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Political Parties

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Political parties sit uneasily in constitutional thinking. While sometimes seen as essential agents of democratic life, in legal scholarship they have tended to be treated as groups whose power-seeking ambitions threaten to undermine the unity of the polity.[1] Parties, it is often said, divide citizens rather than encouraging them to deliberate, and polarise opinion instead of helping to institutionalise compromise. One function of a constitution, it is widely assumed, is to temper the divergence of political opinion. Already a current in ancient political thought, the assumption that an ideal constitution is one that enables different parts of the political community to mediate between potentially conflicting interests and principles has been prominent throughout modern democracy. Whether we focus on Aristotle's praise of the mixed constitution, Montesquieu's analysis of the separation of powers, or Madison's defence of checks and balances in the US constitution, underpinning all these accounts we find the idea that politics would run better – more efficiently, also more fairly – if strong opinions could be moderated or set to one side.

As we argue in the following, there are reasons to be sceptical of such an aversion to political division. It is not just that claims to be a moderate can be loaded and misleading, adopted by all who want to position themselves as responsible, unthreatening and

[1] For discussions of this ambiguity, see Bellamy (2007, chap. 6).

uncontroversial. Even those who might deserve the label of moderate are the exponents, we suggest, of a dubious virtue. Existing political societies are far from just, even those widely viewed as democracies, and in an unjust order, moderation is a questionable outlook. Countering a polity's failings, and defending justice, is likely to depend on a more trenchant attitude. Political conflict deserves wider appreciation, and the key question becomes how it is organised – what demands are expressed, in the name of whom, and how they come to be embedded in structures. In societies like ours, still characterised by arbitrary uses of political, social and economic power, political parties remain central not only for connecting the different functions of government but also as champions of desirable legal change.

Parties have long been a cornerstone of modern democracy, and they remain critical to how conflict unfolds. Despite the fact that many constitutional orders have been configured with the goal of obstructing partisanship, parties of principle can be agents of productive adversarialism. Quite how they perform this role will depend on a number of features. There is a difference between how parties function in one-party systems, where a single party controls the constitution, sometimes with the help of smaller satellite parties, and multi-party systems where several parties compete with each other for control of legislative decisions and representation in the executive.[2] In the latter case, complications arise from the fact that parties are considered intermediary bodies between the private and public sphere. On the one hand, parties are spontaneous associations of individuals

[2] For an instructive discussion of the differences, see N. Barber (2018), pp. 166–186. For excellent analysis of the intricacies of constitutional change in one-party system, see Zhang (2012), chap. 4.

and, as such, belong to the realm of civil society, with a claim to as much freedom from interference as is necessary for civic participation to flourish (on the dual nature of parties between state and civil society, see Urbinati 2006). On the other hand, when the asymmetries that develop as a result of those spontaneous initiatives are left unregulated, for example when some parties are able to accumulate huge wealth and resources in campaign donations, this undermines the public role of parties in channelling the democratic will (Ewing et al. 2012).

When discussing the role that parties can play as agents as democratic change, it is important to be mindful of the background circumstances that enable or constrain that function. Our argument is that, in their ideal form, parties can be sites of participation, education and commitment even if in reality they often look like factions – a distinction to which we shall return. At their best, parties enable citizens to reflect on the background circumstances that shape the exercise of power, and to seek change that renders power democratically accountable. They are also ways in which the boundaries of political membership can be contested. Ultimately, they can be agents of transformation, reshaping the societies and institutional orders in which they emerge.

I Constitutions and Conflict: On the Promise and Pitfalls of Moderation

Perhaps the most influential pioneer of the notion that political virtue lies in charting a position between extremes was Aristotle. In the *Nichomachean Ethics*, he defined virtue as 'a kind of moderation, inasmuch as it aims at the mean or moderate amount', pursuing a

space 'between two vices, one on the side of excess, the other on the side of defect' (Aristotle 2000, Bk. 2). His appeal to the relative mean as the mark of wisdom and prudence, coupled with his defence in *Politics* of mixed government as the system that institutionalised these qualities, can be read as an account of how the good political community aims to temper political conflict and achieve a form of equilibrium.

In a similar vein, David Hume lamented the negative effects of political conflict on shared institutions, distinguishing between divisions based on interest, principle and affection (Hume (1998 [1748]), p. 36). 'For my part', he argued, 'I shall always be more fond of promoting moderation than zeal' (Hume (1998 [1748]), p. 12). Yet Hume also recognised, that the best way to temper political animosities was to design institutions so as to accommodate partisan instincts within a moderate system of checks and balances (see Landis 2018, pp. 219–230). His ideas both in the political essays and in the *History of England* provided the blueprint to which Madison later returned to defend an institutional model at the centre of which was the separation of powers as a way of countering political division. Madison's defence of a system that prioritised due process, the rule of law and legal checks and balances embodied a philosophical ideal of moderation animated by hostility to partisan politics (Spencer 2002, pp. 869–896).

If one adds such figures as Montesquieu, Burke, Constant and Berlin, one can reconstruct a body of constitutional and political thought that centres on the perils of extremism, adversarialism, division and zeal. This tradition of *moderation* combines the defence of a particular outlook on politics with a defence of the constitutional arrangements said to serve it. For its advocates, what defines moderation is the willingness to question oneself, to avoid Manichean simplifications and ideological rigidities, to engage

in dialogue with adversaries, and to pursue a balance between competing ideas and interests. As one author who has traced the roots of this ideal puts it, 'moderation opposes absolute power, conflict, tension, polarization, violence, war and revolution. It can also be interpreted as an antonym of rigidity, stubbornness, dogmatism, utopianism, perfectionism, or moral absolutism' (Craiutu 2012, p. 14; cf. pp. 5, 20ff). Rather than a doctrine that can be systematised and written down, it is presented as a virtue displayed in practice, sensitive to particular circumstances. But moderation is not simply a sensibility: it also entails a body of commitments – by no means unique to it – based on preserving the rule of law, the separation of powers, political pluralism and toleration.

Moderation and hostility to partisanship, then, have tended to go hand in hand in the constitutional arrangements of many liberal democracies. But there are some immediate suspicions that a defence of moderation may raise. Is this a virtue that exists only in the eye of the beholder? Is one person's moderation likely to be another person's extremism? Clearly, it may sometimes just be a label by which to dignify a stance one agrees with. (Indeed, if one does not already have some sympathy with the stance, perhaps it will always a have touch of the extreme and the zealous about it.) The same views may look moderate or extreme depending on political circumstances, and on how one sketches the alternatives and the criterion of difference one applies. One may also wonder whether the virtue of moderation is not somehow dependent, even parasitic, on the existence of extremism and polarisation. As a reactive position, always responding to tendencies and events initiated by others, it seems conceptually incomplete. By definition, not everyone can be moderate on all things and at all times – it is a stance which cannot be universalised. Arguably though such problems attach to all forms of practical ethics, applied as they are to

concrete situations based on the situated judgement of those involved. At first glance at least, there are good reasons to suppose that the moderate stance should be a pre-eminent one in political life.

That people will disagree on all manner of things forms part of the basic circumstances of politics. But, it may be said, if they cannot agree to put certain differences aside, there can be no life in common, no collective self-determination, indeed no basic social order. As Craiutu writes, 'to restore equilibrium in society, moderates tend to adopt some of the soundest attitudes and principles of all parties and facilitate agreements between them in order to calm passions and heal wounds. They seek to protect and foster the balance between diverse social and political forces and interests on which political pluralism, order, and freedom depend in modern society' (Craiutu 2017, p. 21). Some things in politics require consensus, or at least the suspension of conflict: procedures certainly, and perhaps also salient issues on which it is not possible to split the difference. Rawlsian public reason asks citizens to suppress comprehensive doctrines in the name of a more general political good.

The implication would seem to be that a polity's legal foundations need to be configured around agents of moderation so as to temper the dangers of political division. The judge on a constitutional court can be thought of as a quintessential figure of moderation – a person whose role is to avoid biases, dogmas and extremes of interpretation, and to reflect on the case and the facts at hand. It is no surprise that Rawls is often said to have a judicial conception of politics. Arguments for 'deliberative democracy' are another of the ways agents of moderation are championed in contemporary political thought. Common to the many different renditions of deliberative democracy is the idea

that people of different viewpoints should interact in such a way as to avoid entrenched oppositions, being willing to revise their views in the light of the better argument, perhaps ultimately so as to arrive at a consensus (Gutmann and Thompson 2012).

In such perspectives, constitutional order is undermined by political divisions. Constitutions, it may be noted, tend to be founded as ways of ending civil wars and other deep disputes, and if they are to be something other than a self-serving imposition by the victorious they must moderate between extremes of outlook. They acquire legitimacy by entrenching in legal doctrine a newly found consensus, both in terms of acceptable procedures and values. Subsequently defending them, it may be said, then requires the same willingness to find positions of compromise. It depends on finding policies that all can put their names to, even as second-choice options. There would seem, accordingly, to be a good case for regarding moderation as the sensibility most in tune with preserving a democratic constitution and the life in common. Political divisions, adversarialism, still more 'extremism', would seem by contrast to be a destructive attitude – even an unpatriotic one, insofar as standing against one's compatriots can jeopardise the unity and security of a political community.

What reasons then might there be to be sceptical of this aversion to political conflict and the way it is conceptualised in certain strands of constitutional scholarship? First to observe is that the value of tempering conflict is at least conditional on the nature of the society to which it is applied. In a society that is fundamentally a just or nearly-just one, moderation may be an appropriate ideal – at least to the extent that all are committed to it. It may be a viable stance if the dangers to the constitution come from the margins. Perhaps this is the assumption most liberal democrats make about the constitutional order that

commands their loyalty. But things look different if the status quo itself is corrupted and plausibly in need of far-reaching change. When political conflicts are due less to the psychological dispositions of the parties than to structural constraints of the societies in which they live, moderation is unlikely to offer the profound challenge required. It may, in fact, obstruct it. Observe that the tranquillity and depoliticisation of issues that moderates long for may very often be possible only when established powers and interests do not feel challenged or threatened. What is lamented as division is arguably the symptom of change being *resisted*, and its evaluation cannot be separated from an evaluation of the currents of change at stake. While not every context of sharp political division features a progressive force, every political context in which such a force appears is likely to be a divided one. Divisions emerge when the status quo is confronted by those pursuing a project of transformation.

Radical political change tends to depend on the actions of *groups*, and moderation is an outlook generally at odds with their political participation, indeed often intended to forestall it. Those who extol the virtue of moderation tend to cast it as something exercised by individuals. Political representatives, leaders, technical appointees, judges and individual citizens can exercise moderation, and can value others on the basis of their supposed moderation (e.g. by electing or appointing them). Institutions and the legal structures too can be valued insofar as they encourage this disposition in individuals. But it is less clear that *collectives* engaged in political struggle can exercise or be prized for the virtue of moderation, since the moral universe of their members tends to be shaped in part by obligations to the collective, without which the latter would soon dissolve.

Constitutional arrangements designed to encourage moderation tend on the contrary to seek to *limit* the power of political groups or to pre-empt their formation. Structures of divided power, such as those established by the US constitution, have been explicitly conceived with this in mind, as the debates of the American Federalists about the ills of 'faction' bear testament to (Hamilton, Madison, and Jay 2008 [1787/88], No. 10). As a way of frustrating the actions of groups, moderation has a special relation to institutional complexity – the more complex the system, the harder for any parts of the political community to control it. Again, while this might be an attractive feature in a largely just society (albeit one with drawbacks, notably as regards popular participation), it is a clearly problematic one when a transformative politics is required. Programmes of change, and the agency needed to execute them, are likely to depend on the presence of organised collectives. Radical politics tends to be a politics of groups, valued for the ideas they stand for, whereas moderate politics tends to be a politics of individuals, valued for their personal qualities.

Just as consensual politics may be inadequate to the pursuit of radical progressive change, it may be inadequate even to the preservation of the good constitution. Its limits as a political stance are especially evident in circumstances when a polity's constitutional fundamentals are in jeopardy. Consider some of the things moderates may value: the rule of law, the separation of powers, political pluralism, the channelling of disagreement and toleration. A more adversarial stance than moderation may be required to maintain these when they are threatened by powerful forces, as the history of anti-fascist politics suggests. Likewise, while not all episodes of political conflict may feature desirable groupings, conflict itself should not be viewed as inherently bad – it is the context no less of positive

transformations and defensive interventions. More than on moderation, building a constitution and maintaining it depends on groups willing to take an adversarial stand. Aristotle himself, for all his defence of moderation, observed that achieving a desirable equilibrium might depend on a willingness to overshoot: 'So much then is plain, that the middle character is in all cases to be praised, but that we ought to incline sometimes towards excess, sometimes towards deficiency; for in this way we shall most easily hit the mean and attain to right doing' (Aristotle 2000, Bk. 2). Certainly, it will not be enough to trim one's views to mediate between the currents of the moment: a more robust and principled stand is demanded, again something for which organisation, principled commitments and the motivation to promote them in association with others are important.

Defenders of moderation may concur, acknowledging that sometimes moderation needs to be abandoned, that it is 'not a virtue for all seasons' (Craiutu 2017, p. 3). They may say that there are extreme situations in which moderation ceases to be a virtue, or may say, with Aristotle, that 'it is not all actions nor all passions that admit of moderation' (Aristotle 2000, Bk. 2). But the question is whether such circumstances and actions are genuinely exceptional, or have been normalised in politics as we know it. Can the concerted effort to maintain constitutional processes and values really be no more than a temporary stance, adopted intermittently? In many liberal democracies, moderation's value has been historically undermined by the persistent presence of structures that entrench social divisions and trigger immoderate responses. When that is the case, the decision is not about whether to exercise moderation or not but how to ensure that political disagreements can be channelled in the right way.

Political participation is one of the areas where there seems to be a clear tension between an ethos of moderation and wider democratic norms. Moderation works best when politics is restricted to a minority with convergent ideas. 'Finding the middle or the mean in each case is a hard thing,' observed Aristotle, 'just as finding the middle or centre of a circle is a thing that is not within the power of everybody, but only of him who has the requisite knowledge' (Aristotle 2000, Bk. 2). Compromise is most easily achieved by those with the 'requisite knowledge' – when radical ideas are kept off the agenda, and when their sponsors are kept out of the process. The more people who participate, the more the boundaries of debate widen, and the more challenging the task of moderation becomes. Keeping public life oriented to pragmatic problem-solving is probably to restrict it to elites sharing similar views. Conversely, for those who value popular participation, a politics of groups engaged in adversarial exchange is likely to be more conducive. In the 1950s America, fears of elite consensus and weak participation prompted the American Political Science Association to warn of the dangers of excessive moderation and agreement amongst political representatives. 'Alternatives between the parties,' they wrote, 'are defined so badly that it is often difficult to determine what the election has decided even in broadest terms' (APSA 1950, pp. 3–4). Unlike many of their counterparts in later decades, these scholars believed in a politics of strong, delineated programmes advanced by competing groups.

None of this is to exclude that groups may coalesce around undesirable views, and sometimes may entrench these views. Indeed, if this were not so, there would be little to be said for political conflict, since the political scene would lack objectionable figures to

oppose. What can be said however is that political collectives mobilised around shared political commitments are the precondition of firmly held views that *are* of wider value.

Mobilised collectives adopting an adversarial stance are important both for the positive transformations they can lead in an imperfect polity, and for the defence of existing achievements in the good polity. They are of considerable instrumental value, that is. But they are also *intrinsically* desirable, at least to the extent that they are voluntary associations, and communities of principle rather than of unchosen identities or brute interests. Such collectives, whether single-issue movements or ideas-based parties as we shall come to, can be enriching for those who belong to them – ways in which the likeminded can learn from each other and strengthen their resolve and commitment. Civic education tends to be construed as a matter of factual knowledge about institutions and procedures, but it is also about building an understanding of the *logic* of politics – developing narratives and explanations that allow particular episodes to be connected to a larger scheme. Communities of principle are one of the key contexts in which such ideas are nurtured and disseminated, in the form of political narratives and ideologies. Such communities are places where solidarity and the habits of political involvement can develop, whether through participation in debates, protests or campaigns. They are ways to draw into politics those who would otherwise be disengaged, and whose interests and concerns would go ignored. The key question, we suggest, is what kinds of institution can allow collectives and conflicts of the *right kind* to take shape – ones that can be productive for the wider political community and indeed those beyond it. Here, we move to a discussion of *partisanship*.

II The Place of Partisanship

In recent years, political scientists, the media and politicians alike have tended to treat political parties as little more than vehicles for winning elections. In legal scholarship too, their function is often reduced to their role as agents that contribute to shaping legislative and executive power via electoral mechanisms. Their overriding goal, in these views, is to combine the preferences of citizens for the purpose of obtaining a share in government. What distinguishes parties from one another on this account is ultimately their skill in knowing which buttons to press to win votes – how to manufacture divisions in the electorate that they are best able to take advantage of. Attached to this perspective is a theory of motivation: party members, it is suggested, are in it largely for the spoils of office (see Muirhead and Rosenblum 2020 for critical discussion).

What the image of the party as the election-winning machine misses are the normative and transformative aspirations that partisans might proclaim, and that form the basis for a more discriminating understanding of what partisanship is (J. White & L. Ypi 2016). Historically, the members of parties have sought to distinguish themselves from other kinds of political formation that pursue merely sectional ends. The distinction between ideological and interest-based parties to which legal scholarship refers is one way of understanding this distinction. Philosophically, however, the contrast between parties and *factions* gets more directly to the core of how these different entities relate to public concerns. When parties started to position themselves in contrast to factions, they sought to distinguish themselves from entities committed to pursuing only the good of the part, and invoked political ideals intended to be applicable to a wider political constituency

(White and Ypi 2016, esp. chap. 2). Though they might draw on particularist identities – ethnic, religious or class-related – partisans have always sought to incorporate them into a larger political project conceived as irreducible to these.

Ramsay MacDonald – co-founder and theoretician of the British Labour Party, and later its first Prime Minister – provides powerful illustration. 'Socialism', he wrote in his 1907 work of the same name, 'is no class movement. Socialism is a movement of opinion, not an organization of status. It is not the rule of the working-class; it is the organization of the community' (MacDonald, in Barker 1972, p. 162). His portrayal of the Labour Party in his 1919 piece on *Parliament and Revolution* expands on the same theme: 'it [the Party] believes in the class conflict as a descriptive fact, but it does not regard it as supplying a political method. It strives to transform through education, through raising the standards of mental and moral qualities, through the acceptance of programmes by reason of their justice, rationality and wisdom…. It walks with the map of Socialism in front of it and guides its steps by the compass of democracy' (MacDonald, in Barker 1972, p. 240).

This points to a more demanding idea of the party than the electoral machine. A party, one may argue, is an association that identifies itself in terms of a set of distinctly *political* ends, ranging from relatively specific policy goals to more abstract values and principles (White & Ypi 2016; cf. L. Herman 2017). Some may be specified in the party's founding text, while others will be dispersed across its election manifestoes and other significant policy statements. A party, moreover, aims to pursue these political ends across an extended period of time, connecting an historical tradition to an open-ended future horizon. The image of the party as an electoral machine misses the distinct temporality of partisanship: it is a long-term, cumulative activity. A party typically defines itself by goals

that cannot be realised in the short term but that require constancy of political commitment across time – goals such as equality, justice and liberty. What is more, a party pursues such goals through the relatively slow mechanisms of political institutions – in contrast to more narrow and immediate forms of protest such as strikes and boycotts. The party is the organised expression of ongoing political allegiance: it is an association built up over time and projected into the future, centred on normative commitments intended to endure.

The party-faction distinction is crucial for understanding the difference between positive and negative forms of political division. Indeed, it is the neglect of this distinction, and with it the willingness to elide parties with self-interested groups, that supports calls for 'moderation' in party democracy. As collectives that appeal to sectional interests and identities, one may readily accept that *factions* promote forms of conflict that tend to be corrosive, or that at best are normatively insignificant. Think for instance of a farmers' lobby group. Standing for a particularist good, their representatives may feel little need to justify their actions in depth to anyone but those they claim to represent. Viewing their ends as materially given, they have little reason to devote serious effort to persuading others of the rightness of their cause. They need no comprehensive political narrative by which to widely communicate and justify their actions – simply a clear idea of whom they need to influence. Though they may seek to advance their ends through political institutions, they will generally view these merely as instrumentally useful rather than as a normatively valuable setting in which to enlist others to their side and acquire legitimacy for their struggles.

By contrast, collectives that plausibly see themselves as communities of principle, like parties properly understood, promote forms of conflict that are inevitably more open-ended. Communities of principle are consciously elastic groupings, unlike those based on pre-political interests and identities, since what define the circle of the like-minded are commitments that are generalisable and which others might be persuaded to share (cf. Rosenblum 2008, p. 345ff.; cf. Kelsen 2013 [1929]). Such conflicts of ideas are inherently dynamic, since their protagonists fight for constituencies that are politically rather than socially defined. Committed to pursuing their cause through public institutions, such groupings can be held electorally accountable for the claims they advance, and thus have reason to articulate them in accessible and generalisable ways. They are structurally disposed to seek some kind of *justification* for their actions. For the same reason, such collectives resist the territorialisation of conflict into spatially separated groups defined by socio-cultural criteria – groups that ultimately may seek to secede from each other.

It is important to underline that partisans are selective in the social conflicts they politicise – selective both in the sense that they draw and expand on conflicts which are in some form already present in society (hence they do not fabricate divisions from scratch), and in the sense that they prioritise some conflicts over others (in particular, those that can be rendered generalisable). For the same reason, a party then can never just go to 'the centre' in the way that anxious observers of partisanship might hope, because the centre is the evolving outcome of a process in which parties themselves are involved and which they must take responsibility for shaping. A party must decide how it wants to influence the process of centre-formation. It must select, from a range of resonant political messages,

those that it wants to advance and those it must criticise. The 'median voter', if there is such a thing, is not what a party must chase but what it must help to define.

We have observed that political collectives can be sites of participation, education and commitment, and parties are arguably the pre-eminent example of this. While forms of spontaneous mobilisation and direct action can be significant here too, what parties offer is unique in several ways (J. White & L. Ypi 2010). Unlike social movements, they connect political mobilisation to the exercise of institutional power. Whether as governing parties of the executive, opposition parties of the legislature, or even as parties seeking admission to such institutions for the first time, they offer a focal-point for efforts to shape organised power. The kind of participation they offer is thus potentially more consequential, and more in tune with ideals of political equality and popular sovereignty, than that available to citizens acting individually or to movements confined to the streets. Built around an organisational structure, they can develop procedures of decision-making by which to enable ordinary members to shape political life (Wolkenstein 2019; Invernizzi Accetti & Wolkenstein 2017). And as associations expected to endure in time, they provide a context for lasting relations and ties of solidarity, unlike the temporary arrangements associated with social forms of protest. Political commitment involves the willingness to stick to a cause and to consistently oppose those who would thwart it: as continuing associations, parties are well suited to fostering it.

These are *democratic* arguments for partisanship and the conflicts it gives rise to, focused on the resources for active citizenship it makes available. Yet clearly, these resources are not always well actualised. If parties can be ways to harness the positive in political division, one of the constraints that partisans face has to do with the design of

institutions, and whether they help to sustain partisanship or undermine it. Liberal electoral institutions are often configured precisely to *frustrate* a politics of firm commitments – one of the reasons many parties today are unpopular with the wider public. We have seen that, in the name of fostering moderation, constitutional designers have often aimed at institutional complexity and the division of power across multiple agents. They have sought ways to make it difficult for partisans to hold to their views, creating pressures for compromise at each step. In the contemporary world, one sees this expressed in the way certain forms of proportional-representation encourage the formation of governing alliances. 'Grand coalitions' – governments that include the two largest parties in an electoral system – have become a popular target of critique in a number of European countries in large part because of the way they interfere with the commitments by which parties define themselves. Being alliances that bring together those of varied political outlooks, typically of both left and right, they tend to depend on major compromises of principle (J. White 2018).

Not only may this alienate the supporters of the parties in question, but it may create public appetite precisely for the authoritarian politics it is meant to ward off, as citizens are drawn to charismatic figures who promise clarity of message and decisiveness. Sustaining meaningful partisanship requires the careful design of political institutions, weighing the merits of proportional representation, first-past-the-post systems, and mixed systems that combine elements of both (J. White 2021). And *intra*-party institutions are important too. Maintaining a party's programmatic profile depends on countering tendencies towards professionalisation and the usurpation of power by leaders.

Mechanisms for the *recall* of party representatives are some of the more promising and currently underutilised ones (J. White & L. Ypi 2020b).

Notwithstanding the significance of institutions in fostering or frustrating parties of principle, it is important to conceive partisanship independently of any one constitutional settlement. Ultimately it is simply a method, a mode of politics, one that can be deployed to create new institutions and to reset political boundaries, not merely reproduce existing ones. Reshaping the demos, and challenging the exclusions involved in the existing exercise of power, is well within the scope of partisanship. Historically, it is through party-led interventions that previously detached social groups – economic, ethnic or religious – have been brought onto the legal and political stage. Once mass enfranchisement was achieved, it was the willingness of the masses to become politically involved, to engage in collective action and to vote which was at stake. In all such cases, the concept of 'the people' was to make its appearance in the context of partisan activity and was appealed to as a means to shape and articulate conflict, thereby cultivating the people as an active political force, not just as the passive bearers of rights.

As agents embedded in an institutional structure, albeit one always subject to critical scrutiny, partisans may contest the boundaries of participation most visibly by contesting the boundaries of a state's active citizenry. They may contest the make-up of those enfranchised and mobilised to participate politically, within a population already constituted: seeking to persuade non-voters to vote remains one of the principal examples. But because the commitments partisans espouse are intended to be broad in their social appeal, there is no necessary link between their constituency of support and an existing political territory. Historically, this is illustrated by moves to expand enfranchisement

beyond national and ethnic boundaries, as in the case of the French revolutionaries' attempt to extend the category of citizens to all those who shared the ideals of the Revolution (Merker 2009). Partisanship extending across state borders, guided by a common supranational ideological orientation, has also been witnessed in more recent history, sometimes resulting in the founding of institutions that tend towards a fundamentally reconstituted people – the European Union being one example. The partisan process of defining the people thus takes place on a continuum extending from the reshaping of who participates in existing institutions to the revision of constitutional arrangements themselves.

III Contemporary Parties and the Fear of Polarisation

While acknowledging the historical worth of parties and partisanship, some doubt whether its contemporary forms can be anything like as constructive. Parties in western democracy today, it is often said, have long given up confronting each other on the important political questions. The large majority have converged on broadly the same socio-economic model, leading them to operate as 'cartels' (Katz & Mair 2009; cf. Ignazi 2017). The divisions they present are often not socio-economic but 'cultural' ones – intractable to be sure, and the source of much passion, but arguably not the ones on which progressive campaigns depend. An exercise in substitution, it is said, sees partisans ramp up the significance of so-called 'values issues' (abortion, gender rights) and boundary issues (migration, intercultural relations), precisely to compensate for their timidity before socio-economic

power. Are we not dealing with a political form that has long decayed – or to put it differently, do we not live in a world of *factions* rather than parties?

Politics reflects the societies in which it unfolds, and there can be no doubt that wider socio-economic conditions have taken their toll, both on the programmes to which partisans commit themselves and the demographic make-up of those who choose to join them. But parties retain untapped resources for renewing their identity as associations of principle. Ongoing experiments with intra-party deliberation, the recall of representatives, and the networking of parties with wider social movements are some of the most significant, and the basis for future iterations of the party form (Wolkenstein 2019; J. White & L. Ypi 2020a). What is alarming today though is how easily parties tend to be denounced as the agents of discord, irrespective of what is at stake in their disagreements.

One form such doubts take in contemporary political analysis is the critique of 'polarisation'. In countries around the world, deep divisions of an irreconcilable kind are said to threaten social cohesion and the capacities of law-making institutions. A US think-tank declares that 'political polarization – the vast and growing gap between liberals and conservatives, Republicans and Democrats – is a defining feature of American politics today'.[3] Reflecting on the challenges facing democracies around the world, the *Financial Times* observes that 'as societies grow more polarised, democratic agreement has never been so much in demand. Yet only in historic crises have institutions been harder pressed to do their job.'[4] While the concept of polarisation has been most prominent in the two-

[3] www.pewresearch.org/topics/political-polarization/.

[4] *Financial Times* (11th August 2019): www.ft.com/content/6bc199c8-b836-11e9-96bd-8e884d3ea203

party system of the United States, it has been applied more widely too across a variety of types of electoral system.

A recent overview of studies of polarisation by two distinguished political scientists (Fiorina and Abrams 2008) highlights some key features of the concept as follows. Central, first, is the presence of a division of outlook on salient matters, amongst representatives, ordinary citizens, or both. On issues from taxation to foreign policy, climate change to migration, polarisation describes the co-presence of differing views, in a more or less antagonistic relation. It suggests different opinions held with some intensity, and blended in some measure with different understandings of the facts. Although disagreement may hinge on just a small number of issues, talk of polarisation tends to escalate when it is felt that divisions of opinion *cluster* – that is, when views on one matter pair with those on another, amounting to a broader clash of political vision. Polarisation suggests a clash between two main bodies of opinion. Moreover, Fiorina and Abrams explain, 'an implicit assumption most of us make is that the two modes of the distribution lie at the extremes, not near the center' (Fiorina and Abrams 2008, p. 566).

Polarisation tends to be weighed negatively on various grounds. It may be suspected that strong divergences of view entail mutual antipathy, that the 'extremes' are ill-disposed to tolerate one another, leading to poor-quality public debate and institutional dysfunction. The inability of the US Congress to pass laws in the face of animosity between Republicans and Democrats is commonly cited as an example of a legislature paralysed by deep disagreement; the rise of an authoritarian executive is often presented as the logical consequence. Equally, polarisation may be viewed negatively on intrinsic grounds, as the expression of divisions felt to be aberrant, unnecessary, perhaps even manufactured. It may

suggest the community's deviation from a normal condition of harmony. Talk of polarisation tends to be accompanied by denunciations of 'tribalism' amongst those identified with extreme positions.[5] In particular, there is often an undercurrent of scepticism towards *partisanship*, insofar as party discipline and party attachment is thought to increase polarisation (and is sometimes taken as the measure of it). 'Elite polarisation' (amongst party representatives) is often said to drive 'mass polarisation', suggesting that these divisions are in some way an artefact of partisanship (Muirhead 2006).[6]

Notwithstanding the familiarity of such concerns, the concept of polarisation is problematic. Some of the reasons are empirical. The spatial metaphor it relies on – the notion that parties, for instance, can be 'far apart' or 'close' – is potentially misleading, however intuitive it may be.[7] Proximity in space may suggest proximity to consensus, yet

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[5]For example, http://nymag.com/intelligencer/2017/09/can-democracy-survive-tribalism.html?abcid=intel-test-4-16&abv=1

[6] Polarisation can describe both a static state – the polarised society – and a process, one tending towards *increasing* extremism. Technological trends are often invoked as evidence of the latter – the 'bubbles' and 'cascades' produced by social-media networks, insulating people from counter-views and, with the help algorithmic feedback effects, entrenching their perspectives ever further (Sunstein 2007). The public sphere thereby comes to be compromised by a multitude of micro-spheres that rarely overlap. Polarisation provokes anxiety partly for the very reason that it is felt to have this dynamic quality – its contours are becoming more pronounced.

[7] Note how such concepts presuppose the view of an observer, somewhat detached from the conflict itself. The spatial imagery makes sense *from a distance*, from a position exterior to both 'poles'. The observer of polarisation adopts the aerial view, looking down on events from above, or they locate themselves on the same plain but away from the main clusters of opinion. Rarely will those identifying with one viewpoint in a contest have

the sociology and psychology of disagreement suggests otherwise: the 'narcissism of small difference' often steps in. Then there are such problematic notions as 'the centre', an artefact of the spatial metaphor, by reference to which degrees of polarisation are calibrated. As Hans Daalder notes (Daalder 1984), a Left-Right spectrum invites the superimposition of a normal-distribution curve at its centre, implying – sometimes spuriously – that views located away from the centre will be held only by a small minority. Note also, again as a function of this schema, that observations of 'polarisation' tend to imply that both parties to disagreement are moving symmetrically away from each other. Obscured is the possibility that all are moving in one direction to different degrees, or that one party is remaining constant while others reinvent themselves. Diagnoses of polarisation can be oblivious to the entire political spectrum moving 'to the right', suggesting instead that agency and responsibility is to be equally apportioned.

But one needs to be cautious with the concept of polarisation also because there is an implicit *normative* theory here, based on a reassertion of the ideal of moderation. Diagnoses of polarisation suggest that what is wrong with contemporary parties is the fact that they may sharply disagree. Responsible parties, it is implied, appeal to centrist voters, and seek agreement with their opponents where possible – they are 'bi-partisan', in the American phrase. The good polity is the consensual one, and divisions are dangerous because they threaten the common good. Such narratives tend not to scrutinise too hard the substance of politics at 'the centre': for those who speak of the ills of polarisation, the desirability of the centre tends to be assumed. Talk of polarisation generally says little

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reason to use notions like polarisation or 'the extremes': these are concepts for those keen to avoid taking sides.

about the *content* of disagreement or the reasons triggering it: it implies that one form is analogous to another, and discounts the possibility that sometimes one of the 'poles' may deserve trenchant opposition while the other requires relentless defence. It also neglects the fact that sometimes the status quo must be challenged rather than defended.

The critique of polarisation misdiagnoses the shortcomings of parties today, for it is not political conflict itself which is the problem. What matters is how it comes to be articulated, under what circumstances, and in the name of what and who. As those who retain a pre-eminent position in the politics of the state, yet also still networked with the wider society, parties enjoy an enduring capacity to shape the substance of political division. Whether conflict takes a destructive or constructive course depends ultimately on how partisans choose to exercise this capacity, and more generally on whether those of a principled outlook can displace the opportunists amongst the ranks of today's parties.

Conclusion

Anxieties about the dangers of political division are widespread. On one level these are an expression of how politics has come to be studied today – in the detached perspective of the scientist, looking down on conflict from above, keen to avoid taking sides. On another level, and more profoundly, concerns about the dangers of political division are testament to the appeal of a normative ideal of politics centred on the avoidance of extremes – a politics of moderation. The critique of political division is premised on the defence of a legal system which expects representatives to compete for the support of the median voter.

As we have argued, moderation makes for an ambivalent ideal. It may be a viable one if the point of departure is a largely just order. It is much less so if one takes seriously the possibility of an unjust status quo and the need to pursue far-reaching change. Moderation offers few resources for political transformation, and even modest changes are likely to provoke a defensive response from established powers, giving rise to the circumstances of polarisation so widely decried. Even those who consider the status quo acceptable will acknowledge that often it must be defended against immoderate opponents. Whether in contexts of transformation or constitutional consolidation, something more than moderation is required – an outlook of firm principle and commitment, pursued in a clash with adversaries.

Contemporary parties are often criticised as agents of division. In commonly expressed concerns about rising 'polarisation', the ideal of moderation is invoked once more. But what contemporary politics needs is not less polarisation but polarisation of the right kind, channelled by stronger institutions of partisanship. Present-day parties are beset by difficulties, but that is no reason to wish parties away. Partisans are structurally disposed to denominating conflict in terms of political ideas rather than social identities and interests, and to locating it within a cross-temporal frame. As organisations, parties can be sites of education, participation and political commitment, alongside ties of solidarity. To be sure, political commitment can sometimes be put to bad purposes – the single-mindedness of the partisan can be a negative quality, depending on how it is exercised and the ends to which it is put. But it seems an indispensable resource by which to carve a more just and legitimate order. Rather than try to neuter parties in the name of moderation, better to join them and seek to re-shape them. Finding ways to reinvigorate parties by

removing the asymmetries of power that affect public life is one of the central challenges for democracy today.

other

Recommended Reading

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