

INTERNAL PARTY DEMOCRACY IN KOSOVO

by
Center for Research
and Policy Making

POLITICS

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PREFACE

The year 2012 marks the 50th anniversary of Konrad Adenauer Stiftung`s (KAS) international cooperation and engagement. We have always been campaigning worldwide for the promotion of human rights, democracy, its values and practices, as well as for the promotion of rule of law institutions and the principles of the social market economy. At present the Konrad-Adenauer-Stiftung maintains around 70 offices with 80 official representatives from Germany and more than 400 people as local employees that help to conduct measures of political education and consulting.

All these measures aim at contributing towards the development and consolidation of democracy. Within our programmes in nearly every country, consulting measures for the cooperation with and support for democratic parties form a focal point of our international activities, because in a democracy, most if not all citizens should be involved in political activities. However, a direct democracy where every citizens is directly involved in political decision is not possible within modern mass societies. This is why a modern democracy needs well-structured political parties that represent the will and the interests of the citizens as authentically as possible and offer a space for political engagement, in order to influence politics and political decisions.

Without modern and democratic political parties, a modern representative democracy is not conceivable. Only the parties that ensure that citizens are permanently capable to act politically can be the voice of broad sectors of society.

In contrast to citizens' initiatives political parties should not be related to individual or limited scope of issues, but to topics that are related to public order and the organization of society so that they can successfully act for their members and citizens. Therefore it is important to take a closer look not only on the political vision and ideas of parties for the society, but also on their internal organization, their way of leading internal discussions, debates and conflicts within and between different branches and groups of the party and of recruiting candidates and dealing with the involvement of their members which are crucial characteristics for a modern democratic party structure, especially, if the party wants to govern a democratic country.

This research study conducted by the Think Tank *Center for Research and Policy Making* (CRPM) in cooperation with different Kosovan authors deals with the topic of "Internal Party Democracy in Kosovo".¹ It examines, describes and compares the intra-party democracy of the biggest political parties in Kosovo, in order to provide a basis for the development and consolidation of democratic structures and the possibilities of participation for their members.

Even though criticism of political parties is easy and most of the time very popular, political parties are indispensable for a democracy, but they will be able to fulfil their functions and duties and maintain their credibility only if they show in their own organization a clear commitment to democratic structures and rules and if they keep steadily working on it.

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1.

INTRODUCTION

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Internal or intra party democracy is a very broad term describing a wide range of methods for including party members in internal party deliberation and decision-making. The importance of party democracy for the overall democratic processes in a country is a debated issue. The fundamental question appears to be “whether competition among parties, the inclusive participation of citizens in that inter-party competition, and the aggregate representativeness of the corps of elected officials are sufficient for effective democracy, or whether competition, widespread participation and inclusive representation within the individual parties are required as well.”²

¹ See footnote 1 on page 4

² Gideon Rahat, Reuven Y. Hazan and Richard S. Katz, “On the Uneasy Relationships between Participation, Competition and Representation Democracy and Political Parties,” *Party Politics*, 2008 Vol. 14, N.6, p.664.

For some authors a significant level of party democratization can be argued to “overly dilute the power of a party’s inner leadership and make it difficult for that party to keep its electoral promises” (Scarrow, 2005). A high level of party democracy could lead to party factions fighting, making them ineffective organizations and contributing to instability of the political processes and democracy. Maurice Duverger, for example, pointed to a contradiction between party democracy and efficiency. A party may very well be internally democratic, but, “organized in this fashion, a party is not well armed for the struggles of politics.”³ When one party in a party system adopts a more efficient (and less democratic) organizational structure, party competition ensures that the other parties follow. Moreover, adherence to certain democratic procedures might actually strengthen elitism in the parties. For example, one might argue that open candidate selection methods could, in specific circumstances, actually increase power of small elites (Pennings et al., 2001).

While some authors insist that the logic of party competition rather than the internal party democracy is the element that makes democracy functioning (Sartori, 1977; Epstein, 1972), other authors underline that inner party democracy is of the supreme importance for strengthening democracy (NIMD, 2004). Party democracy influences participatory democracy which can be described as a process that emphasizes the broad participation (in decision-making) of citizens in the direction and operation of political systems. In general, the argument is that parties using internally democratic procedures are likely to select more capable and appealing leaders, to have more responsive policies, and, as a result, enjoy greater electoral success. In addition, using internally democratic procedures for their deliberation and decisions

³ M. Duverger, *Political Parties: Their Organization and Activity in the Modern State* (London: Methuen, 1964), p. 134.

strengthens democratic culture generally. Other arguments in favor of intra party democracy include the following: firstly, in a multiparty competitive political system, parties are key to and major actor of political power. All political activities, from attainment of power to exercise of power, in which parties are involved as actors, must be adequately democratic in their content, process and objective. The political process of making and running the government can be democratic only when the parties as actor are internally adequately democratic. Only those parties and leaders which practice practicing democracy in the entire process of all their party affairs and business can give a democratic character to the content and process of the state.

Secondly, political parties are the primary structure and forum for the formation of political will of citizens and mobilization of their political actions. The process of formation of will and carrying out of action, in democracy, must be sufficiently democratic. In order to ensure a democratic method of will formation and mobilization of action, the parties which initiate, coordinate, synthesize and conduct them must follow and practise fundamental principles of democracy in conducting all their internal business. Thirdly, democracy depends not on charisma, wisdom and commitment occasionally shown by a few leaders, but primarily on qualities such as skill, knowledge and virtue political parties and their members possess, demonstrate and use. Finally, democracy is not just about periodically electing leaders and public office bearers. It is a set of social norms that govern our conduct and behavior. Therefore, fundamental principles, method and ideals of democracy must be practised, without exception, in all social and public life which alone can contribute to the democratization of society, state and public institutions.

Internal party democracy means that the party should be formed “bottom-up” and that the internal distribution of power should be marked by dispersion at different levels, bodies and individuals rather than by the concentration in one organ. Unlike most definitions of democracy at the level of the political system, the definition of internal party democracy does not mean a state that can be distinguished from other forms of internal party order. It is rather about the scale by which we can measure the extent to which a party is democratically organized and eventually compare parties. In parties with more developed inner party democracy their decision-making processes comply at least formally with the bottom-up principle from grassroots to top level, and their functional structure is such that their elected bodies are accountable to the general assembly. Decisions about national program issues are made at party conventions. Work on party programs is decentralized. The parties’ regional organizations are independent of their headquarters as far as the nomination of candidates and the formulation of programs is concerned. Members of the parliament are free to exercise their mandate both at the local and the national level. Mandates are personal, and party allegiance is of no importance in formal terms (Chular 2004).

2.

OVERVIEW OF THE ISSUE AND RELEVANCE FOR KOSOVO AND METHODOLOGY

Internal party democracy has not been particularly developed in the parties of the new post-communist countries (Biezen, 2003). Their parties were mainly internally created, according to the “top-bottom” way of expanding their organizations and organizational development through limited penetration. The research aims to analyze a number of aspects of internal party democracy of the Kosovan political parties. Our hypothesis is that in Kosovo, the political parties were established in the similar manner: they followed the “top-down” model, with the prominent role of the national party elites in establishing and developing party organization. Consequently, there is a very limited (if any) role of non-members in party affairs, a very limited direct role of party members in the decision-making process, a lack of party factions, weak influence of functional groups (youth, women, retired persons, etc.) within parties, a lack of affiliated organizations, hierarchical internal order, simple organizational patterns copied at all levels, indirect elections of central party bodies, significant overlapping of the party in the central office and the party in the public office, limited autonomy of the parliamentary party. Party

presidents also hold the most influential public positions (president, prime minister, president of the parliamentary party), the selection procedures incorporate only the central bodies with a prominent role of the party president, there are relatively frequent changes of their statutes, which were not related to the rather limited real organizational changes that the new sets of rules had introduced.

In producing this analysis CRPM used qualitative research methodology, based on desk-research and individual interviews with party dignitaries. Relevant studies for Kosovo and the Southeast European region on party democracy were consulted. An analysis of the legal framework that regulates the work of the political parties was also made. The following legislation was consulted: the Law on General Elections, the Law on Local Elections, and the Law on Financing of Political Parties. In addition, the following policies were reviewed: the Central Electoral Committee Regulation on the Political Party Registration and Certification, Code of Conduct for Political Entities and the Regulation on Penalties and Fines. All the statutes and programs of political parties were analyzed, checking existing regulation with actual party practices.

Although no universal definition exists of the concept of intra-party democracy, essential instrumental elements of intra-party democracy in Kosovo were examined. An analysis of the basic model of the organizational structure of the parties is approached by differentiating among three faces of party organizations: party on the ground, party in the central office and party in the public office (Katz/Mair, 2002).⁴

⁴ Mair proposes splitting up the party organization into three parts in order to facilitate analysis: the 'party in public office', i.e. the party in parliament and in government; the 'party on the ground', i.e. the party members and also the party voters; and the 'party in central office', i.e. the central party organization.

Among other issues, the following will be analyzed: party membership, local organization, ancillary organizations, the number of organizational levels, the number and type of party organs, selection procedures, and the relationship to the parliamentary party. Based on existing methodologies, the scale of inter party democracy in Kosovo will be evaluated using the following seven dimensions: 1) **members' rights** (including toleration of party factions, direct participation of members in direct decision-making and elections, in selection procedures, etc.); 2) **relations between the party and its parliamentary group** (including ownership of parliamentary mandates, dissenting voting, etc.), 3) **prerogatives of the party president** (including right to propose/appoint vice-president, right to propose/appoint other members of the central bodies, etc.); 4) **the horizontal structure of the party**; 5) **autonomy of the local party offices** (including autonomy in decision-making concerning election and replacing local leadership, local decision-making, if party officials from higher levels are ex officio members of local bodies, 6) **local branches autonomy at times of elections** (dealing with the selection procedure for local elections and local coalitions); 7) **the competences and the election procedure of party leaders** (including prerogatives of conventions vs. executive bodies); 8) **nominations of candidates for public functions and electoral lists** (in proportional systems ranking the candidates). All of the mentioned dimensions will be evaluated with grades 1-3. (Pavlovic, 2007). These dimensions are grouped in three categories: **general level of democracy**, (categories 1-4) **autonomy of the local branches/relations of the central and the local branches** (categories 5 and 6) and **democracy and elections** (categories 7 and 8).

3. EVALUATION OF PARTY DEMOCRACY IN KOSOVO

3.1 GENERAL LEVEL OF DEMOCRACY WITHIN THE PARTY

Some of the main challenges confronting internal party democracy in Kosovo and the Western Balkans, including the dominance of elites, non-competitive leadership elections, discriminatory selection of candidates, and clientelism relate to the typical problems of political parties all over the world, particularly in developing democracies, and are reflected in parties' internal functioning and elections where the leadership that normally holds the most power within the organization is not interested in the democratic reforms that its supporters want (Carothers, 2006). The lack of inclusive and democratic selection processes for party leading positions often has negative consequences for party unity and cohesiveness as well as success in contesting elections. Theoretically, on a continuum considering the inclusiveness of the leaderships' electorate, "one endpoint is one or a small group of party elites anointing the leader, while the other is all supporters of the party in the general electorate making the choice."⁵

⁵ William Cross and André Blais, "Who selects the party leader?" *Party Politics* 2012 ,Vol. 18, N.2, p.129.

We should stress that the democratization of candidate selection is not a “global trend, as there are significant differences in the degree to which parties open up their selection procedures” where, for example, West European parties “regulate their own candidate selection processes, and therefore have a greater chance of keeping the process under control in contrast to US primaries, which are open by law, or to Israeli primaries, where the two main parties lost control of the process.”⁶

Regardless of the level of democratization in candidate selection, political parties around the world are not monolithic structures, but specific organizations where debates, competition, divided opinions and dissent create internal pressures that often lead to the formation of party factions. Having party factions can benefit intra-party democracy by “facilitating debate and communication between leaders and followers and by giving dissenters a voice” or by providing a structure “for internal power-sharing and conflict resolution.”⁷ However, too much factional competition and fragmentation can destabilize parties and create a decisional stalemate. Clearly, without “effective leadership and institutional checks and balances to limit fragmentation, competitive factionalism risks running out of control.”⁸ A party that consists of distinct factions will most likely have difficulty reaching coalition agreements with other parties and making bargaining decisions.

Among political scientists there is a growing interest in examining intra-party politics, party cohesion and the role of party factions (Hix et al., 2005, 2007). A differentiation

⁶ Paul Pennings and Reuven Y. Hazan, “Democratizing Candidate Selection”, *Party Politics* 7, 2001, p.269.

⁷ Françoise Boucek, “Rethinking Factionalism: Typologies, Intra-Party Dynamics and Three Faces of Factionalism”, *Party Politics*, 2009 Vol. 15: N.4, p.479

⁸ Boucek, 2009, p.479.

is needed in defining party attitudes to factions. In his seminal volume on political parties, Duverger stresses that in totalitarian (or 'homogeneous' and 'exclusive') parties such as communist parties, "party solidarity takes precedence over all other bonds and strict homogeneity is imposed," while on the other hand, 'heterogeneous' parties are said to be "composed of members whose ideas and points of view are not absolutely identical in all their details and parties are more tolerant towards diversity."⁹ Although a different categorization for conceptualizing factionalism is possible, party democracy in principle allows for differences in opinion and factions (Rose, 1974, Sartori, 1976, Janda, 1993). The Kosovo case is analyzed below.

- *Legal possibility for party factions (groups who form a separate interest group)*

The PDK statute does not mention the possibility of having a party faction. According to Article 36.1/2 discipline proceedings are taken against those who object or break the rules and affect the prestige of the party. On the other hand, Article 38.3 stipulates that within the decision-making process of the party those in the minority have the "right to explain their position or to ask for the differences to be discussed in front of the executive body of the party." In a CRPM interview with the PDK Deputy President Rrustem Mustafa he claimed that "in PDK there are informal groups which are not regulated formally" and that "overall, there is a climate of democracy and tolerance...we don't cause a fuss if a group becomes a renegade."¹⁰ Yet, recently doubts have been cast whether the party functions properly. The PDK Deputy

⁹ M. Duverger, *Political Parties: Their Organization and Activity in the Modern State* (London: Methuen, 1964), p.120, p.230.

¹⁰ Interview with Rrustem Mustafa (aka Rremi), Deputy President responsible for party organization. 22 Aug 2012.

President Fatmir Limaj in a recent statement publically asked the PDK president Thaci “why the Presidency of the party has not met for more than a year and a half.”¹¹ His statement runs contrary to the data presented in a recent KIPRED report where it is claimed that “party officials said that in 2012, 30 meetings of the Presidency were held.”¹² Consequently, not only the existence of party factions, but the overall level of democratic functioning of the party is under question.

While in LDK there are no possibilities for party factions, such possibility is not mentioned in the statutes of AAK and Vetevendosje (VV) either. In practice, in AAK there existed a party faction when Bajram Kasumi (Kosovo prime minister 2006-2007) and two of his friends, MPs, did not follow the party line. More typically, the parliamentary group of AAK meets before the plenary sessions to coordinate its position and analyses made by MPs who are members of relevant parliamentary committees are usually followed. According to the VV statute, the General Assembly of the party monitors the work of the parliamentary group, while there are “disciplinary proceedings for members that break the rules or main principles of the party (Article 88).” In principle, with the noted AAK exception, there is a low level of acceptance of having party factions in all four main political parties in Kosovo.

- *Possibility to publicly criticize the party position.*

¹¹Adrian Collaku and Lumturie Blakaj. 27 Sep 2012. “Tërmeet” në PDK. [Earthquake at PDK]. Zëri. pp. 1, 4-5.

¹² Albert Krasniqi and Krenar Shala. Edited by Ardian Arifaj, *Strengthening the Statehood of Kosovo through the Democratization of Political Parties*, KIPRED: Pristina, 7/2012, p.19.

The PDK statute does not specifically envision the right to criticize the party position. Beyond the noted principles in Articles 36 and 38, Article 6.4 notes that a member might not attend events which “are contrary to the political stand of the party.” Mr. Mustafa noted that in cases an MP is critical of the work of the party there is no sanction against him/her...but relations may get cooler. Criticism of the work of the party was raised by the PDK Deputy President Fatmir Limaj who complained against the appointing of party functionaries to public posts noting that some of them did not “deserve” to hold such positions. Mr. Limaj did not suffer any consequences for raising his opinion, the explanation being that it is his right to comment and that party democracy allows him to have a critical opinion.¹³ In another case, President of the Parliament Jakup Krasniqi from PDK publically criticized the Agreement between Kosovo and Serbia on the representation of Pristina at regional meetings using a footnote that refers to Security Council Resolution 1244 — which did not mention the independence of Kosovo.¹⁴

In LDK members can freely express their views within the party bodies. However, members have a duty to support the program and the statute and the program decisions of the party (Article 8.2). Members cannot have a party function if they publicly disagree with party positions and party decisions (Article 14.2). In cases of dissent disciplinary proceedings can be initiated against members of the party (Article 13.1). In the AAK statute, this possibility is not mentioned. In practice, the opinion of the president is crucial and dissent is scorned. For example, Naim Maloku criticized party positions on several issues and eventually had to leave the party. In VV the statute nicely explains that the “basic principle of the

¹³ See <http://m.telegrafi.com/lajme/grabovci-kritikat-e-limajt-pjese-e-demokracise-ne-pdk-2-22534.html>

¹⁴ See: <http://zeridiaspores.eu/?p=690>

party is freedom of expression of each member in connection to any problem in the work of the party (Article 6. e).” In reality, in VV, everyone has the right to their opinion until a decision is made by the party organs; once it is made, dissent is not allowed.¹⁵

- *Can MPs vote against the party position in the Parliament?*

In PDK in general, when it is clear that something is strongly in the interest of the party, the deputies are expected to vote as by instruction. In many cases MPs vote differently, for example Mr. Rrustem Mustafa voted 10 times throughout the mandate differently from the party. According to the PDK statute the level of autonomy of the MPs is decided by the parliamentary group, dependent of the issue at stake. It could be a political decision or the need may arise to decide on the basis of the Rule Book of the General Council (Article 41/b.3/4/5/6/7). In principle then, the autonomy of the MPs to cast their votes according to their personal beliefs is somewhat restricted.

In LDK in general, discussions and decisions are made before vote. The parliamentary group makes decision within the party platform framework (Article 39.2) and coordinates its stance with the party’s Group of Experts, the Presidency, but also with the President, in cases when dealing with important issues.¹⁶ Despite the coordination there could be cases of vote against party line. Lutfi Haziri, an MP, for example, openly asked for revisions of borders with Serbia, against party line. Four MPs were against privatization of Post and Telekom of Kosovo. Sali Asllani signed the initiative to investigate the

¹⁵ Interview with Mr. Xhelal Svecla, VV, Secretary of External Affairs, 23 August 2012.

¹⁶ Albert Krasniqi and Krenar Shala. Edited by Ardian Arifaj, *Strengthening the Statehood of Kosovo through the Democratization of Political Parties*, KIPRED: Pristina, 7/2012, p.22.

work of ShiK, Intelligence Agency of Kosovo, although the party position was not to sign it. In AAK this issue is not mentioned in the statute. In practice, party dissent in the Assembly has occurred. The Law on Velika Hoca in Prizren was not supported by the party but among its MPs one was in favor of the law and one abstained from voting.¹⁷ There were no sanctions against the MP who voted against the party position. In VV there are rules and procedures for the parliamentary group decision-making (Article 14) that leaves no room for individual vote against the party line.

- *Elections procedures for party positions - Elections of Party President/ Who can legally vote out the President of the Party?*

Although in practice the position of the president of the PDK party is very strong according to the statute, candidates for party president should nominate themselves in writing to the executive board of a party branch or to the executive board of the party (Article 42.1/2). At the Congress other nominees can be put forward by support from ¼ of the delegates (Article 42.4). Since Hashim Thaci has a very strong reputation in PDK few people objected that when last party elections were held in October 2010 he was elected president by delegates from the branches without legitimate mandates.¹⁸ In addition, at these PDK elections there was no competition, no rival for the post of the president.¹⁹

In LDK the Congress votes with secret ballot (50%+1), while the nomination procedure is open to all delegates (Article

¹⁷ For more details see <http://www.kosovapress.com/?cid=1,86,146196>

¹⁸ Albert Krasniqi and Krenar Shala. Edited by Ardian Arifaj, *Strengthening the Statehood of Kosovo through the Democratization of Political Parties*, KIPRED: Pristina, 7/2012, p.18.

¹⁹ <http://www.telegrafi.com/lajme/vapa-e-shtyn-kuvendin-e-pdk-se-ne-vjeshte-2-23907.html>

25.1). There were 2 candidates for the November 2010 elections, Isa Mustafa and Fatmir Sejdiu. Mustafa won by margin of votes 235-124, while Sejdiu was voted "Honorable President." In AAK in 2006 there was a list of 250 people for 100 places; the one with most votes became president. In 2009 there was 1 candidate. The statute foresees that the AAK Congress elects the president of the party, who then proposes the Presidency, which consists of at least 17 members and it is approved by the General Council. Based on "needs and at any time," the President of the party can propose enlargement of the Presidency to be approved by the General Council. (Article 42). In VV a candidate is nominated by at least 1/5 of the members of the General Assembly (Article 86). What is peculiar to VV is that their president was ceremonially elected by acclamation, without any discussion or rival candidates.²⁰

While in PDK, LDK, and AAK the Congress votes in the president of the party, in VV all party members vote (Article 28.1.a). In PDK, interpellation of the president is voted at an extraordinary Congress with 2/3 majority of the deputies. The initiative for interpellation is made by the Presidency or the General Council (Article 24.5/6). In LDK and AAK, too, the Congress can vote out the president whereby one third of the deputies can initiate vote of no confidence. In VV, interpellation of the President can be done by one fifth of the members of the General Assembly (Article 62.1.j).

- *Who nominates and elects the Vice President?*

In PDK, the president of the party (Article 24.1) nominates the vice president at the first meeting of the General Council, while the voting is made by the Executive Council (Article

²⁰ <http://www.kosovapress.com/?cid=1,2,137735>

26.5). In LDK, the president nominates and General Council votes (Articles 24.1 and 29.5). In AAK, the Congress first elects the president, then the members of the General Council. One third of the members of the General Council are nominated by the president and the other 2/3 by the branches. In VV, the President nominates the vice-president and secretary general (Article 72.5.dh.i) and the General Council votes upon the proposal (Article 73.1 and 74.1). The General Council votes on the members of Executive Committee (Article 62.1.e). In PDK, the president can legally replace the deputy presidents (Article. 24.1). In LDK, the General Council votes them out (Articles 24.1 and 29.5), while in VV the right is with the General Council (Article 73.1).

- *Who can legally vote in/out the Secretary General?*

In PDK, the Congress votes in the Secretary General upon initiation and nomination by the Presidency and the General Council (Article 22.4). In LDK and VV, the General Council elects and votes out the Secretary (Articles 24.1 and 29.5 and Article 73.1).

- *Who can legally vote in/out the Executive Committee?*

In PDK, the Congress votes in and out the members of the Executive Committee upon nomination by the members of the General Council and the President (Articles 26.5 and 10.1). Since the members of the General Council are elected by the Congress with the proposals from Executive Committee/ Presidency there is a process of "mutual nominations [which] can be considered as a conflict of interest and create space for possible manipulation of the process."²¹ In LDK, the General

²¹ Albert Krasniqi and Krenar Shala. Edited by Ardian Arifaj, *Strengthening the Statehood of Kosovo through the Democratization of Political Parties*, KIPRED: Pristina, 7/2012, p.18.

Council elects the 20+3 member Presidency upon proposal by the president (Article 29.1/2/34). In VV, the General Council elects the 15 members of the Executive Committee/Presidency (Article 62.1.e). In AAK, the General Council elects and votes out the 50 members of Presidency.

Despite the largely democratic and transparent statutory provisions for the work of the main Kosovo parties, in practice, it is the party leadership that makes decisions avoiding the formal procedures. Informal decision-making is a norm when it comes to appointment of party members to public functions, voicing a general party stand without consulting with the party bodies or ignoring and discouraging party dissent. The leaders and their loyal followers in the party often abuse the power they have, ignoring the party statutes. Decisions are often made at informal meetings, lunches, or dinners. Recently, the governing coalition collapsed for 12 hours after the dominant Democratic Party of Kosovo, PDK, made a late-night decision to drop its partners, the Democratic League of Kosovo, LDK, and thus terminate the governing coalition agreement during a discussion at a bar in Prishtina.²² At AAK, on the other hand, there have been accusations that the acting president of AAK Blerim Shala attempted to “make decisions for the party on his own, without consulting other party officials on important issues such as the creation of government coalitions and that because of this, relations between Mr. Shala and most of the other party officials are tense.”²³

Moreover, at the local elections in Ferizaj and Kaçanik, party leaders nominated candidates without much dialogue with the local branches. PDK leadership, for example, chose the

²² See: http://www.gazetastart.com/analiza/analist/Veton_RUGOVA/929/8/, <http://www.balkaninsight.com/en/article/kosovo-s-zanzibar-affair>

²³ Albert Krasniqi and Krenar Shala. Edited by Ardian Arifaj, *Strengthening the Statehood of Kosovo through the Democratization of Political Parties*, KIPRED: Pristina, 7/2012, p.28.

preferred candidate and later mandated the local branch to formally nominate this candidate at the elections. The appointing of the LDK candidate for the local elections in Ferizaj has not passed the test of inner party democratic procedure either. What is most disturbing is that “all these informally taken decisions are formalized later by the party organs in order to ‘satisfy the law’.”²⁴

- *Level of representation of the party*

In PDK, the diversity of the party bodies according to a “geographic criteria” is not explicitly foreseen as a criterion. However, representation of members from all parts of the country exists by default since the General Assembly/Congress is composed by delegates from all the branches. The level of representation from each branch at the Congress is a function of two criteria: a) size of that area by population, (b) votes won to PDK at the previous elections. The female gender is underrepresented both in the Executive Committee (3 out of 29) and in the General Council (16 out of 105).

In LDK, the number of delegates of the Congress according to branches and conditions of their election are determined by the General Council, respectively the Presidency of LDK, pursuant to the authorization of the General Council (Article 18.2). In practice, the number of delegates depends on the vote share at last elections. As far as the General Council is concerned, according to Article 23.4, the Candidacy Committee of LDK, in consultation with the president, drafts the initial proposal list for the composition of the General Council, comprised of 98 (ninety-eight) candidates. The initiated list from the Candidacy Committee, upon consultation with the president

²⁴ Albert Krasniqi and Krenar Shala. Edited by Ardian Arifaj, *Strengthening the Statehood of Kosovo through the Democratization of Political Parties*, KIPRED: Pristina, 7/2012, p.12.

of LDK, may be amended by the Convention with additional candidates, but this number cannot exceed 1/3 of the total number (Article 23.5). The Presidency consists of 23 members, including the president of the party, the president of the party's Women Forum and the president of the Youth Forum. The President of LDK proposes to the General Council the list of 20 members of the Presidency (Articles 28/9). He/she also proposes to the General Council to elect and dismisses Vice-Presidents and Secretary General. As far as gender and youth representation is concerned, by the statute, when the election of the Congress delegates takes place, every branch ensures the female and youth representation (Article 18.3). In AAK, 2/3 of delegates are from the branches around the country and there is a 15 member quota of women in Presidency and 5 youth in Presidency. In VV, 3 members of the Presidency are women, while there are no other special quotas for the members of the party bodies.

Table 1: Index of party democracy - *General level of democracy within the party*²⁵

	PDK	LDK	AAK	VV	Explanation of the Index (in-between categories possible too)
Possible to have party factions	0	0	1	0	Legal and practical possibility exists=3 Legal possibility only=2 Party members in practice tolerated=1 No legal and practical possibility=0
Criticism of the party stand	1	0	0	0.5	Legal and practical possibility exists=3 Legal possibility only=2 Party members in practice tolerated=1 No legal and practical possibility=0
Vote against the party line	0.5	1	1	0	Legal and practical possibility exists=3 Legal possibility only=2 Party members in practice tolerated=1 No legal and practical possibility=0
Elections of party functions/recall of president	2	2	2	3	All members vote=3 Vote by the Congress=2 Vote by the General Council= 1 Control of the president/ Presidency/executive body=0

²⁵ The index of party democracy and the evaluation were made by the author.

Elections of party functions/recall of vice-president	0	1	1	0	All members vote=3 Congress=2 General Council= 1 Control of the president/ Presidency/executive body=0
Elections of party functions Secretary General	1.5	1	1	1	All members vote=3 Congress=2 General Council= 1 Control of the president/ Presidency/executive body=0
Elections of party functions/recall of Executive Board	1	0.5	1	1	All members vote=3 Congress=2 General Council= 1 Control of the president/ Presidency/executive body=0
Diversity/ representativeness of minority and disadvantaged groups in the party organs	1	1.5	1.5	0.5	High level of diversity (balance in three categories: gender, age, region)=3 Medium level of diversity (balance in two categories: gender, age, region)=2 Small level of diversity (balance in one of the categories: gender, age, region)=1 No diversity (male, age, region centered)=0
TOTAL	7	7	7.5	6	

3.2 RELATIONS BETWEEN THE CENTRAL PARTY ORGANS AND THE LOCAL BRANCHES

Robert Michels asserts that political parties have an inherent tendency towards oligarchy.²⁶ In general, not only do political parties develop undemocratic characteristics in the way they control and manipulate social cleavages, but they also rigidly control the internal organization and decision-making processes. The bigger and more organized the parties grow,

²⁶ Robert Michels was a German sociologist best known for his work on elite theory. His book *Political Parties*, introduces the concept "iron law of oligarchy," an explanation that a rule by an elite, or "oligarchy", is inevitable as an "iron law" within any organization as part of the "tactical and technical necessities" of organization.

the less democratic they become. This structuralist approach contends that regardless of a political party's formal rules about internal checks and balances, sophisticated levels of party organization lead to centralization of power, oligarchy and the decline of internal democracy.

Even though early party researchers like Michels and Duverger claim that all organizations are oligarchies, later research has shown that decision-making procedures in parties may be democratic to varying degrees, that is, the level of democracy and centralization varies between parties. Kosovo parties are in general significantly centralized institutions. According to their statutes, the parties are organized so that they have a number of regional or local branches. However, the power relations between the center and the local branches are skewed in favor of the central party organs. Below we analyze the Kosovo case in more detail.

- *Who has the right to establish party branches*

In PDK, by statute, the right to establish a local branch is with the General Council (Article 22.10). In practice, it is the Presidency (composed of 29 individuals) which puts forward suggestions for opening party branches which are approved by the General Council (composed of about 90 members).²⁷ A discussion is always held ahead of time whereby decisions are made by the party Executive (Secretary, Deputy President, and the narrow circle of associates of the president). They are consulted with and then taken to vote at the General Council. According to the statute the General Council has the right to dismiss party branches that do not follow the PDK program (Article 22.10).

²⁷ Interview with Rrustem Mustafa (aka Rremi), Deputy President responsible for party organization. 22 Aug 2012.

As LDK is a party with a long tradition, most of the branches have already been formed and there has been no request to organize a new local branch since 1999.²⁸ According to the statute, the Presidency proposes to the General Council the establishment of new branches for specific residencies [localities] and in special cases, may suspend the work of the branches until a final decision by the General Council has been made (Article 30). In AAK, locals who have interest in the work of the party can found a branch. Alternatively, upon a proposal from the president, the General Council decides on the founding of new branches. Finally, in VV, branches can be founded upon initiatives of locals, whereby the General Council has the right to decide (Article 29/30 of the Statute). Also, according to the Statute, the Secretary set up working groups to organize new branches (Article 58.2. c). The executive committee of the local branch (Article 29) of the local branch assembly (Art. 46) can decide on closing down a branch. The Executive Board of the Party decides to suspend the work of a branch in cases when the branch works against the rules and regulations of the party (Article 71.1).

- *Who develops the program for local elections?*

In PDK, committees set up by the Presidency prepare a draft electoral program which is approved by the General Council (Article 22.7). In LDK, the General Council decides on the electoral platform upon proposals from the branches. While in AAK a working group in the Presidency is responsible for the development of the program for local elections, in VV the permanent working groups jointly prepare the programs. These groups work in a decentralized manner.

²⁸ Interview with Ismet Beqiri, MP and Head of the Parliamentary Group of the Democratic League of Kosova, 23rd August, 2012.

- Who nominates/approves candidates for mayor?

In PDK, the candidates for mayor are brought forward by the grass-root. Once the branches nominate candidates, the Presidency decides on the nominations (there is voting only if there is competition of several candidates). In practice, it has never come to voting the mayoral candidates of the party. By statute, the nomination is made by the branches and the voting is made by the General Council (Article 41.4). In practice, the Presidency often aids the branches in their decisions who to nominate as candidates. (See also article 39.1/2).

In LDK, the Presidency checks and approves suggestions for local elections of mayors from the leadership of the municipal branches of the party (Article 30 of the Statute of LDK).²⁹ In AAK, the decision for the nomination of candidates for the office of mayor is made by a working group in the Presidency which puts forward proposals to the General Council. There is a decentralized process of nominating candidates in VV, where any member can nominate himself/herself in the local branch. All members vote and a candidate is being chosen (Article 82.3).

- Who nominates/approves candidates for local assembly lists?

In PDK, the Presidency has influence through the central level party officials who maintain regular contact with the branches. Yet, it is but the branch that ultimately decides on the proposed local assembly list of candidates. The General Council of PDK is to approve the suggested list (Article 22.9). In LDK, the branches decide on the lists (Article 45.4) in

²⁹ The exact wording of the article is that the LDK Presidency "reviews and approves proposals of Branch Presidencies for Municipality Mayors."

cooperation with the General Council. Similarly, in AAK it is the branches that decide on the electoral lists. The same is true for VV (Article 46.1), where candidates can be members of the branch, nominated by the local assembly/branch, or they can nominate themselves (Article 81.1-4).

- Who decides on the ordering of candidates for local assembly lists?

In PDK, the decision is left to the branch, but there is some oversight "to avoid serious mistakes."³⁰ The General Council approves the lists (Article .22.9). Similarly, in LDK this function is left to the branches to deal with (Article 45.4). Branches also decide in AAK and in VV. In VV, candidates are $\frac{3}{4}$ members of the party, and $\frac{1}{4}$ are nominated by the president of the branch. The local assembly/branch approves the list (Article 81/2-4).

- Coalition partners at local elections: Who decides?

In PDK, the coalition making is generally dictated by the party center, although sometimes this is decided by the local branches. According to the statute, it is the General Council that decides on this matter (Article.22.11). In LDK, it is the Presidency (Article 30) which puts forward proposals for the decision made by the General Council. In practice, sometimes the local branches decide themselves. Deciding on coalition partners in AAK is a prerogative of the General Council in national, and of the party branches in local elections. In VV, the General Assembly of the party approves and makes a decision so that the Executive Council negotiates and makes deals with other parties (Art. 11.1/2/8). All members vote, except when there are snap elections - when General Assembly

³⁰ Interview with Rrustem Mustafa (aka Rremi), Deputy President responsible for party organization. 22 Aug 2012.

members vote. The Statute also stipulates that the Executive Council negotiates cooperation with third parties (At. 71.1.d).

- Is it possible that members of local branches hold the same position at the central level of the party?

In PDK, it is possible that members of local branches hold the same position at the central level of the party (e.g. Adem Grabovci is member of the Presidency in the Peja branch and in the General Presidency). The same is true for LDK and AAK, while in VV, a party member cannot accumulate leading party positions (Article 9.1/2/3).

- Can the local branch nominate delegates to the Party Convention/Congress & General Assembly?

In PDK, the local branches can propose delegates, but generally it is "known who goes" and there are various committees to decide on that matter. The nomination and verification happens at the Party Congress. In LDK, the delegates are elected at branches assembly meetings. (Article 18.1). Another article in the Statute confirms this: "... branch Assembly elects delegates for the Congress (42.3/4)." In AAK, there are internal elections to nominate delegates, while in VV, besides the president of the local branch, the local branch assembly also suggests delegates (Art.39). The General Assembly of the party approves the number of delegates from each branch on the basis of the suggestion of the party Secretary (62.1).

Table 2: Index of party democracy - *Relations between the Central Party Organs and the Local Branches*³¹

	PDK	LDK	AAK	VV	Explanation of the Index (in-between categories possible too)
Who has the right to establish party branches	0.5	0.5	2	2	Locals may initiate a new branch autonomously/independently of central decision=3 Locals found a branch in cooperation with central office which votes the proposal= 2 Local branches are founded by General Council=1 Local branches are founded by the party executive office=0
Who develops the program for local elections	0.5	2	0	0.5	Local branches=3 Local branches in consultation with the General Council=2 Local branches in consultation with the party executive=1 Party executive/expert group without consulting branches=0
Who nominates /approves candidates for mayor?	1.5	1	0.5	3	Local branches=3 Local branch in consultation with the General Council=2 Local branches in consultation with the party executive=1 Party executive/expert group without consulting branches=0
Who nominates /approves candidates for local assembly lists?	1.5	2	3	3	Local branches=3 Local branch in consultation with the General Council=2 Local branches in consultation with the party executive=1 Party executive/expert group without consulting branches=0

³¹ The index of party democracy and the evaluation were made by the author.

Ordering of candidates for local assembly lists?	2.5	3	3	3	Local branches=3 Local branch in consultation with the General Council=2 Local branches in consultation with the party executive=1 Party executive/expert group without consulting branches=0
Decisions on coalition partners at local elections	1.5	1.5	3	1	Local branches=3 Local branch in consultation with the General Council=2 Local branches in consultation with the party executive=1 Party executive/expert group without consulting branches=0
Is it possible for members of local branches to hold positions at the central level of the party	0	0	0	3	No=3 Yes, elected by Congress =2 Yes, elected by General Council=1 Yes, elected by Party Executive Office=0
Can the local branch nominate a delegate to the Convention & General Assembly	0.5	3	3	2.5	Yes, autonomous choice=3 Yes, but approval by General Council=2 Yes, but approval by Party Executive =1 No=0
TOTAL	8.5	13	14.5	18	

3.3 ELECTIONS AND PARTY DEMOCRACY

Candidate selection is a crucial process of a political party's relations with its membership and the wider electorate. The selection process by which candidates for elected positions are chosen is perhaps as important as the type of candidates selected. The result "determines the party's competitive profile against its competitors during elections as well as determining the loyalty of its members and supporters."³² Thus, the degree to which party members and supporters

³² Josh Maiyo, "Political parties and intra-party democracy in East Africa" (MPhil Thesis). University of Leiden: Leiden, 2008, p.61.

are included in this process is significant in determining a party's success in elections. Moreover, in systems that do not allow the electorate an intra-party choice among candidates, "the demographic representation of the parliament is a direct consequence – indeed, it is basically the weighted average – of the demographic representation of the candidate lists put forward by the parties."³³

The most open and inclusive form of candidate selection is the selection through party primaries where eligible party members or supporters pre-select party candidates through direct elections. Although there are differences depending who is eligible to vote in the primaries in most western democracies, participation is restricted to registered party members. Below we discuss the Kosovo case in more details.

- *Who decides on candidates for parliamentary elections?*

In PDK it is the Presidency, the General Council and the branches that have a say in the selection of candidates for the parliamentary elections. In practice, the proposals for candidates of the Presidency are almost always accepted by the other party bodies. To define the list of candidates, sometimes the Presidency appoints a committee to work on this matter, but at other times the Presidency itself proposes. The ad hoc committee is composed of most deputy presidents, and is usually larger than other ad hoc committees (i.e. it is comprised of 9-11 persons against 3 to 5 which is the size of most other ad hoc committees). According to the statute, the nominations upon a proposal of the Presidency are voted by the General Council (Article 39.1/2). Another article in

³³ Gideon Rahat, Reuven Y. Hazan and Richard S. Katz, "On the Uneasy Relationships between Participation, Competition and Representation Democracy and Political Parties," *Party Politics*, 2008 Vol. 14, N.6, p.664.

the statute specifies that the candidates are approved by the General Council upon proposal by the Presidency which cooperates with the local branches (Article 41.5/6/7).

In LDK, the General Council has the prerogative (Article 24.1). Based on the initial list of the branches, and upon the proposal of the Presidency, the General Council determines the final list of the LDK electoral candidates for the Assembly of Kosovo. In practice, the Presidency forwards to the General Council a list based on branches preferences. In AAK, the General Council decides on the list of candidates for the parliamentary elections. A working group of the Presidency makes a list of candidates in communication with the local branches. The General Council votes on the list and it happened that in 2010 it twice changed the list. In VV, candidates are as follows: $\frac{3}{4}$ are members of the local branches (Article 83.1/2-4), $\frac{1}{4}$ are nominated by the president of the party (83.6). The General Assembly of VV approves the list of candidates (62.1.i).

- Ordering of candidates

In PDK, the Presidency decides on the ordering of the candidates for parliamentary elections. According to the statute, the Presidency proposes in cooperation with the local branches, while the General Council approves the list (Article 41.5/6/7). In LDK, the General Council does the ordering (Article 24.1), and the same goes for AAK. At the last elections in VV, the decision was to use alphabetic ordering of the candidates on the list for parliamentary elections.

- Who writes/approves the party platforms for national elections?

In PDK, a committee of experts writes the party platforms for national elections. It is approved by the Presidency, which

takes the platform to the General Council and then to the Congress. The General Council meets every 6 months and, according to the statute, is to approve the party program and the election platform (Article .22.7). In LDK, the General Council decides on the electoral platform upon proposals from the Committee of Experts. In AAK, the program is written by the president and his team and submitted to the Congress to be adopted. In VV, there are 17 thematic committees (economics, anti-corruption, security etc.) who each write part of the electoral platform (Article 79.4.a). All party members vote on the platform (Article 28.1.d).

Table 3: Index of party democracy- *Elections and party democracy*³⁴

	PDK	LDK	AAK	VV	Explanation of the Index (in-between categories possible too)
Selections of candidates for elections	1.5	2	2	2	Congress (General Council+branches)=3 General Council= 2 Presidency=1 President/working group in Presidency=0
Ordering of candidates on the list	1.5	2	2	3	Congress(General Council+branches)=3 General Council= 2 Presidency=1 President/working group in Presidency=0
Who writes the party platform for national elections?	0	0	0	1	Congress(General Council+branches)=3 General Council= 2 {=1 President/working group in Presidency=0
Who adopts the party platform for national elections	2	2	3	3	Congress(General Council+branches)=3 General Council= 2 Presidency=1 President/working group in Presidency=0
TOTAL	5	6	7	9	

³⁴The index of party democracy and the evaluation were made by the author.

4.

CONCLUSION

Although in new and emerging democracies political parties should be considered of crucial importance for a well-functioning democracy, they often function poorly and are generally held in low esteem by the citizens. Parties “inadequately perform the functions they are expected to fulfill” and “frequently suffer from such limited legitimacy that they tend to undermine rather than support the often feeble democratic order.”³⁵ However, the problematic democratic structure of many political parties is not limited to newly democratic countries as long-established democratic states have their own crisis of popular support and legitimacy, too. In new and old democracies, political parties are increasingly defined more by their relation with the state, and less by their links with society. Party life is ever more “elite-driven, party membership is small or non-existent; party volatility is increasing and electoral turnout is declining; political articulation becomes increasingly vague; party legitimacy and popularity are going down, while alienation and anti-

³⁵ Peter Burnell and Andre Gerrits, “Promoting party politics in emerging democracies”. *Democratization*, Vol. 17, No. 6, December 2010, pp.1065-1066.

party sentiment is increasing in society, all symptoms of a 'weakened sense of 'partyness' in society, of 'party crisis.'"³⁶ Party leaders try almost desperately to make their parties more attractive in a world where social networks and information society, individualization, decentralization and flat structures are becoming prominent. This may lead to experiments with new structures and procedures of inner party democracy. Hence, there is a clear need to study party democracy and here we have attempted to analyze the level of democratic development of Kosovo political parties.

Kosovo party democracy suffers similar problems as other countries in the Southeast European region. Earlier analyses of party democracy in the Balkans have concluded that internal party democracy in the region functions at a low level and that "power is strongly centralized and leaders rule in an autocratic manner with little participation by members."³⁷ To varying degrees in different countries problems of democratic party functioning also include low levels of representation of women, youth and minorities in the higher echelons of the parties, no statutory provisions for party factions, no clear criteria and nomination procedures for electoral candidates and party positions, and a centralized mode of running the party with a low level of member participation.

In particular, as far as party democracy is concerned, as the analysis in Chapter 3 demonstrates, the political parties in Kosovo resemble each other. That can be seen in the table below:

³⁶ Burnell and Gerrits, p. 1068.

³⁷ Georgi Karasimeonov, *Organizational Structures and Internal Party Democracy in South Eastern Europe* (Sofia: Friedrich Ebert Stiftung, 2005), p.6.

Table 4: Summary index of party democracy³⁸

	PDK	LDK	AAK	VV
General level of democracy within the party	7	7	7.5	6
Relations between the Central Party Organs and the Local Branches	8.5	13	14.5	18
Elections and party democracy	5	6	7	9
TOTAL (Maximum 60 points)	20.5	26	29	33

The biggest discrepancy is related to the evaluation of the level of party democracy of PDK regarding the sections under the category "Relations between the Central Party Organs and the Local Branches", where this party has very low grades. Otherwise, all the parties have scores that are around half of the maximum on the index of party democracy, with only one party, Vetevendosje, actually passing that threshold. Worryingly, Kosovo political parties show a low general level of democracy within the party. When it comes to criticism of or voting against the party stand, the possibility to organize party factions, diversity of the party organs, and elections and recall of party dignitaries, Kosovan political parties exhibit much of the low democratic trends evident in the study of other Southeast European countries (Karasimeonov 2005).

Kosovan parties seem quite centralized entities with much say on local issues left with the central office of the party. More specifically, as far as relations of the party central and the local offices are concerned, Kosovo political parties have most problems in the categories of establishing local branches,

³⁸ The index of party democracy and the evaluation were made by the author.

developing programs for local elections, and accumulating positions at the local and central levels of the party. When it comes to elections, the most problematic aspect of party democratic functioning is the drafting of the party platform for national elections. Except for AAK, the other three major political parties of Kosovo score low on democratic decision-making when selecting coalition partners at local elections is concerned.

In any case, we should point out that there are few case studies in political science literature that systematically deal with party democracy. Various methods have been and can be used to evaluate the level of democratization of political parties. Hence, one should bear in mind that the research done and the findings are a pioneering effort in evaluating party democracy in Kosovo. It can serve as a discussing platform for the democratization of political life in this country. While the evaluation of the statutory provisions is a relatively straightforward operation which leaves little space for disputes and misinterpretations, the evaluation of the standards of party democracy 'in practice' is a more sensitive and debatable exercise. The scoring in this report can be used as the basis for further clarification and evaluation of actual practices of political parties as far as internal democracy is concerned.

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