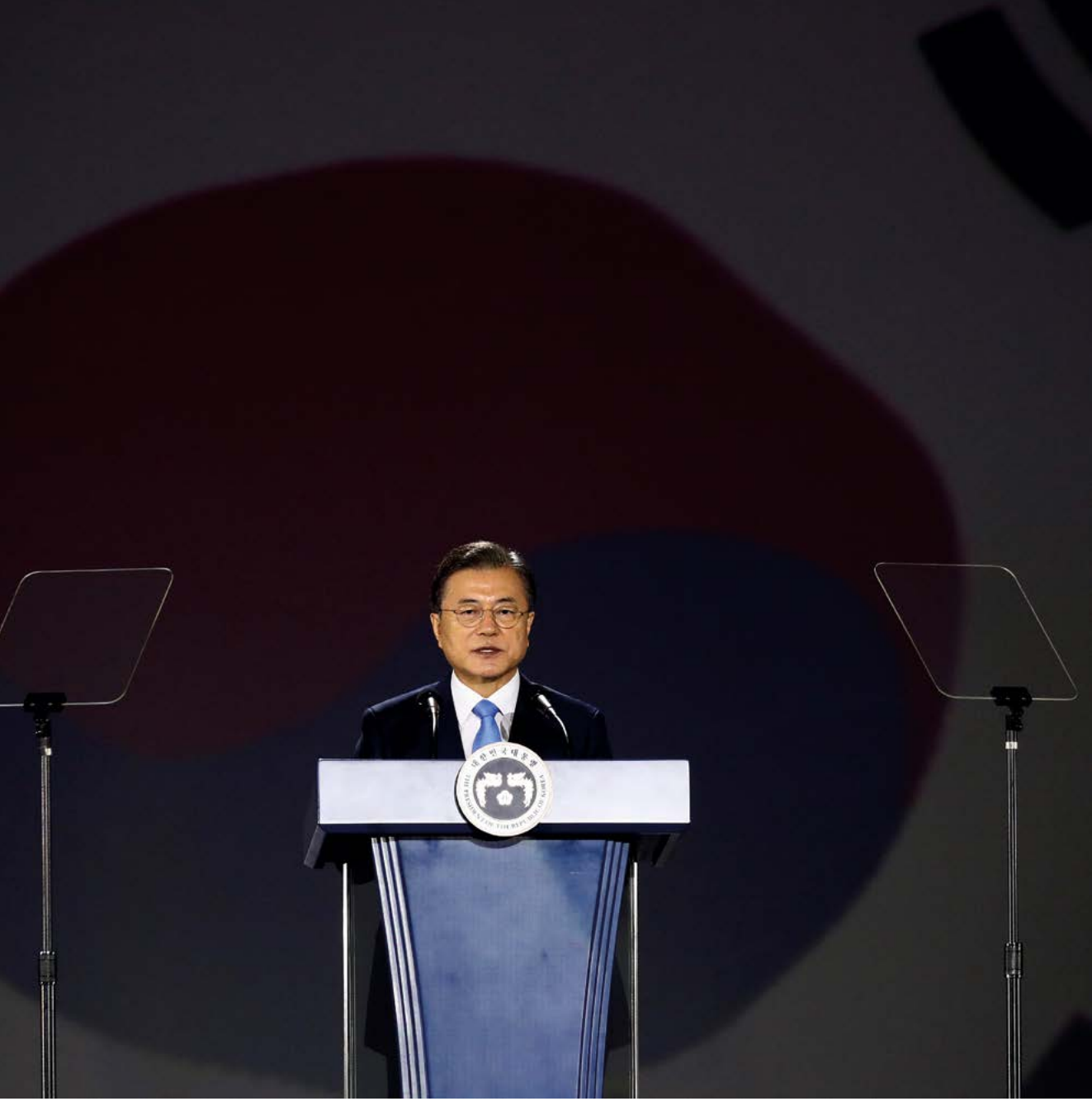
point of view, the FTA is very ambitious and has shown significant improvements in bilateral trade relations. In 2019, South Korea ranked as the seventh biggest export nation, and the ninth biggest import nation in the world.[14] According to the European Commission, European companies have achieved savings of 2.8 billion euros through the reduction or abolition of customs duties.[15]

To safeguard the implementation of environmental and labour provisions, the chapter includes a number of mechanisms for supervision and consultation.

The TSD chapter of the EU–South Korea FTA, Chapter 13, makes reference to (amongst others) the 2002 Johannesburg Plan of Implementation on Sustainable Development and the 2006 Ministerial Declaration of the UN Economic and Social Council on Full Employment and Decent Work.[16] To safeguard the implementation of environmental and labour provisions, the chapter includes a number of mechanisms for supervision and consultation, including designated TSD contact points, the submission of written requests, and the establishment of an investigatory panel of experts. Furthermore, the DAG and a separate Committee on Trade and Sustainable Development (CTSD), comprised of senior officials from both sides, meet regularly to discuss progress made.

On 17 December 2018 the EU made use of the arbitration mechanism for the first time by submitting a written request "concerning certain measures, including provisions of the Korean Trade Union Act, which appear to be inconsistent with South Korea's obligations related to multilateral labour standards and agreements under the EU-Korea FTA".[17]

The first issue at hand was the exclusion of parts of the workforce from the scope of freedom of association. According to the Korean Trade Union Act, a worker is a person who pursues a job and lives on the wage or salary resulting from this activity, effectively excluding the self-employed, dismissed, or unemployed persons from the freedom of association. This classification of workers also has an impact on the definition of trade unions. As soon as an organisation allows individuals from outside the category of workers to join, it will no longer be considered a trade union. Furthermore, the EU criticises the Korean Trade Union Act for establishing the elections of trade union officials only through its members, giving ground to free discretion when it comes to certification procedures for the establishment of trade unions, and enabling Korea's Labour Administration to requests changes in collective agreements. Furthermore, the EU dissents to the application of section 314 of the Korean Criminal Code by the police and public prosecutor's office to obstruct certain peaceful strikes. These criticisms led the EU to assume that the trading partner had breached obligations under the FTA. Additionally, the request admonished South Korea for not having ratified four fundamental ILO Conventions[18] on the freedom of association and the right to collective bargaining. This is especially concerning to the EU, considering that the agreement entered into application more than eight years ago and South Korea and the EU have been in a Strategic Partnership to "shape global change and promote fundamental values"[19] since 2010. Correspondingly, the last government consultation between the EU and South Korea in January 2019 "failed to address satisfactorily all concerns raised by the EU".[20] In May 2019, in response to the arbitration request, the South Korean government submitted a request to its own National Assembly to ratify three out of the four ILO conventions. The proposed resolution excluded the convention on abolition of forced labour, due to a lack of compatibility with local statuses related to South Korea's supplementary military service. A legal revision would be required to facilitate the potential adoption of this final convention. However, observing the repeatedly declared "indispensability of the mandatory



Strong mandate: Elections for South Korea's National Assembly brought about a landslide win for President Moon's Democratic Party – Moon has the opportunity to push through any legislation that supports his political agenda. Source: © Chung Sung-Jun, Reuters.

military service amid the confrontation on the Korean Peninsula",[21] it seems unlikely that the ratification of this convention will soon be implemented. Yet, the South Korean government has submitted a package of bills seeking changes in those elements of domestic law that run contrary to the ILO principles of freedom of association and the right to collective bargaining. While the EU has noted these positive developments, concerns remain notably due to a lack of majority in the National Assembly to facilitate these legal changes, as well as to the South Korean government's overall lack of willingness to advance on ratification.

The panel of experts thus started an investigation on 30 December 2019. Initially, their report was to be presented by the end of March 2020.[22] However, due to the outbreak of the COVID-19 pandemic, the publication of the report has been postponed to an unknown date. At this point, it is uncertain how the experts will address the TSD issues and whether their recommendations can lead to a settlement of the dispute. The settlement mechanism itself does not foresee any further steps if the recommendations are not implemented.

South Korea now has the opportunity to settle the dispute by proving its political will to implement better labour provisions.

Elections for South Korea's National Assembly – the competent body for ratification of international treaties according to the South Korean Constitution – were held in April 2020. The elections went ahead on schedule despite the global COVID-19 pandemic and brought about a landslide win for President Moon's Democratic Party. The scale of this coalition's victory (180 out of 300 seats)[23] makes it almost impossible for the conservative opposition to obstruct major legislation in the future. Because of the strong mandate received, Moon has the opportunity to push through any legislation that supports his political agenda.[24] Since the opposition parties' objection to changes in domestic legislation was considered a key obstacle to moving ahead on the ratification of ILO conventions, South Korea now has the opportunity to settle the dispute by proving its political will to implement better labour provisions. However, to what extent the new progressive government will prioritise the TSD dispute still remains questionable. With a number of geopolitical and security issues in the region, the recommendations of the expert panel are unlikely to receive the same attention in South Korea as they do in Europe. As long as there are disparities between Korean domestic laws relating to supplementary military service and ILO conventions, no ratification is to be expected. Given the major importance of industrial policy in Korea, the progressive government's policies are also likely to remain oriented towards the interest of large corporations. Although South Korea has high legal standards and strong unions, it currently has no visible interest in complying with multilateral labour conventions. This is also due to a steady opposition of Korean business lobby groups, who are interested in keeping the strong labour unions in check. In addition, the EU is primarily perceived as a trading partner while the organisation and assessment of political processes in South Korea and the EU fundamentally differ.

Because it is the first time that the EU has denounced the non-compliance of a trading partner on TSD commitments, the case of South Korea has become an important opportunity for the EU to position itself as a champion of trade and sustainability. Openly addressing the dispute has been an important first step in this regard. However, if the EU wants TSD chapters to become a meaningful tool for comprehensive and systemic development, it should not settle for a lack of resolution.

The Case of Vietnam

Vietnam is one of the ten members of the Association of Southeast Asian Nations (ASEAN) and has become the EU's second most important trading partner in the region, after Singapore. The EU-Vietnam FTA, which entered into force on 1 August 2020, will increase respective market access through substantial tariff elimination. Since day one of this agreement, 65 per cent of EU exports to Vietnam and 71 per cent of EU imports from the country will enjoy duty-free status, whereas the remaining goods will be liberalised over a transitional period (a maximum of ten and seven years for EU and Vietnamese goods, respectively).[25]

Chapter 13 on TSDs outlines the key commitments of both parties to environmental sustainability and labour rights. Articles 13.2 (1b) and

Article 13.3 highlight the right of the parties to set their own levels of domestic protection according to their respective level of economic development. This stipulation has allowed Vietnam to attract investments in the past, especially in areas of labour-intensive production, due to the nation's competitive wages. Article 13.3 further aims to prevent a dramatic reduction of environmental and labour standards as a means to gain comparative trade and cost advantages.

It remains to be seen how the Vietnamese authorities will implement their understanding of the "free operation of trade unions".

Under the agreement, the two parties have committed to ratify and implement the eight fundamental ILO Conventions and respect, promote, and effectively implement ILO principles concerning fundamental rights at work. The agreement foresees the involvement of independent civil society actors in monitoring the implementation of these commitments by both sides. Vietnam has already made progress on the commitments of improved labour standards by ratifying ILO Convention 98 on collective bargaining in June 2019, adopting a revised Labour Code in November 2019, and promising to ratify the remaining fundamental ILO Convention on forced labour by 2023.

At present, Vietnam has only one legal, state-led trade union federation: the Vietnam General Confederation of Labour (VGCL). The VGCL is neither independent of the ruling Communist Party nor of employers, as independent unions are currently forbidden.

The recently ratified Convention 98 should help break the employer dominance of trade unions at the company level, as it requires workers' and employers' organisations to be free from mutual interference. Convention 87 – which Vietnam plans to ratify by 2023 – will legalise independent labour organisations and therefore allow them to operate without being subordinate to the Communist Party. It is unprecedented for a one-party socialist state to actively promote reforms that significantly increase the ability of trade unions to operate independently.

However, while discussions about Conventions 105 and 98 have been in progress over the past few years, Vietnam has simultaneously been cracking down on activists and civil society organisations, including labour activists.[26] Additionally, researchers investigating controversial topics, such as workers' health, have been subjected to harassment from the authorities. It remains to be seen how the Vietnamese authorities will implement their understanding of the "free operation of trade unions", which contradicts the authoritarian state's interest in maintaining its dominant power.[27]

The EU, along with a number of International NGOs operating in Vietnam, sees the challenges of properly monitoring and enforcing labour and social rights on the ground. Therefore, the consultative bodies of DAG and CTSD should focus on developing clear benchmarks and action plans so that step-by-step monitoring and evaluation of the implementation of ILO conventions can occur in close cooperation with the relevant Vietnamese stakeholders. The EU should proactively seek close cooperation with other donors to strengthen the capacity of Vietnamese stakeholders to build national and local capacities in order to monitor the implementation of conventions. Furthermore, stakeholders should pursue a change in the cultural mindset of companies to transparently address and admit to shortcomings, and to improve and promote workers' participation and working conditions.

Conclusion: Applying Intelligent Case-by-case Diplomacy to Implement TSD Chapters

Being the world's largest trading power gives the EU an important leverage to negotiate trade agreements in line with objectives of trade liberalization and, equally important,

the promotion of common public goods. Linking trade policies and liberalisation objectives to other agendas can emphasize the partner countries' commitments to international conventions and treaties. While most of the EU's trade partners have signed these treaties, many still lack either the political will or the capacity to enforce them. While the case of South Korea shows the dilemma of enforcing TSD commitments in practice, the case of Vietnam clearly illustrates how sustainability commitments can be interpreted differently by trading partners. If TSD chapters are supposed to reach their full potential of high labour and sustainability standards in the long run, more effective implementation is key. The EU is aware of the many shortcomings of TSD chapters and has already worked on a number of improvements regarding implementation and transparency issues. To ultimately reach full enforcement of sustainability commitments, the following steps are recommended:

Growing importance: Vietnam has become the EU's second most important trading partner in the region after Singapore. Source: © Nguyen Huy Kham, Reuters.

Moving away from the sanctions debate: Consensual decision-making is a highly complex process which should not be limited to a binary debate about sanctions versus non-sanctions. Experience suggests that the use of sanctions does not speed up the implementation of labour standards. The EU should not handcuff its trading partners as a punishment for non-compliance, given that sanctions mostly impact the most vulnerable and not the targeted elites. Instead, effective implementation becomes more viable when TSD chapters are carefully developed in consideration of the local political, economic and social contexts, and address country-specific sustainability shortcomings.

Developing feasible roadmaps: Both trading partners should clearly define a feasible and country-specific roadmap with joint priorities and targets for TSD implementation. Through a process of regular exchange and involvement of civil society, there can be an opportunity to build trust and achieve progress in translating TSD commitments into national legislation.

Increasing capacity development: When TSD commitments rank low on the agenda of a partner government, the EU should recognise its obligation to substantially increase capacity development. If the EU seeks constructive cooperation, it will need to increase a number of activities. This includes labour inspections and effective adjunction of labour disputes through structured, transparent, and time-based complaint mechanisms. Capacity development can be a useful tool in making the entire implementation more tailor-made and demand driven. Special attention should be paid to potential disparities between TSD commitments and domestic laws of trading partners. It can also help to direct the beneficiary's focus to the importance of implementing sustainability commitments.

Stepping up reporting: The EU should conduct annual implementation or monitoring reports that are specific to the trading partner and the respective TSD. Increased data collection on performance will improve understanding of shortcomings and bottlenecks that trading partners face in the implementation of TSD commitments. Current implementation reports cover all trade agreements; this does not allow for the necessary differentiation. A thorough understanding of country-specific challenges is necessary to identify the key concerns and constraints of effective implementation.

Whether independent civil society actors are active and can act independently varies across partner countries.

Strengthening the involvement and mandate of DAGs: The Domestic Advisory Groups offer an opportunity to meet an increasing demand for constructive dialogue with civil society on trade. DAGs should be capacitated to monitor the entire FTA, including chapters other than TSDs, in order to bring sustainable development to the mainstream of trade policy. DAGs should fulfil an advisory, consultative and institutionalised role. Yet, the adequate representation of independent civil society actors – and their ability to exercise their duties independently, impartially, and safely – varies across partner countries. The involvement with different political structures and the resulting composition of the respective DAGs must nevertheless lead to a balanced DAG composition so as to monitor and evaluate EU FTAs as independently as possible.

Looking inwards: Labour standards and decent work can have a beneficial effect on the economic efficiency, innovation, and productivity of all trading partners, including the EU itself. In this sense, the EU's ambition to pursue fair trade is not entirely altruistic as it also addresses trade fairness for its own businesses, employers, and the environment.

Patience and consistency: In order to create space for constructive dialogue on jointly set targets, the EU should use its economic leverage in moderation, as opposed to as a threat. This may reduce the risk of backfire, where demands

are felt by the partner as an imposition of the EU's will, disregarding social, cultural, political, and economical contexts. The EU should also differentiate between countries which have a high capacity and the financial means to implement such chapters, and countries with less developed state and oversight structures.

The inclusion of such TSD chapters in FTAs provides the EU with a diplomatic opportunity to constructively highlight and address shortcomings on environmental, labour, and human rights issues in partner countries. The incentive of improved EU-market access creates new leverage for advocating and supporting the implementation of reforms in accordance with multilateral treaties and conventions, especially in partner countries that did not show a political interest in such agreements in the past. Depending on the country context, the EU might find allies and receive support from national stakeholders (such as CSOs, trade unions, and others) that promote a similar political agenda. In other cases, the EU has to be more patient as political cultures and agendas, participatory structures, and domestic laws might not be conducive to implementing reforms at the speed desired by the EU. The EU should continue with its assessment that competitiveness should not be achieved at the expense of sustainability. In the long term, environmental sustainability and improved labour standards in partner countries strengthen the overall business and investment climate. TSDs are therefore an important step to strengthen the trade-development nexus to the economic and social advantage of both trading parties.

Carolin Löprich is Programme Manager for Democracy and Sustainable Development at the Multinational Development Policy Dialogue of the Konrad-Adenauer-Stiftung in Brussels.

Denis Schrey is Head of the Multinational Development Policy Dialogue of the Konrad-Adenauer-Stiftung in Brussels.

1 European Council 2019: EU trade agreements, 26 Nov 2019, in: https://bit.ly/3lTy53e [16 Oct 2020].
2 The World Bank 2020: Global Economic Prospects, Jun 2020, p. 3, in: https://bit.ly/2HbEU0M [16 Oct 2020].
3 Damen, Mario / Igler, Wolfgang 2019: Free trade or geo-economics? Trends in world trade, European Parliament: Policy Department for External Relations, In-Depth Analysis, 27 Sep 2019, p. 23, in: https://bit.ly/2SZGAxc [16 Oct 2020].
4 Radin, Tara / Calkins, Martin 2006: The Struggle Against Sweatshops: Moving Toward Responsible Global Business, in: Journal of Business Ethics 66: 2, pp. 261–271.
5 European Commission 2020: What is sustainable development?, 17 Jan 2020, in: https://bit.ly/37gckX9 [16 Oct 2020].
6 Harrison, James et al. 2019: Labour Standards Provisions in EU Free Trade Agreements: Reflections on the European Commission's Reform Agenda, in: World Trade Review 18: 4, Cambridge University Press, pp. 635–657, in: https://bit.ly/2HSMnm3 [2 Nov 2020].
7 Lowe, Sam 2019: The EU should reconsider its approach to trade and sustainable development, Centre for European Reform, 31 Oct 2019, in: https://bit.ly/3nZAlHR [16 Oct 2020].
8 International Labour Organization (ILO) 2013: Social dimensions of free trade agreements, Geneva, p.1, in: https://bit.ly/2HXivVJ [2 Nov 2020].
9 Campling, Liam / Harrison, James / Richardson, Ben / Smith, Adrian 2015: Can Labour provisions work beyond the border? Evaluating the effects of EU free trade agreements, in: International Labour Review, 155: 3, 24 Jul 2015, pp. 357–382, in: https://bit.ly/3833Umr [4 Nov 2020].
10 European Commission 2018: Feedback and way forward on improving the implementation and enforcement of Trade and Sustainable Development chapters in EU Free Trade Agreements, 26 Feb 2018, in: https://bit.ly/383QzKw [2 Nov 2020].
11 European Committee of the Regions 2020: Opinion of the European Committee of the Regions – Implementation of Free Trade Agreement (FTAs): the regional and local perspective, 2020/C 324/04, 2 Jul 2020, in: https://bit.ly/353AGk7 [16 Oct 2020].
12 Damen / Igler 2019, n. 3, p. 1.
13 European Commission 2016: Annual Report on the Implementation of the EU-Korea Free Trade Agreement, 30 Jun 2016, in: https://bit.ly/2FCWGtE [16 Oct 2020].
14 Chamber of Commerce and Industry Frankfurt am Main / Korean-German Chamber of Commerce and Industry 2020: Geschäftspraxis in Korea: Teil 3 – Zoll und Freihandelsabkommen, Webinar on 3 Apr 2020, in: https://bit.ly/34Zd7Jk [16 Oct 2020].
15 European Commission 2016: Trade boosted by five years of EU-Korea Free Trade Agreement, 1 Jul 2016, in: https://bit.ly/3mW7qTF [2 Nov 2020].

16 European Union 2011 : Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, 14 May 2011, Article 13.1, in: https://bit.ly/2Jt4C2a [16 Oct 2020].
17 European Union 2018: Republic of Korea – compliance with obligations under Chapter 13 of the EU – Korea Free Trade Agreement, Request for Consultations by the European Union, 17 Dec 2018, in: https://bit.ly/31e50aD [16 Oct 2020].
18 The four unratified ILO Conventions: C87 Freedom of Association and Protection of the Right to Organise Convention, C98 Right to Organise and Collective Bargaining Convention, C29 Forced Labour Convention, 1930, and C105 Abolition of Forced Labour Convention.
19 European Commission 2018: Strategic Partnership for Common Challenges: The EU enhances its dialogue with the Republic of Korea, 19 Oct 2018, in: https://bit.ly/3nVjUwg [16 Oct 2020].
20 European Commission 2019: LTTs The Panel Proceedings under the TSD Chapter Of EU-Korea FTA, 19 Dec 2019, p. 1, in: https://bit.ly/3mK8k5U [16 Oct 2020].
21 ILO 2017: Republic of Korea (2017): The Elimination of all forms of forced or compulsory labor, Country Baseline under the ILO Declaration Annual Review, p. 2., in: https://bit.ly/2HagbKw [16 Oct 2020].
22 European Commission 2019: Procedural information related to EU-Korea dispute settlement on Labour, 19 Dec 2019, in: https://bit.ly/31cIDT4 [16 Oct 2020].
23 Samse, Stefan / Lee, Hyekyung 2020: Corona, Corona, Corona – südkoreanische Parlamentswahlen unter neuen Bedingungen, KAS Country Reports, 17 Apr 2020, in: https://bit.ly/38jrYkW [4 Nov 2020].
24 Snyder, Scott A. 2020: Implications of South Korea's Historic COVID-19 Elections, Council on Foreign Relations, 17 Apr 2020, in: https://on.cfr.org/3iYmDkU [16 Oct 2020].
25 Bertucci, Sara 2020: EU-Vietnam Free Trade and Investment Protection Agreements: Fairness, transparency and sustainability, European Institute for Asian Studies, 17 Feb 2020, in: https://bit.ly/319CDdB [16 Oct 2020].
26 Modern Diplomacy 2020: EU-Vietnam trade agreement enters into force, 3 Aug 2020, in: https://bit.ly/2IBPOxL [16 Oct 2020].
27 Buckley, Joe 2019: Vietnam Gambles on Workers' Rights, Jacobin Magazine, 7 Jul 2019, in: https://bit.ly/3o0ynY2 [16 Oct 2020].

ISSN 0177-7521
Volume 36
Issue 4|2020

Konrad-Adenauer-Stiftung e.V.
Klingelhöferstraße 23
10785 Berlin
Phone +49 (0)30-269 96-38 18
Fax +49 (0)30-269 96-53 383
www.kas.de/internationalreports
www.fb.com/internationalreports
www.twitter.com/auslandsinfo
www.instagr.am/auslandsinfo
auslandsinformationen@kas.de

Editor:
Dr. Gerhard Wahlers

Editor-in-chief:
Dr. Samuel Krug

Editorial Team:
Dr. Canan Atilgan
Thomas Birringer
Dr. Stefan Friedrich
Dr. Lars Hänsel
Dr. Peter Hefele
Frank Priess
Sabina Wölkner
Nils Wörmer
Dr. Jan Woischnik

Editorial Support:
Fabian Wagener

With participation of:
Valentin Carl, Sarah Müller, and Leontine Päßler

The designated contributions do not necessarily reflect the opinions of the editorial team.

Single issues: 10 €. Cheaper subscription rates.
There is a special discount for students.
For more information and orders, please
contact: auslandsinformationen@kas.de

Account Details:
Commerzbank Bonn
IBAN DE43 3804 0007 0103 3331 00
BIC COBADEFFXXX

International Reports (Ai) holds the copyright in all articles published.

Cover Illustration:
© racken.
Other sources indicated accordingly.

Proofreading:
i.e. editing, London
Philippa Carr, Berlin

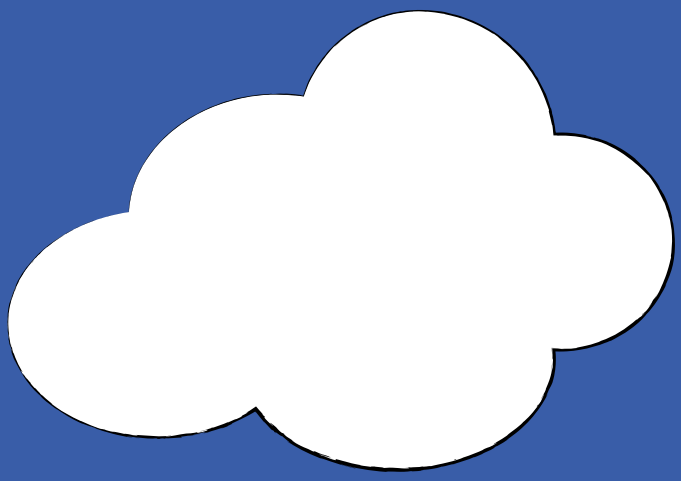
Translation:
RedKeyTranslations, Salzhemmendorf

Design / Typesetting:
racken GmbH, Berlin

MIX
Paper from responsible sources
FSC® C118112
www.fsc.org

Climate neutral
Print product
ClimatePartner.com/11854-2011-1003

This publication is carbon-neutral, printed using vegetable-oil-based ink.



auslandsinformationen.de
fb.com/internationalreports
twitter.com/auslandsinfo
instagr.am/auslandsinfo