

PRESCIBING DEMOCRACY?

Party Proscription and Party System Stability

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Introduction

When democracies ban political parties, one of the central issues that usually emerges in both public and academic debate concerns the effects of proscription. Some argue that proscription may lead to radicalisation, a growth of militancy and readiness to use violence (Minkenberg, 2006, 36). Restrictions on the party may be only temporary especially if a party has deep social and ideological roots in a community, or if state authorities are reluctant to prevent the party re-emerging under a different name (ibid, 37; Husbands, 2002, 64). The party ban is not a suitable mechanism for the ‘civic re-education’ of extremists (Husbands, 2002, 64) and may merely treat the symptoms rather than the more complex underlying causes of dissatisfaction with the status quo (Gordon, 1987, 389). Ban proceedings may increase public exposure and opportunities to claim martyrdom or reinforce anti-establishment critiques (ibid, 391). Some also argued that, in the long-run, banning parties may damage the foundations of a democratic polity: The party ban may be interpreted as ‘lack of faith in the democratic process’ and an ‘admission of failure’ (ibid, 390) or its ‘chilling effect’ may signify a silent weakening of democratic rights in the state (Niesen, 2002, 256).

On the other hand, proscription may be punishing for the targeted party, as the ‘cost of claim-making increases across the board and for particular members’ (Tilly, 2005, 218). A party subject to ban proceedings may see its room for manoeuvre, its visibility and mobilising capacity severely curtailed by reductions in its organisational and financial resources, access to the media and through stigmatisation. Those who continue their association may face criminal prosecution, limits on employment or truncated political careers. Moreover, as Koopmans argues, a party ban is an ‘act of strategic communication in the public sphere’ which, under certain conditions, may serve to deter people who consider committing a similar offence and helps socialise

· Both authors have contributed equally. This is one of several joint works and the ordering of names simply reflects a principle of rotation.

citizens against extremist orientations by rewarding and satisfying those who refrain from breaking the rule (Koopmans, 2005, 61).

Given its centrality for the conduct of democratic politics, the effect of party bans on party systems is a particularly important question in this broader debate. However, the effect of party bans on party systems remains under-researched. This is somewhat surprising, given that the regulation of the internal organizational structure and activities of political parties has increased considerably in recent decades. Constitutions and party laws may require parties to fulfil certain formal conditions (e.g. frequency of party congresses, compulsory majorities, creation of internal jurisdictional/arbitration bodies, etc.) and respect democratic principles and the constitutional order. Failure to meet such requirements may lead to punishment or dissolution. Such measures may have consequences for party system stability (Casal Bértoa et al. 2014c, Müller, 1993; Smith 1986). Scholars examining party regulation have only recently begun to consider empirical and normative dimensions of party regulation in a systematic manner (e.g. Biezen and Casal Bértoa, 2014; Biezen & Napel 2014; Casal Bértoa and Biezen, 2014). And yet, as Biezen and Casal Bértoa (2014) observe, this literature tends to neglect the effects of party law on democratic politics.

In this paper we aim to address these shortcomings. We begin by presenting a theoretical framework for examining party ban effects on party systems. We then conduct a survey of banned parties in Europe between 1945 and 2014, which provides a rationale for the selection of case studies. In the third part we compare the effects of party ban regulation on party system stability in three different countries: namely Spain, Germany and Turkey.

Party Banning and Party System Change

Both authoritarian and democratic regimes have long used party bans to get rid of “undesirable” political formations. However, the study of its eventual impact on party system development and/or democratization has, until very recently, received relatively little systematic and comparative scholarly attention from either political scientists or lawyers (Bale, 2003; Bourne, 2012a; Casal Bértoa et al., 2014b).¹

¹ It is important to note here, though, that the first scholar to point to a link between party bans and party system development was Müller (1993). Unfortunately, he did not develop the argument much further.

Departing from Casal Bértoa et al. (2014c: 91), and building on some of the party politics literature (Bartolini and Mair, 1990; Hug, 2001; Casal Bértoa and Walecki, 2014), it is possible to distinguish three ways² in which the banning of a party can have a (negative) systemic effect, affecting each of the different arenas of party competition: namely, electoral, parliamentary and governmental (Bardi and Mair, 2008).

First of all, the judicial dissolution of a political party can have important effects for the stability of the voting preferences of the electorate. Thus, and similar to Bartolini and Mair's (1990: 168) findings on the relationship between changes in turnout and electoral volatility, we would expect party bans to reduce electoral stability. The idea is that because the party of their preference is not an option at the time of voting, voters of the banned party will be "forced" either to exercise their right of abstention or simply to vote for another party. The result in this case being an increase in the level of net electoral change.

Table 1: Theoretical example: electoral results in country X

| Party | Election 1 | | Election 2 | | Election 3 | | Election 4 | |
|--------------------------|------------|---------|------------|---------|------------|---------|------------|---------|
| | % votes | % seats | % votes | % seats | % votes | % seats | % votes | % seats |
| <i>A (communists)</i> | 35 | 40 | 50 | 55 | 45 | 50 | 30 | 33 |
| <i>B (liberals)</i> | 25 | 31 | 40 | 40 | 40 | 40 | 36 | 40 |
| <i>C (ethnic)</i> | 20 | 20 | Banned | - | Banned | - | 22 | 17 |
| <i>D (conservatives)</i> | 15 | 9 | 5 | 5 | 11 | 10 | 9 | 10 |
| <i>E (religious)</i> | 3 | - | 3 | - | Banned | - | Banned | - |
| <i>F (greens)</i> | 2 | - | 2 | - | 4 | - | 3 | - |
| TEV | n/a | | 30 | | 8 | | 22 | |
| ENEP | 4.0 | | 2.4 | | 2.7 | | 3.6 | |
| ENPP | 3.3 | | 2.2 | | 2.4 | | 3.2 | |
| Cabinet | B-C | | A | | B-D | | B-C | |

Table 1 displays the electoral results of different political forces in a "hypothetical" country X. While in election 1 all six registered parties are allowed to participate, party C (ethnic-based) is dissolved by the Constitutional Court shortly before the second election. This leads to its de-registration from the Register of Political Parties, which impedes the party's candidates from standing as candidates. Just before the third election a new anti-clerical government is appointed and the Attorney General requires the Constitutional Court to dissolve party E (a fundamentalist religious party). Prior to election four, the governing coalition, fearing an electoral majority of party A would hinder EU accession negotiations, the

² Müller also talked of important "consequences for the ideological spectrum" (1993: 421).

governing coalition modifies the Law on Political Parties allowing ethnic parties to register.

The table above also displays the level of electoral volatility (TEV), that is, “the net change within the electoral party system resulting from individual vote transfers” calculated according to Pedersen’s Index (1979):

$$TEV = \sum |v_{i,t} - v_{i,t-1}| / 2$$

where $v_{i,t}$ is the vote share for a party i at a given election t and $v_{i,t-1}$ is the vote share of the same party i at the previous elections ($t-1$). As it follows from table 1, the banning of party C before election 2 and the change in party legislation before election 4 has an outstanding impact on voters’ preference and, therefore, in the degree of electoral stability. Thus, while the TEV between elections 2 and 3 is only of 6 percent, the same score for the two elections in which parties were banned reaches 30 and 24 percent respectively. This clearly converts elections 2 and 4 in what Pedersen called “earthquake” elections - that is, those with more than fifteen percent of electoral net change – with the consequences this may have for the functioning of democracy (Lane and Ersson, 2007).

This is not to say, however, that the impact party banning may have on party system stability will not be determined by the relevance within the political system of the party banned. Thus, it follows from Table 1 above that while the banning and (re-) registration of party C alone contributes to increasing the TEV by at least 10 percent, the impact of judicial dissolution of party E in the stability of the party system is minimal (just 2 percent). Still an impact, even if minor.³

In terms of the number of parties in the system, and building on the literature linking both party continuity and systemic stability (Rose and Mackie, 1988; Mainwaring and Scully, 1995; Casal Bértoa, 2012), it is obvious that the judicial dissolution of a party will have an impact on the level of electoral fragmentation (Müller, 1993: 421). Conversely, and taking into consideration the negative relationship between new party entry and systemic stability (Tavits, 2008), the re-foundation of a previously banned party will alter the party system format by increasing the number of electoral parties. And the same can be said at the legislative level, for all those parties which Sartori (1976) considered to be “relevant”.

³ This constitutes a constant in all the effects here analysed.

Calculated according to Laakso and Taagepera's (1979) by now classic index,⁴ table 1 presents the level of both electoral (ENEP) and parliamentary (ENPP) fragmentation in country X. As it can be observed, the "effective" number of parties not only changes with the dissolution or "re-institution" of banned parties, but also contributes to systemic change, in the sense of allowing for a change in category/class (Mair, 1997). Thus, and according to Mainwaring and Scully (1995),⁵ while the party system in country X can be classified as a limited pluralist party system at the time of election 1, it comes closer to a two-and-a-half party system after election 2, and then recovers its limited pluralist status after the fourth election. With the consequences this has not only for the mechanisms of the party system (Sartori, 1976), but also for electoral volatility (Bartolini and Mair, 1990) and governmental closure (Casal Bértoa, 2012).

Finally, and even more recently, scholars have also started to explore the consequences party bans may have for the structure of partisan competition at the time of government formation (Casal Bértoa and Walecki, 2014; Casal Bértoa et al., 2014a). The logic here is double. On the one hand, it seems clear that banning a party with "coalition potential" (in Sartorian terms) may affect patterns of inter-party cooperation/collaboration by introducing an element of unpredictability and, therefore, change the pre-existing structure of competition (Casal Bértoa and Taleski, forthcoming). On the other, the non-banning of a political party (e.g. "anti-system" parties like Communists, Fascists, extreme nationalists, etc.) can also have important effects in the patterns of partisan interaction by "artificially" constraining the "streams of interaction" to the extent of creating a "fictitious" structure of competition that does not correspond with the ideological spread in the electoral and/or parliamentary arenas (Haughton, 2014; Casal Bértoa et al., 2014c).⁶

In the "hypothetical" case showed in table 1 it seems obvious that the banning of party C not only favoured the electoral majority of party A in election 2, but also impeded the re-edition of the B-C coalition at the time of election 3. Moreover, the

⁴ The "effective" number of (electoral/parliamentary) parties index measures how many parties are in a party system in a given election, weighted according to size, and is calculated according to the following formula: $ENEP = 1 / \sum v_i^2$, where v_i is the proportion of seats of the i^{th} party (Lijphart 1994: 70).

⁵ According to them, "most party systems with an ENPP between 1.8 and 2.4 approximate the logic of two-party systems. With an ENPP between 2.5 and 2.9, what Blondel calls two-and-a-half party pattern usually prevails . . . Systems with an ENPP between 3.0 and 3.9 usually correspond to Sartori's category of limited pluralism, while those with an ENPP of 4.0 or higher usually correspond to the category of extreme pluralism (1995: 31–2).

⁶ The non-banning of the Communist Party in the Czech Republic, Italy or Portugal is a clear example.

legalization of party C before election 4 introduced a clear element of unpredictability as, even after the electoral results were announced, it was not straightforward with whom party B, clear winner of the elections, would decide to form a coalition: either with party D (as in election 3) or party C (as in election 1). On the other hand, the non-banning of the Communist party clearly prevented the Socialists from winning an absolute legislative majority in most elections, forcing them also to co-operate with their “ideological enemies” in order to achieve executive power (e.g. election 3).

All in all, the “causal mechanism” (Beach and Rasmussen, 2012)) linking the ban of a political party (or more) and party system instability at the three levels (electoral, parliamentary and governmental) would follow the path/chain marked in figure 1.⁷

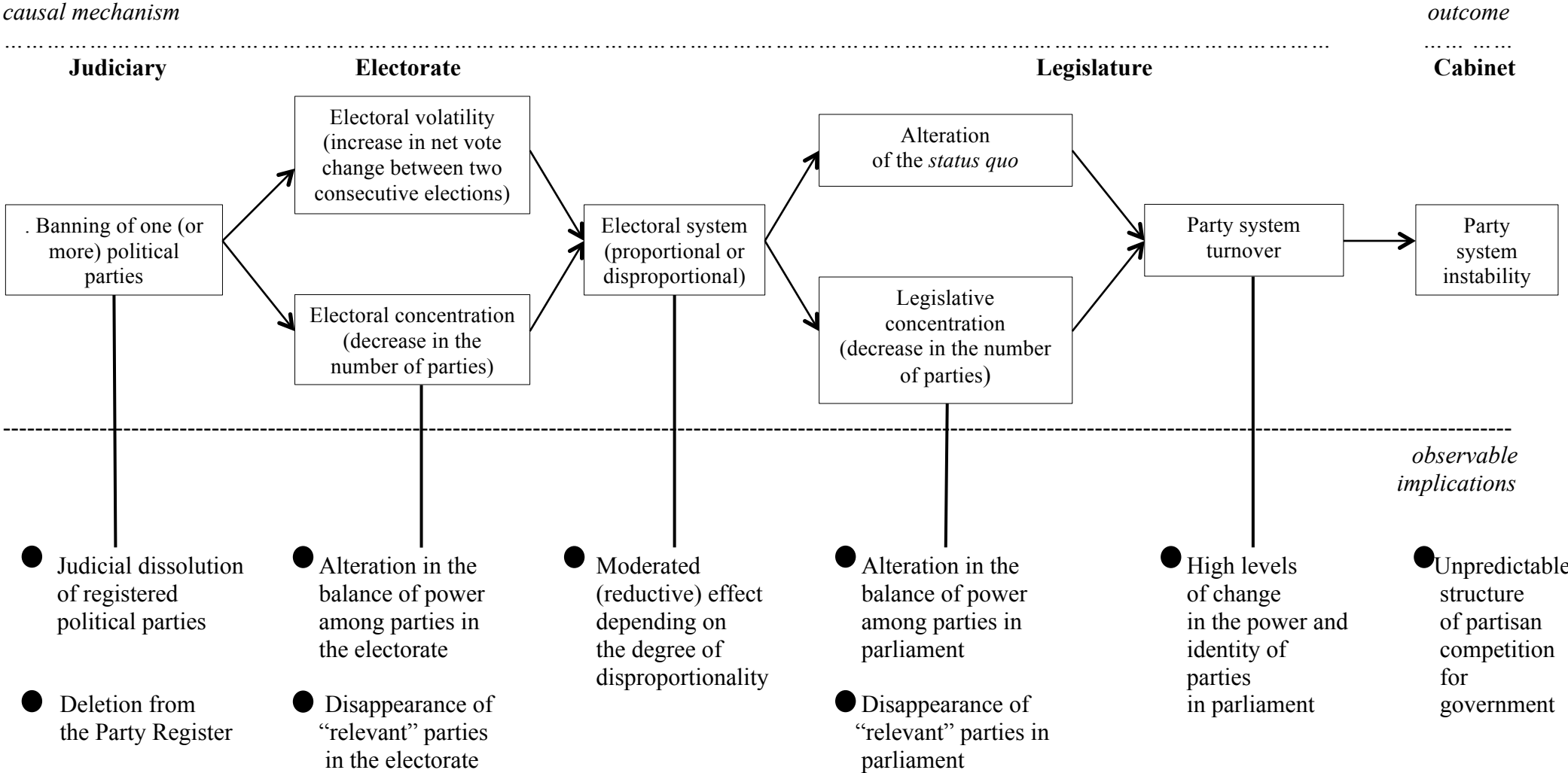
As can be observed, the first part of the mechanism refers to the trigger: namely, the banning of a political party. At this moment, we should expect to find evidences of a judicial resolution declaring the party illegal and the removal (i.e. de-registration) of the party from the official (Party) Register by the competent (administrative, governmental, or judicial) authority.

The second part shows that, at the electoral level, there will be a high fluidity in the partisan preferences of voters as well as a concentration in the number of political forces. As a result, and taking into consideration that disappearance of one of the “relevant” parties in the system, we should expect to find evidences of both higher levels of electoral change accompanied by a reduction in the “effective” number of parties.

These two causal forces will in turn have also two different effects in the legislative arena, depending on how the electoral system in place (third part). Thus, in the fourth part we should observe not only an alteration in the partisan *status quo* (first sub-mechanism), but at the same time a concentration in the number of parties with parliamentary seats (second sub-mechanism). The observable implications here will respectively consist in (1) alterations in the balance of partisan power (i.e. individual party volatility) and (2) a reduction in the “effective” number of parties.

⁷ The top of the figure illustrates the parts of the mechanism and the bottom the observable implications.

Figure 1. Causal Mechanism Linking Party Banning and Party System Instability



These two effects will be weaker or stronger provided that the electoral system is more or less proportional, respectively. As a result, and at the fifth part of the mechanism, we should detect a confluence of both sub-mechanisms in the corresponding increase in the degree of systemic turnover. In this context, we should expect to observe quite high levels of partisan disequilibrium and discontinuity within the legislature.

Finally, the outcome should be systemic instability. In practical terms, we should then observe higher degrees of unpredictability in the structure of partisan competition at the time of government formation, in terms of alternation, formula and access.

Party Proscriptions in Europe since 1945

We now turn to the task of identifying countries that ban parties and of classifying party ban regimes. These are important first steps because little is known about the universe of party ban cases in democratic states. There is no comprehensive and up-to-date list of party bans and as such no basis for identifying pertinent party ban cases.

Table 2 provides the results of our survey of party bans in Europe. It has been compiled using various sources, including the existing literature, which mostly consists of single case studies or ‘small n’ comparisons of party bans (Sajó 2004; Bale, 2007; Navot, 2008; Fox and Nolte, 2000; Bourne, 2013). Other sources include a 1998 Council of Europe party ban survey, European Council of Human Rights cases and correspondence with party system experts and state interior ministries conducted by the authors between January and December 2014.⁸

Most parties listed in the table below fit a broad definition of political parties (Duverger, 1954; Ware, 1996). In some cases, though, it was difficult to distinguish between parties and associations.⁹ In Table 2, we include cases which preliminary investigation, or organizational title, suggested were political parties. In such cases we acknowledge that others may draw different conclusions about the status of some of

⁸ In the case of Turkey, we only included cases after the (at least partial) restoration of democracy in 1983.

⁹ The case of France was most complex in this regard, but by no means the only one.

these organisations as parties. In other cases, we relied on Court rulings about the nature of organisations in question.¹⁰

Table 2. Party bans in Europe 1945 to 2014

| Country | Party | Founded | Banned | Average % votes (n. elections) |
|---------|---------|--------------------|--------------------|--------------------------------|
| Turkey | FP | 1998 | 2001 | 15.4 (1) |
| | RP | 1983 | 1998 | 15.2 (3) |
| | HADEP | 1994 | 2003 | 4.5 (2) |
| | DTP | 2005 | 2009 | ≈4.4 (1) |
| | SP | 1988 | 1992 | 0.4 (1) |
| | DBP | 1991 | 1995 | 0.3* |
| | DP | 1991 | 1994 | n/a ¹¹ |
| | HEP | 1990 | 1993 | n/a ¹² |
| | DKP | 1997 | 1999 | n/a |
| | DIRI-P | 1990 | 1997 | n/a |
| | EP | 1996 | 1997 | n/a |
| | DDP | 1995 | 1996 | n/a |
| | DEP | 1993 | 1994 | n/a |
| | STP | 1992 | 1993 | n/a |
| | ÖZDEP | 1992 | 1993 | n/a |
| | HP | 1989 | 1991 | n/a |
| | TBKP | 1988 | 1991 | n/a |
| | THP | 1983 | 1983 | n/a |
| Belgium | VB | 1978 | 2004 | 5.9 (8) |
| Germany | KPD | 1918 ¹³ | 1956 | 4.9 (2) |
| | SRP | 1949 | 1952 | 11/7.7** |
| Spain | HB/EH/B | 1978 | 2003 | 1 (6) |
| | EHAK | 2002 | 2008 | 12.4** |
| | ANV | 1930 | 2008 | 3** |
| | S | 2011 | 2011 ¹⁴ | n/a |
| | A | 1998 | 2009 | n/a |
| | ASB | 2007 | 2007 | n/a |
| | PCE(r) | 1975 | 2003 | n/a |
| France | UR | 1998 | 2002 | n/a |
| | MCA | n/a | 1987 | n/a |
| | FANE | 1966 | 1980 | n/a |
| | Enbata | 1963 | 1974 | n/a |
| | LCR | 1969 | 1973 | n/a |
| | GP | 1968 | 1970 | n/a |
| | PTM | 1962 | 1963 | n/a |
| | PN | 1958 | 1959 | n/a |
| Croatia | SDS | 1990 | 1995 | 1.6 (1) |

¹⁰ For instance, we excluded the far right Free German Workers Party and National List, both of which were banned (as associations) in Germany in 1994, because the Federal Constitutional Court ruled that they were not political parties (Wise 1998).

¹¹ Some of its members were candidates in the SHP list during the 1991 legislative elections.

¹² Some of its members were candidates in the SHP list during the 1991 legislative elections.

¹³ Banned during the Third Reich (1933-1945)

¹⁴ Only by the Supreme - not the Constitutional - Court.

| | | | | |
|-----------------|-------|------|--------------------|-------------------|
| The Netherlands | CP'86 | 1980 | 1998 | 0.4 (1) |
| | NVU | 1971 | 1978 | 0.2 (3) |
| | NSB | 1931 | 1945 | n/a ¹⁵ |
| | NESB | 1953 | 1955 | n/a |
| Austria | NDP | 1967 | 1988 | 0.1 |
| | DNSAP | 1918 | 1945 | n/a |
| Bulgaria | OMO | 1990 | 2001 | 3,000 votes * |
| Czech R. | DS | 2003 | 2010 | n/a ¹⁶ |
| Greece | KKE | 1918 | 1948 | n/a ¹⁷ |
| Slovakia | SP-NS | 2005 | 2006 | n/a |
| Romania | PCN | 2006 | 2008 | n/a |
| Moldova | CPM | 1940 | 1991 | n/a |
| Ukraine | RB | 2001 | 2014 | 0.5 |
| | RE | 2008 | 2014 | n/a |
| | KPU | 1918 | 1991 | 0 |
| Latvia | LKP | 1904 | 1991 | n/a |
| Lithuania | LKP | 1918 | 1991 | n/a |
| Italy | PNF | 1921 | 1947 | n/a |
| | PRF | 1943 | 1947 | n/a |
| Norway | NS | 1933 | 1945 | n/a |
| United Kingdom | SF | 1905 | 1956 ¹⁸ | n/a |
| | FU | 1953 | 1956 | n/a |
| | RC | | 1967 | n/a |

Notes: Local (*) and regional (**) elections.

The table above suggests that the majority of European states have banned a party at some time since the end of the Second World War (WWII). Bosnia and Herzegovina, Cyprus, Denmark, Estonia, Finland, Hungary, Iceland Ireland, Malta, Luxembourg, Macedonia, Montenegro, Norway, Portugal, Slovenia, Serbia, Sweden, and Switzerland have not banned parties since the end of WWII or post-authoritarian transition. Parties may be banned in ‘incomplete’, ‘new’, and also ‘established’ democracies (Bourne 2012a). In almost all cases, parties are banned for promoting authoritarian political forms and violent regime change, undermining democratic commitments to equality and pluralism, serving the interests of a foreign power, undermining the territorial integrity of the state, or some combination of these. As a result, they are considered to be “anti-system parties” (Sartori, 1976: 132-133)

The banned parties vary considerable not only in ideological terms (e.g. radical-left, extreme-right, ethnic minority, religious movements), but also in size and

¹⁵ It gained 4 per cent of the votes in the 1937 legislative elections.

¹⁶ Reconstitute as DSSS, it obtained 1.1 and 0.9 per cent of the votes in the 2010 and 2013 legislative elections, respectively.

¹⁷ It boycotted the 1946 elections.

¹⁸ Only in Northern Ireland.

salience. Thus, they include hegemonic, mass (Fascist and Communist) parties banned after the end of WWII and the collapse of the USSR on the one hand, as well as others which were only able to capture a very small percentage of the vote (if any) on the other. Some, like the Welfare Party in Turkey even managed to make it into government, others like the Vlaams Blok in Belgium were permanently excluded, even if managing to obtain 24% of the vote in the year it was banned. Banned parties also differ in their geographical extension. Thus, while the German *Socialist Reich Party* (SRP) had a regional (mainly in Lower Saxony) character, the Bulgarian *OMO Iliden-Pirin* was localized in the Blagoevgrad province. Some, like *Batasuna* in Spain, managed to participate in national, regional and local elections.¹⁹

Prescribing Party System Change? The Cases of Turkey, Germany and Spain

In order to test the relationship between party banning and party system stability and change we will choose all those countries where banned parties have obtained (on average) at least 1 per cent of the vote at national elections.

Even if we have included the Flemish Blok (VB) in our list of banned parties, the truth is that the VB was only “effective[ly] ([but] not technical[ly])” banned (Bale, 2007: 144). Indeed, and because the Belgian courts had only ruled the VB violated anti-racism legislation, a decision that could have led to withdrawal of state funding and limits on access to the media, public buildings and even the postal service (ibid, 152), the party decided to self-dissolved and immediately reconstituted itself as the Flemish interest (also VB).²⁰ Thus, and although as Bale’s work indicates the deprivation of state funding may indeed have an equivalent effect to proscription in an era of expensive media-intensive party competition, “effective (if not technical)” party bans do not really prevent a political formation from privately self-funding (e.g. the Polish Peasants’ Party) or from reemerging themselves with a superficial makeover, something that “technically” banned parties are not allowed to do (e.g. *Batasuna*, German Communist Party, etc.). It is for this reason that, in the next section, we will only consider the relationship between party banning and party system change in the other three cases: namely, Turkey, Germany, and Spain.

Turkey

Although a large number of parties have been banned in Turkey (see Table 2), party bans have had a significant party system impact in only a very few cases.

¹⁹ Obtaining as much as 18 per cent in the 1990 Basque elections.

²⁰ Both acts took place on November 14th, 2004.

Indeed, the majority of Turkish parties banned by the Constitutional Court were either never electorally active, suffered from a “clandestine syndrome” (e.g. Turkey Comfort Party, United Communist Party of Turkey, People Party, Revival Party, etc.), or weren’t popular with voters (e.g. Socialist Party, Socialist Union Party, etc). Some, like the Turkey Comfort Party (THP), the Freedom and Democracy Party (ÖZDEP) or the Democracy and Change Party (DDP) were banned before they could even try to fulfill their electoral vocation. Parties like the Democratic Society Party (DTP), were legal long enough to make only a small impact at the local level (5.4 percent of the vote in 2009). It is for these reasons that we will limit analysis here to the impact of only three banned Turkish parties: namely, the Islamist Welfare Party (RP) and its successor, the Virtue Party (FP), and the Kurdish nationalist People’s Democracy Party (HADEP).

Founded in 1983, the RP was the successor of the pre-democratic MSP, which was very popular between 1972 and 1980, when it was banned. It participated for the first time in the 1987 elections obtaining slightly more than 7 percent of the vote. It would double its electoral support just four years later thanks to an electoral alliance with two other parties (MCP and IDP), reaching its peak in 1995 with 21.4 percent of the votes and 158 seats in the Turkish National Assembly, allowing it to form a rather short-lived cabinet (briefly one year) between June 1996 and 1997. After it was banned in 1998, its leaders created a new party (FP) which, however electorally popular (15.4 percent of the votes in 1999), could not repeat RP’s previous success in both the legislative and governmental arenas. Banned in 2003, FP’s leadership would split into two: the majority would create the Justice and Development Party (AKP) and the minority the Felicity Party (SaP).

At the national level, the most successful Kurdish nationalist political party has been HADEP, which was banned in 2006, and succeeded by the Democratic People’s Party (DEHAP). DEHAP would later merge with the DHP to form the DTP, proscribed by the Constitutional Court shortly afterwards (2009). With an average of 5 percent of the votes during its three electoral participations (1995, 1999 and 2002), neither HADEP nor its successor managed to reach the 10 percent electoral threshold and, thereby, obtain parliamentary representation.

Table 3. Party system indicators in Turkey (1983-2011)

| Indicators | 1983 | 1987 | 1991 | 1995 | 1999 | 2002 | 2007 | 2011 |
|------------|------|------|------|------|------|------|------|------|
|------------|------|------|------|------|------|------|------|------|

| | | | | | | | | |
|------------------------|------|------|---------|--------------|--------------|------|------|------|
| <i>TEV</i> | n/a | 38.5 | 20.3 | 22.2 | 22.1 | 42.6 | 23.6 | 11.1 |
| <i>ENEP</i> | 2.9 | 4.1 | 4.7 | 6.1 | 6.8 | 5.4 | 3.5 | 3 |
| <i>ENPP</i> | 2.5 | 2.1 | 3.6 | 4.4 | 4.9 | 1.8 | 2.3 | 2.3 |
| <i>Spoiled ballots</i> | 4.9 | 2.6 | 2.9 | 3.3 | 4.5 | 3.9 | 2.8 | 1.8 |
| <i>Cabinets</i> | ANAP | ANAP | DYP-SHP | ANAP-DYP | DSP-MHP-ANAP | AKP | AKP | AKP |
| | | | DYP | RP-DYP | | | | |
| | | | DYP-CHP | ANAP-DSP-DTP | | | | |
| | | | | DSP | | | | |

Sources: Own calculations.

While the prohibition of RP did not really have an impact in the party system either at the electoral or the legislative level because its supporters had an almost identical political organization to vote for (i.e. FP). Nevertheless, the banning of RP may have confused some voters, thereby increasing the percentage of spoiled ballots, and certainly altered the structure of inter-party competition by impeding its access to executive office: the FP was seen as a “pariah” by the other parties represented in the National Assembly. As a result, a new coalition government was formed between the DSP, the most popular party at the time (1999), the Motherland Party (ANAP) and the Nationalist Movement Party (MHP), in parliament for the first time. The outcome was both partial alternation and open access, something that had never happened before, at least not immediately after elections (table 3).

The banning of FP in 2001 had a major impact in the party system at all levels, producing the perfect example of “systemic change”: (1) electoral instability almost doubled, (2) the extremely pluralized party system not only became more concentrated but initiated a period of hegemony that lasts until today, and last but not least (3) it introduced a new pattern of partisan interaction characterized by wholesale alternation, familiar formula and closed access. In principle more moderate than its immediate “predecessors”, AKP managed to attract some of the centre-right vote (mainly from ANAP and DYP). Moreover, the organizational split of FP supporters into two different political alternatives (AKP and SaP) increased their choice, consequently reducing the number of spoiled ballots.

However, the failure of efforts to ban the AKP, considered by some (mainly outside Turkey) a fundamentalist party and the direct heir of FP, had a long-lasting effect in the Turkish party system by reducing the number of “relevant” parties to three (AKP, CHP and MHP) and increasing its level of institutionalization (Casal Bértoa, 2015).

Contrarily to religious parties, Kurdish parties in Turkey have not been so successful. Consequently, their impact on the development of the Turkish party system has been minimal. Thus, and contrary to what has been observed in the case of FP, the banning of HADEP before the 2002 had no impact whatsoever due to foundation of DEHAP. Interestingly enough, the prohibition of DTP, fruit of the merger between DEHAP and DHP in 2005, did definitively reduce the number of electoral parties, on top of contributing to maintaining the level of volatility over 20 percent. Due to its total extra-parliamentary character, it did not manage, however, to exert any influence in terms of the structure of legislative and governmental competition. This certainly confirms our theoretical expectations that in the “ocean” of party system change, only “big fishes” make a difference.

Germany

Germany, the first European country to adopt the principle of “militant democracy” (in 1949), has banned parties due to their illegal activities, but also on ideological grounds (Biezen and Casal Bértoa, 2014; Casal Bértoa et al., 2014b). In practice, and due to Germany’s past experiences with totalitarianism, both the pro-Nazi Socialist Reich Party (SRP) and the Communist Party of Germany (KPD) were banned by the Constitutional Court in 1952 and 1956, respectively. However, while the SRP, founded in October 1949, only managed to leave its mark at the regional level, the KPD had the opportunity to contest the first two federal elections with different degrees of success: 5.7 percent of the vote and 15 seats in 1949, 2.2 percent and no seats in 1953.

Table 4. Party system indicators in Germany (1949-1957)

| Indicators | 1949 | 1953 | 1957 |
|------------------------|----------------|-------------------|-------------|
| <i>TEV</i> | n/a | 21.2 | 9.2 |
| <i>ENEP</i> | 5.7 | 4.2 | 3.6 |
| <i>ENPP</i> | 4.7 | 3.6 | 3.1 |
| <i>Spoiled ballots</i> | 3.1 | 3.3 | 3.8 |
| <i>Polarization</i> | 0.28 | 0.28 | 0.27 |
| <i>Cabinets</i> | CDU/CSU-FDP-DP | CDU/CSU-FDP-DP-GB | CDU/CSU-DP |
| | | CDU/CSU-FDP-DP | CDU/CSU |

Sources: Bartolini and Mair (1990) for TEV; Gallagher (2014) for ENEP/ENPP; Döring and Manow (2012)

Table 4 displays the most important characteristics of the German party system between 1949 and 1957, including ideological polarization.²¹ It shows that almost all the systemic indicators moved as the theory predicts. In particular, the disappearance of the KPD from the German electoral spectrum not only reduced the number of electoral and legislative parties, but increased the number of spoiled ballots. Moreover, it contributed to reducing the ideological distance between the German parties (Müller 1993: 421), easing centripetal tendencies which would finally end with collapse of the more extreme right-wing parties (The German Party (DP) and German Community/Federation of Expellees and Disenfranchised (GB/BHE)) and the formation of the three party system pitting the Christian Democrats (CDU/CSU) on the right and the Socialists (SPD) on the left with the liberals (FDP) as a hinge party.

The contribution of the judicial dissolution of the KPD to the consolidation of the German party system should, however, not be exaggerated. The Communists only managed to attract around half a million votes in the 1953 elections. As a result, their contribution to electoral instability between 1953 and 1957 was minimal: namely, 1.1 percent. Clearly counteracted by the great stabilization of the Christian Democrat electorate (Bartolini and Mair, 1990: 306), pointing to the conditional argument made in the theoretical framework: that is, for a party ban to have any *relevant* impact in terms of party system development, the party prohibited needs also to be “relevant”. This was the case for the SRP, but at the regional level.

Founded in 1952 by Otto E. Remmer, a former (pro-Nazi) general, and certain elements of the right-wing German Reich Party (DRP), the SRP had its stronghold in Lower Saxony where at the 1951 regional (*Land*) elections managed to obtain 11 percent of the votes. As expected, both its irruption and its forced dismissal constituted a shock for the Lower Saxon party system (see columns 2 and 3 in Table 5).²² In spite of the stabilization of both Socialists and Christian Democratic electorates, the judicial dissolution of the SRP contributed (with 5.5 points) to maintaining the levels of electoral volatility at over the 15 percent threshold. In terms of the number of parties, the degree of electoral fragmentation was reduced by almost a point, converting the 1951 extremely pluralist party system into a moderate limited one. Even if this effect is not so clearly visible in Table 5, the banning of the SRP

²¹ Data at the regional level or in Turkey is not available, at least as far as we know.

²² It is important to note here that the formation of an electoral coalition between the CDU and the DP as well as the contestation of the elections for the first time by the GB/BHE almost counteracted each other, leaving the impact of the irruption of the SRP mostly intact, and exclusive.

facilitated an increase in support for right-wing forces (i.e. DP, CDU and GB/BHE) and allowed for an exclusively centre-right coalition government in May 1955.

Table 5. Party system indicators in Lower Saxony (1947-1955) and Saxony (1999-2009)

| Indicators | Lower Saxony (Socialist Reich Party) | | | Saxony (National Democratic Party) | | |
|------------------------|---|------------------|-----------------------|---------------------------------------|---------|---------|
| | 1947 | 1951 | 1955 | 1999 | 2004 | 2009 |
| <i>TEV</i> | n/a | 28.7 | 18.7 | n/a | 20.5 | 9.2 |
| <i>ENEP</i> | 3.7 | 4.7 | 4.3 (3.4) | 2.6 | 4 | 4.3 |
| <i>ENPP</i> | 3.7 | 4 | 4.1 (3.2) | 2.1 | 3.5 | 3.7 |
| <i>Spoiled ballots</i> | n/a | n/a | 1.5 | n/a | n/a | 1.8 |
| <i>Cabinets</i> | SPD-DP-CDU -FDP-Z-KPD | SPD -GB/BHE-Z | DP-CDU- FDP-GB/BHE | CDU | CDU-SPD | CDU-FDP |
| | SPD-DP-CDU -FDP-Z | SPD- GB/BHE | DP-CDU-SPD | | | |
| | SPD-CDU-Z | | | | | |

Note: In brackets a simulation of the level of fragmentation assuming an electoral coalition between the CDU

As we also pointed out above, the legalization or failure to ban a party can also have important effects on the development of a party system. In Germany this is the case with the National Democratic Party (NDP), which is trivial at the national level (less than 2 percent of the vote since 1965),²³ but relevant in Saxony and Mecklenburg-Western Pomerania, where the party has an important legislative representation. The last three columns of Table 5 look only at the Saxon party system, but similar conclusions could be drawn from the Western Pomeranian case.

A first attempt²⁴ to ban the NDP took place in 2001, but the case was abandoned when the Constitutional Court dismissed the case on procedural grounds in 2003. As it follows from table 5 the failure to ban the NDP clearly had important consequences for the development of the party system in Saxony. Indeed, it allowed the party to present candidates again in the 2004 elections with great success: the NDP passed from 1.4 vote percentage in 1999 to 9.2 in 2004. The result was not only an increase in the level of electoral volatility, but also a clear change in the format of the Saxon party system which passed from an hegemonic party system with two-and-a-half parties (the hegemonic CDU, together with the SPD and the PDS) to a limited pluralist party system where the NDP, added to the PDS, emerged as parties with

²³ With the exception of 1969, when with 4.3 percent of the votes the NDP barely didn't make it into the *Deutscher Bundestag*.

²⁴ There have been others in 2011 and 2012.

“blackmail” potential. In terms of the patterns of partisan interaction, the electoral success of the NDP ended with almost fifteen years²⁵ of CDU dominance, obliging it to form a “grand coalition” with the SPD. This would be followed by another coalition, this time with the FDP in 2009. In other words, the failure to ban NDP had important consequences for the structure of inter-party competition in the Saxon region. Deprived of an absolute majority and “trapped” by two anti-establishment parties at the fringes of the political spectrum, CDU had no other option but to collaborate with the other two parties, changing (i.e. opening) the system in all three features: namely, alternation, formula and access.

Spain

Despite the fact that *Herri Batasuna* (HB) (banned in 2003)²⁶ also had a national vocation (Casal Bértoa et al., 2014c: 104-106), the impact of banning it or any of its successors (Bourne, 2012b) on party system development in Spain will take place on the regional level; in particular, the Basque Country and Navarre, where the radical leftist nationalists (previously HB, currently *Bildu*) have traditionally had their strongholds.²⁷

Table 6. Party system indicators in the Basque Country (1980-2012)

| Indicators | 1980 | 1984 | 1986 | 1990 | 1994 | 1998 | 2001 | 2005 | 2009 | 2012 |
|------------------------|---------|------|---------|------------|------------|--------|-----------|-----------|------|------|
| <i>TEV</i> | n/a | 13.4 | 7.7 | 12.1 | 16.3 | 8.4 | 8.3 | 10.2 | 18 | 18.3 |
| <i>ENEP</i> | 4.7 | 3.7 | 5.7 | 5.5 | 5.4 | 5.2 | 3.6 | 4.0 | 3.7 | 4.3 |
| <i>ENPP</i> | 4.0 | 3.5 | 5.2 | 5.3 | 5.7 | 5.0 | 3.4 | 3.8 | 3.3 | 3.7 |
| <i>Spoiled ballots</i> | n/a | n/a | 0.6 | 0.5 | 0.6 | 0.5 | 0.4 | 0.3 | 8.8 | 0.8 |
| <i>Cabinets</i> | PNV-PSE | PNV | PNV-PSE | PNV-EA-EE | PNV-EA-PSE | PNV-EA | PNV-EA | PNV-EA-EB | PSE | PNV |
| | | | | PNV-PSE-EE | PNV-EA | | PNV-EA-EB | | | |

Sources: Own calculations.

Table 6 looks at the main indicators of party system change in the Basque Country since the first regional parliament elections in March 1980. Between 1980 and 2005 all ideological options in the Basque Country (from post-Francoist and pro-independentist to Communists and pro-ETA) were allowed to present candidates at

²⁵ It should not be forgotten that Saxony was part of the German Democratic Republic until the *Deutsche Wiedervereinigung* in 1990.

²⁶ The Communist Party of Spain (reconstituted), the other Spanish party to have been banned (Casal Bértoa et al., 2014c: 108), is left out from our analyses due its inactivity at the electoral level.

²⁷ The percentage of votes obtained by HB or its political sister (Amaiur) in any of the elections celebrated at the national level (i.e. legislative, European parliament) was never higher than 2 percent. In clearly contrast to a minimum of roughly 10 percent in both Navarra and the Basque Country.

the time of the regional elections.²⁸ This was not the case for 2009 when two parties reportedly tied to ETA (i.e. *Demokrazia Hiru Milioi-D3M* and *Askatasuna*) were banned by the Supreme Court (Bourne, 2012b). Before the 2012 elections, the radical nationalist left managed to present their own candidature within *Euskal Herria Bildu* (EH Bildu), an electoral coalition comprising the social-democratic *Eusko Alkartasuna* (EA) and various parties of the so-called Basque radical nationalist left (i.e. *Aralar*, *Alternatiba* and *Sortu*).

Table 6 shows a strong contrast between the last two elections and the rest. This is especially visible in terms of electoral volatility (TEV), the number of spoiled ballots and the patterns of partisan competition for government. Thus, while between 1984 and 2005 the average level of electoral volatility is 10.9, between 2009 and 2012 TEV almost doubles. While in the first 25 years of the Basque party system the TEV surpassed the 15 percent threshold in only one election (1994), the last two (2009 and 2012) can be classified both as authentic “earthquake” elections (Pedersen, 1979). To this the judicial dissolution of HB’s political sister (i.e. Communist Party of the Basque Territory (EHAK)²⁹ before the 2009 contest and its reinstatement (in the form of EH Bildu) in 2011 can be considered as the major contribution: 12.4 percent in 2009, and up to 15.3 percent in 2012.³⁰ In other words, up to one third of the TEV observed in both 2009 and 2012 can be explained by just two decisions: respectively, the banning and legalization of radical nationalist left candidates.

This is also clearly visible when we look at the number of spoiled ballots in the 2009 elections. Its number increased by almost 9 points in comparison with the previous elections, certainly exceeding the average percentage of spoiled ballots until that moment (0.5). In this context, the decision of D3M to ask their supporters to vote with an ‘unofficial ballot paper designed by the party (Europa Press, 2009) appears to have had an enormous impact.

Banning Basque radical nationalist left parties not only had an impact at the electoral level. It also introduced an important change in the structure of competition by allowing non-nationalist parties to form a minority government headed by the Basque Socialist Party (PSE) with the legislative support of the Popular Party (PP).

²⁸ As reported elsewhere in more detail (Casal Bértoa et al., 2014c: 106), HB leaders considered themselves represented by the Communist Party of the Basque Homelands (EHAK), manifesting their explicit support to their candidatures in 2005.

²⁹ EHAK was dissolved for refusing to condemn ETA’s violence (Bourne, 2012b).

³⁰ From the 25 percent of votes obtained by EH Bildu in 2012 we discount the 6 percent and the 3.7 percent respectively obtained by Aralar and EA in 2009.

Indeed, the proscription of HB-EAHK in 2009 clearly “opened the way to an alternative majority” (Casal Bértoa et al. 2014c: 106), even when the PNV increased its electoral support, obtaining the highest amount of votes since it split with EA in 1986. The reappearance of the radical nationalist left in 2012 prevented the repetition of the non-nationalist government (this time perhaps also with the support of Union, Progress and Democracy (UPyD)). The result was a PNV minority cabinet, the first one since 1984. All in all, and using Mair’s (1997) theoretical framework, the structure of competition changed after 2009 from one characterized by partial alternations, rather familiar coalition formulae but open access, to one represented by total alternations, innovative (minority mono-colour government) formulae³¹ and closed access (only PSE or PNV).

Perhaps where the impact of party bans (or lack of them) is less clear is in terms of the Basque party system format. This is because even if both the ENEP and the ENPP decreased and increased depending on ban decisions such changes (just 0.5 points) were not as significant as in 1986/2001 (more than 1.5 points), when the “moderate” nationalist camp split/merged.³² Nevertheless, it is important to note that the Basque party system was never closer to a pure three-party system (PNV, PSE and PP) than in 2009, and this despite the process of party fission experimented in the months leading to the electoral contest: On the one hand, EA decided to end its electoral collaboration with the PNV; on the other, Rosa Díez – one of PSOE’s leader in the Basque Country – left the formation and founded a new party (UPyD). Conversely, the Basque party system returned to its almost “limited pluralist” (ENPP closer to 4) character – to use Sartori’s terms – in 2012 with the reappearance of the radical nationalist left. This was despite the process of party fusion experienced at the beginning of that year: As mentioned, both EA and Aralar merged into Sortu-led electoral coalition (EH Bildu). In other words, the banning and legalization of radical nationalist left parties in 2009 and 2012, respectively, also “fictitiously” altered the format of the Basque party system, whose tendency was towards fragmentation in 2009 and concentration in 2012.

³¹ It is important to note, however, that the PNV had already formed a minority cabinet in March 1984 which, for the new generation of voters accustomed to PNV-led coalitions, was still innovative.

³² EA split from PNV in September 1986. They would later form an electoral coalition between 2001 and 2009.

Similarly, the prohibition of HB had also important consequences for the evolution of the Navarrese party system. Due to different electoral cycles,³³ the banning of radical nationalist left forces took place over two consecutive legislative periods. In terms of the stability of the Navarrese electorate since 1979, it is important to contrast the moderate effect of HB's banning in 2003 with the reappearance of the radical nationalist left in 2011 (Bildu). Thus, and as it follows from Table 7, while banning HB seems to have decreased the level of TEV, contrary to the expectations, its legalization clearly converted the 2011 contest in an electoral "earthquake". TEV increased to levels only previously observed in 1983 with the disappearance of UCD, in 1987 with the reorganization of AP, and in 1995 with the creation of CDN.³⁴ As in the Basque case, the contribution of Bildu to the TEV in 2011 amounted to almost a third (6.7).

Table 7. Party system indicators in Navarra (1979-2011)

| Indicators | 1979 | 1983 | 1987 | 1991 | 1995 | 1999 | 2003 | 2007 | 2011 |
|------------------------|-------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <i>TEV</i> | - | 26.7 | 17.5 | 10.4 | 21.6 | 15.7 | 6.3 | 8.6 | 17.3 |
| <i>ENEP</i> | 6.3 | 4.5 | 5.6 | 3.9 | 4.9 | 3.8 | 3.9 | 3.5 | 5.1 |
| <i>ENPP</i> | 5.2 | 3.7 | 4.8 | 3.1 | 4.4 | 3.6 | 3.5 | 3.2 | 4.3 |
| <i>Spoiled ballots</i> | 0.9 | 0.8 | 0.9 | 0.5 | 0.5 | 0.6 | 6.5 | 3.9 | 2.5 |
| <i>Cabinets</i> | UCD-PSN-HB-Amaiur | PSN | PSN | UPN | PSN-CDN-EA | UPN | UPN-CDN | UPN-CDN | UPN-PSN |
| | | | | | UPN | | | UPN | UPN |

Why, then, didn't the dissolution of HB contribute to decreasing electoral stability in Navarra in 2003? When one looks at the particular levels of party volatility between 1999 and 2003, the illegalization of Batasuna contributed to almost half (2.7) of the TEV (6.3). However, the fact that some groups within the Batasuna (mainly Aralar and Bazarre) decided to depart from the majoritarian current within the coalition, opposed to a condemnation of ETA's violence, exponentially reduces the TEV final score at the aggregate level.³⁵

Indeed, the clearest evidence that the prohibition of Batasuna in 2003 had an influence on the direction of the vote is to be found in the percentage of spoiled ballots (Table 7), which would have meant up to 3 seats in the Navarrese parliament

³³ In Spain all regional elections, but for the Andalusian, Basque, Catalan and Galician, are held the very same day.

³⁴ While UCD dissolved itself in 1983, AP passed from being an electoral coalition in 1983 to a unitary party in 1983. CDN split from UPN in April 1995.

³⁵ Aralar and Bazarre got 8 and 2.6 percentage of votes in 2003 which, compared to Batasuna's 16 percent of votes in 1999 clearly reduces the latter party's volatility to a mere 5.4. Still almost a half of the TEV for 2003, as explained above.

(*Cortes de Navarra*). Indeed, the 6.5 percent of spoiled ballots in 2003 meant an increase of roughly 6 percent in relation to the previous elections and 5.8 in comparison to the average level of spoiled ballots between 1979 and 1999. The average level of spoiled ballots continued to be high (3.9) during the next 2007 elections,³⁶ but decreased by more than one point and a half in 2011, coinciding with the return of the radical nationalist left to the political arena.

Because of Batasuna's split, and notwithstanding a marginal reduction of the ENPP in 2003 (as expected), it was only in 2011, when the party was legalized, that the format of the Navarrese party system was affected by party bans. Thus, the re-emergence of the radical nationalist left in 2011 clearly boosted both the ENEP and the ENPP, converting the until then three-party system (Union of Navarrese People (UPN), Socialist Party of Navarre (PSN) and Convergence of Navarrese Democrats (CDN) into a limited pluralist one ($ENPP \geq 4$). Indeed, if, as Mair (1997) has maintained, change takes place not when the number of parties changes, but when the latter means a modification of category, then we are on safe ground when stating that in 2011 the failure to ban Bildu sparked a change in the Navarrese party system. Something that had not had happened since 1999.

Table 7 also points to a change in the structure of competition both in 2003 and in 2011. Thus, while the presence of the Batasuna-led coalition, treated as a total pariah by the rest of the political forces, especially since the assassination of PP member Miguel Ángel Blanco in 1997, allowed UPN to form a minority government in 1999; the proscription of HB successor, Euskal Herriarrok, before the next elections obliged Miguel Ángel Sainz (UPN's leader) to form a coalition government with the CDN both in 2003 and 2007. Interestingly, the return of the radical nationalist left to the Navarrese *Cortes* in 2011 would open the way to - some would say "forced" - the first "grand coalition" between the conservative UPN and the socialist PSN.³⁷ As a result, the Navarrese structure of inter-party competition for government left its wholesale, open access and rather familiar (except between June 1995 and September 1996) character for a pattern where partial alternation, innovative formulae and closed access are the norm.

³⁶ Interestingly enough, this also coincides with the attraction of radical votes by the Aralar-led Nafarroa Bai (NB) coalition in 2007. In fact, the sum of the votes of Aralar (8), Bazarre (2.6) and the PNV/EA (7.6) in 2003, plus the remains of HB votes in 1999 (5.4) perfectly coincides with the percentage of votes obtained by NB in 2007: namely, 23.6.

³⁷ The importance of PP's split from UPN in such structural change should also not be forgotten.

Moreover, it is important to note here also that, more recently, and after the collapse of the “grand coalition” in June 2012 due to a corruption scandal within UPN, the PSN was tempted to use Bildu’s parliamentary support to oust President Barcina (UPN) and, perhaps, form a minority cabinet. This would definitively have not had taken place in the period between 2003 and 2010. In other words, the banning/failure to ban political parties creates the opportunity to alter pre-existing patterns of competition, making the structure of competition less predictable and, therefore, more prone to change.

Conclusions

In the paper, we examine the effects of banning parties – a grave act with significant consequences for democratic politics in both theory and practice – on party systems. We examine party ban effects in three ‘intolerant activist’ party regimes (Germany, Spain and Turkey), which are legal systems which actively employ legal or constitutional provisions against parties for either anti-system behavior (Spain) or anti-system ideology (Germany) or both (Turkey). These were also cases which included bans on salient parties, the type of party whose proscription we expected to have the most significant impact on the party system. Indeed, as table 8 shows, in all countries where relevant parties were banned various different types of party system effects were observed.

Table 8. Summary of empirical findings

| Hypotheses | GERMANY | SPAIN | TURKEY |
|---|--|--|--|
| <i>Party ban or legalisation increases electoral volatility</i> | KPD Yes (minimal) SRP Yes NPD Yes (failed ban) | HB and successors (BC) Yes HB and successors (Navarre) • 2003 No • 2011 Yes | RP No FP Yes HADEP No DTP Yes |
| <i>Party ban reduces electoral and parliamentary fragmentation</i> | KPD Yes SRP Yes | HB and successors (BC) Yes HB and successors (Navarre) Yes | RP No HADEP no DTP Yes |
| <i>Party legalisation increases electoral and parliamentary fragmentation</i> | | HB and successors (BC) Yes HB and successors (Navarre) Yes | |
| <i>Party ban or legalisation changes category/class of party system</i> | KPD Yes SRP Yes NDP Yes (failed ban) | HB and successors (BC) Yes HB and successors (Navarre) Yes | FP Yes AKP Yes DTP No |

| | | | |
|--|-------------------|---|-----------------------------|
| <i>Party ban or legalization affect patterns of government formation</i> | KPD No SRP Yes | HB and successors (BC) Yes HB and successors (Navarre) Yes | FP Yes AKP Yes DTP No |
|--|-------------------|---|-----------------------------|

Where no party system effects were observed it was due to the rapid emergence of successor parties (eg. in Navarre (Spain) where HB was succeeded by parties such as Aralar, or in Turkey where RP was quickly succeeded by FP before it was banned), or where parties were too small to make an impact on the party system (eg. DTP in Turkey). During empirical research an additional hypothesis about the failure of attempts to ban parties was also developed. The failure to ban parties, as cases of the NPD in Germany and AKP in Turkey showed, can also have party system effects such as increased electoral volatility or change in category/class of party system. A final rationale for the selection of cases was variation in the degree of democratization. However, as Table 8 shows, party system effects did not appear to vary systematically depending on the degree of democratization.

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