The modernization of Political Parties in Argentina:
The first step towards a competitive political reform

By Mercedes Llano and Gabriel Salvia

There is a political reform that does not consist in modifying any law, but the bylaws and organic letters of political parties. The Political Parties Reform would contribute to open the debate on the amendments of national legislation and would constitute a very importante step heading to the strengthening of democracy. Thus, the internal political practicies of every party would help them differentiate among them, not only by its ideas but also by their own democratic methods.

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The purpose of this Document is to raise a crucial but ignored subject matter of the political reform: the internal Reform of Political Parties. During the past decades, Political Parties have suffered from a strong loss of social status, mostly because they have been part and have promoted a slightly competitive, transparent and ethical political game. In spite of such practices, the deepening and consolidation of the representative democracy depends on the accountability and will of Political Parties, because they are the crucial actors of the democratic rule.

Around the year 1963, Carlos Fayt considered “that democracy necessarily reclaims a Party System, that political parties are vital instruments of government for the dynamic of representative democracy. That they are, at last, the key stones of democratic life. As a result of this, we should ask ourselves if they are have the stature of such a great responsibility, if they have fully understood their role and if in the intimacy of their structures they are capable to assume the power and satisfy the social demands and requirements of the contemporary society”. This last inquiry reemerges.

Political Parties need to adapt themselves to the contextual changes and to the citizen’s needs through more democracy and internal competition, more transparency, commitment, responsibility and suitability. These changes will come from an authentic commitment of the parties, because without this, any legal initiative becomes irrelevant. The example of one party is enough to expand the reform, because its example will cause a strong social adhesion forcing the rest of the parties to introduce changes. The transcedental reforms find more sustenance in actions than legal dispositions; if not, what is the sense of institutionalize open and simultaneous intern elections for President if none is going to respect them?; what is the sense of a constitutional norm that establishes two senators for the majority and one for the minority if candidates of the same party run separately to gain the three seats?. In a context where the rules are easily avoided it is fundamental a strong dose of seriousness, responsibility and ethics that come from the interior of the same parties.

• The political party reform
The different proposals of political reform commonly treat the modification of the national electoral system, the organic act of the political parties, the financing of the campaigns and the reduction of the “political cost” in the public administrations, among others. Nevertheless, there is a reform that does not consist of modifying any law, but of modernizing the own bylaws and organic acts of the political parties.

The point is: why any of the political parties begin at home and do internally its own political reform? And so, how can they change a national legislation and the way of making politics if they do not show the intention of doing anything exemplary in the bosom of their own party?

The political party reform should be the first step towards a competitive democracy, allowing: 1) candidates’ selection for public elective charges based on the suitability and representation; 2) renovation, increase and technical permanent professionalization of the political leadership; 3) transparent and voluntary methods of financing; and 4) a decrease of the “political cost” that affects the taxpayer and generates a perverse clientelism. To accomplish all of this is not necessary to elaborate or modify any law, just simply modernize the parties’ organic acts.

• The electoral system of the political parties.
In practice, the political parties select candidates for public and partidary elective charges using blocked and closed lists, large magnitudes for district, electoral systems of two thirds and the system of simple majority. Even sometimes it is an elite member of the government meeting or the national convention who designates the candidates for the public elective charges. Nevertheless, in the frame of freedom of association legislation in force any party can choose its system of internal voting. In that matter, the article 3 of the Political Parties Act (nº 23.298) highlights that “The existence of the parties needs the following substantial conditions: clause b) stable organization and functioning ruled by the organic act in accordance with the internal democratic method, through periodic elections of authorities, organism and candidates in the way that is established by each party”. This is repeated in the chapter of this Act concerning the “Internal Partidary Elections”, in article 29: “The partidary elections will be guided by the organic act, subsidiary bye this law, and in everything in which it applies, by the electoral legislation”.

In consequence, if in the parties they do not use more competitive and representative mechanisms than those established in the national legislation for the electoral matter, then the national legislators who arise from these will have little interest to stimulate a modernization of the political legislation.

For that reason, it is necessary to contemplate the possibility of adopting electoral systems at an internal level that promote the representation, the competition (according to the established by the Constitution in the article nº 38) and the identification of the candidates. The political parties will contribute to the consolidation of democracy in the measure in which they prioritize the suitability and representation instead of internal patronage. Likewise, it is necessary to generate processes before internal elections that ensure the participation in the internal contest of the most capable and suitable members without the mechanisms of selection by “finger”.

• Impossibility of the immediate re-election to public elective position
One of the essential characteristics of any republic and democratic regime such as ours is the periodicity of the functions. The vocation of service has been replaced by the longing of power, money and political income aggravating the loss of status of political parties. The spirit of the republican dispositions has been disregarded by those who seek to perpetuate in power and to obtain material or electoral benefits promoting the clientelism and the low partidary renewal. The
political parties should contemplate the adoption of a simple, effective and wise rule such as the impossibility of immediate re-election to public elective charges that would allow:

- To favor the permanent renewal of the political leaders, preventing that those who came first stick themselves to the public elective position, especially using their charge to become stronger internally in the own party. One of the reasons for which there is a low level of political participation is because the parties are managed by a few persons, who precisely distribute among them the candidatures. The impossibility of the immediate re-election would stimulate the political participation

- To attack the corruption in the executive apparatus and in the collegiate bodies. Some practices are common in the state area, and especially in the collegiate bodies, such clientelism, the patronage, the “tacit” exchanges of favors between parties, of which almost no party is not aware. Having joined the legislative bodies, politicians adopt informal established rules participating in a slightly transparent game that force them to seal a silence pact with other players. Having perpetuated in power, these rules and the practical consequences consolidate and even refine themselves. The entry “new faces” to this perverse game would constitute a healthy remedy for the corrupt and slightly transparent practices.

- To avoid the culture of the professional politician, who without a public charge might not support himself, forcing him to look for other sources of survival.

- To reward with new postulations those who had a public exemplary labor. How a politician acted in his public charge in comparison to others of different parties or of his own constitutes an important element to allow new postulations – not immediate re-elections - and in that way it can shape a dirigencial elite whose work is democratically revalued as time goes by.

- To allow the participation of those who only are interested in the internal partidary activity and not in the acquisition of a public position. Generally, it is difficult for a person with this profile interested in politics could canalize his/her inquires with the traditional characteristics of the partidary activity, but with the establishment of this incompatibility he/she would achieve an important protagonism and an indispensable controller task.

- To create a counterbalance to control those party members who occupy a public charge; with this, the partidary authorities supervise the permanent adhesion to the party principles and the ethic behavior of the party representative in the public function.

- To avoid the use of the public elective or political position for the internal partidary activity, including the use of goods and public resources. This would also avoid the constitution of a partidary nomenclature, that is to say, the accumulation of power among a few persons who would be in a profitable situation with regard to the rest of the affiliates. In the case of a legislator or a civil servant whit a public charge, the incompatibility would also reach his/her personnel, in a way of diminishing the possibility of using the position and the public resources for the political internal activity. Likewise, the party should make public in the internet the precedent of all the personnel designated to the public function by the members of the party and use a mechanism of contest, instead of the patronage or the clientelism. A part of the advisor staff should be integrated by people that come from out of the partidary activity to establish labor relations based on effort, responsibility, and suitability and not on patronage. The political parties might appeal for the presentation of the applicants to advisers of prestigious institutions like the Universities or NGO’s.

- Leaders’ Training, taking into account the vocation and professionalism that characterizes the entities of political, ethical and economic education, which purpose of its members is not to participate in the partidary activity but to influence those that aspire to occupy public charges.

- Elaboration of public policies proposals that characterizes a lot of foundations and centers of study and research- the think thanks- from where the principal initiatives for political, economical, institutional and social reforms, emerge elaborated by people dedicated part or full time to the study and analysis of those subjects.

- Advise and assistance to partidary members who occupy legislative or political charges, offering a technical and administrative support to the elect civil servant. In the case of the legislative assistance on behalf of members of NGO it would help to lower also the “political cost” and consistently, to reduce the plant floor of temporary or transitory personnel in the state area, because the honorarium of advisers and assistantswould be settled by the entity without purposes of profit, which in turn would receive donations of those that are happy with the labor of the legislator.
Notes:

1 Choosing arbitrarily

The Centre for the Opening and Development of Latin America (CADAL), was constituted as a Foundation on February 26, 2003 with the objective of promoting the strengthening of democracy, the estate of right and the economic freedom in the countries of the region. For that, analysis, research and broadcast activities are made in three areas: Latin America Politic; Democracy and Expression Freedom; and Economy and Estate of Right.

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- Search of funds for the political financing, which offers higher transparency given that the balances are public, having as a consequence a major control of the Justice, because if the legal and countable requirements are not fulfilled the juridical personery could be lost.

- In addition, the technical and financial dependence that the NGOs would create to the political leaders would serve also as another counterbalance of the partidary labor.

Conclusions

The Reform of Political Parties would contribute to sincere the debate about the respective amendment of the legislation and would constitute a very important step towards the strengthening of democracy. Likewise, the internal political practices of every party would serve to differ between them, not only for its ideas but also for its democratic methods. The deep and lasting changes will come from the will and decision of the own political parties. The exemplary reforms of the parties committed with the change will determine socially the other parties to take the path of the democratic evolution.

Plan of work

It is necessary to analyze the internal partidary organization in our country from a wide frame of reference, for which we will make a comparison of the internal functioning of the parties in different countries. The definition of the resultant model will serve to the purposes of incorporating new proposals for the reform.

Later, the aspects inherent to the internal organization of the political parties will be categorized in order to approach an analysis of the organic acts of the political parties in Argentina. The study will be delimited to the political parties with representation in the National Congress during the period 2001 and 2003. From the results of the comparison of the models of the internal organization of the parties from other countries and of the analysis of the organic acts it will be seek the creation of spaces of reflection between the possible makers of the change: the Argentine political parties.