

BASELINE RESEARCH ON FLOOR CROSSING IN THE MALDIVES

APRIL 2015



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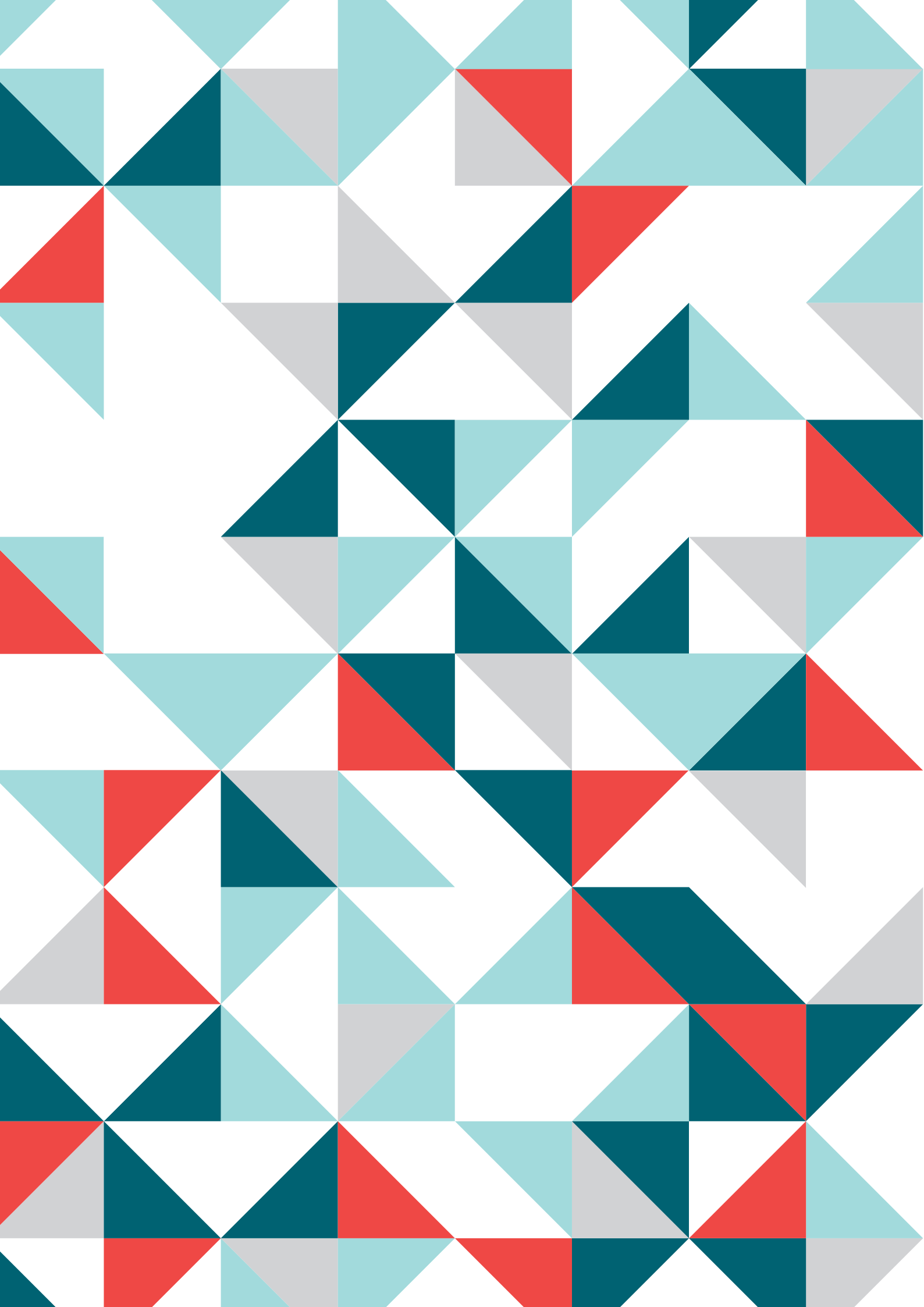
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British
High Commission
Colombo



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FOREWORD

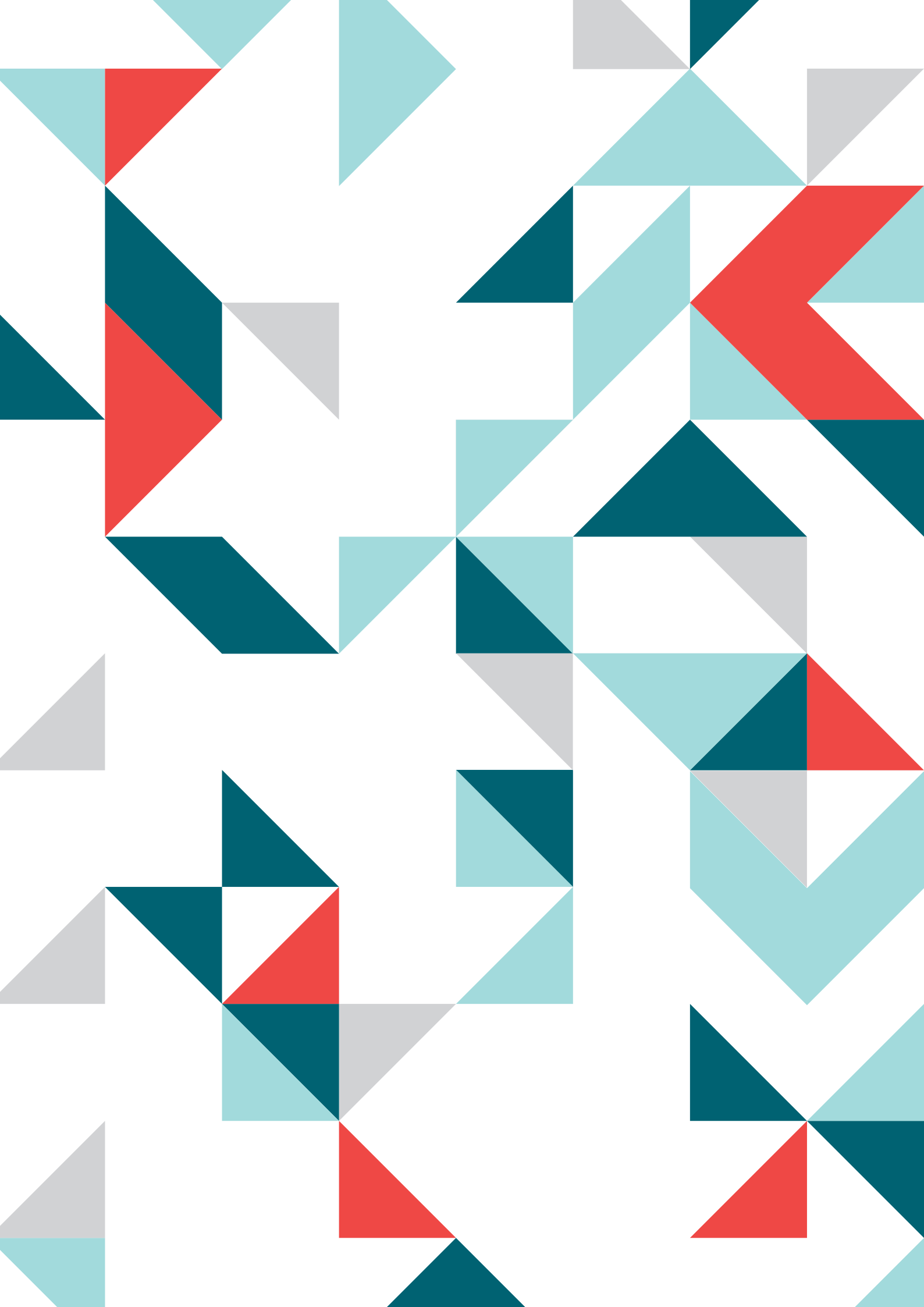
Transparency Maldives started the Parliament Accountability Project in the hope of increasing public understanding of the Parliament's role, function and practices, and, by extension, generate public demand for Parliament accountability and transparency. Transparency Maldives' *Democracy Survey* conducted in 2013 indicates that over 62% of the population has no confidence in the Parliament. This is very worrying given that the Parliament is a key representative institution. As an organization that focuses on good governance and the elimination of corruption in the Maldives, it is imperative that Transparency Maldives' interventions focus on building public confidence in key representative institutions such as the Parliament.

Floor crossing is an issue that is often discussed in the Maldives alongside speculation of corruption in the process of floor crossing. However, there is limited understanding of why and how floor crossing occurs, and how public perceives this. Corruption, particularly

grand corruption, is endemic in the Maldives but there is no evidence to suggest that with every party defection or floor crossing there is a flow of illicit enrichment behind it. However, considering the lack of transparency in asset disclosure by public officials in the Maldives, coupled with the public perception that corruption is high in the Parliament, it is important that best practices are adhered to, in order to ensure that floor crossing does not open a gateway for illicit enrichment and becomes a reason for public to lose trust in the Parliament.

Transparency Maldives undertook this research on the basis that understanding of public perception on floor crossing will provide insight into why the public lacks confidence in the Parliament. It is hoped that international best practices and case studies of defection laws and practice in other countries will broaden stakeholder understanding of floor crossing and provide a baseline to take the discussion forward.

Mariyam Shiuna
Executive Director



TERMINOLOGY

Consequences of floor crossing

– Positive and negative outcomes of floor crossing.

Corruption – The abuse of entrusted power for private gain.

Floor crossing – Parliamentarians belonging to one party voting against their party line and/or switching to another party during legislative process.

Governance system – Body of all political institutions established under the Constitution to govern political, economic, and social activities.

Legal institutions – Legislation, laws, regulations, and rules.

Legal system – Body of all legal institutions.

Legislative process – Parliamentary decision-making process.

Political corruption – Manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status, and wealth.

Political institutions – All state institutions created under the Constitution.

Preventive and supporting systems – Legal and governance systems in place to address floor crossing.

Reasons for floor crossing – Reasons why parliamentarians cross the floor.

1 INTRODUCTION

This survey involves mixed methods research to explore and analyse public attitudes and perceptions towards floor crossing in the Parliament of the Maldives and its links to corruption. It generates empirical data on the trends of floor crossing with respect to the behaviour and political practices of Maldivian parliamentarians during the 2008-2015 period that can be used for advocacy purposes and to create dialogue between parliamentarians, civil society organisations, media, and the public on parliamentary best practices on floor crossing.

One may define floor crossing as parliamentarians belonging to one party voting against their party line during legislative sessions.¹ Although the topic or the issue of floor crossing has received surprisingly little attention by political analyses, literature reviewed in this research shows that floor crossing has been a common phenomenon in democracies of both developed and developing countries that has significant impacts on the practice of party politics.² Floor crossing affects the democratic process because it distorts party discipline and public confidence for reasons only entailing political and personal gains of politicians and parliamentarians. This research takes the view that a process that creates incentives for elected

parliamentarians to shift their political interests for personal gains or prestige can engender acts of corruption during the legislative process.³

Acting or moving against the party line takes different forms and terminologies with respect to context and language in which it is explored. Party defecting, party switching, changing political parties, or floor crossing are used to explain this phenomenon. Sometimes politicians or parliamentarians change their original party and physically move to other parties; whereas on other occasions, parliamentarians go against their party line, switching sides during legislative sessions, eventually leading to a change of party.⁴ This research defines floor crossing as a practice whereby the parliamentarian switches his/her legislative votes during parliamentary sessions, encompassing further actions leading to either voluntary or involuntary change of party or parties.

The literature reviewed in this research shows that there are multiple factors pertaining to reasons for floor crossing. For example, the desire to implement policy, win re-election, advances within legislature, and gain support from constituency are key reasons that may motivate a parliamentarian to cross the floor during legislative sessions. Weak democratic institutions, weak or unstable

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party systems, and disapproving policy lines are some of the institutional factors affecting decision-making of parliamentarians during legislative sessions especially when desires are linked to their personal and political gains.⁵ Such motivational factors, accompanied by weak democratic institutional factors, can lead to corruption within political decision-making process in party systems.⁶ It is though inconclusive that floor crossing always involves corruption as its definitional aspects are not necessarily linked to corruption.

However, whether it involves motivational or institutional factors, floor crossing distorts party system and governance process of the ruling party, and can reduce the legitimacy of political system of the country. Due to such negative consequences of floor crossing, there are preventive and supporting mechanisms set by some countries—both developed and developing countries that experience floor crossing—to stop or prohibit (voluntary and involuntary) floor crossing.⁷ Anti-defection laws have been formulated and implemented by developed and developing countries to prevent this distortionary behaviour of parliamentarians. Defection is defecting from original party line in the legislative process for a political or personal reason

as stated above. Some developed countries view floor crossing not as a detriment to party politics but an occurrence pertaining to democratic process; whereas other less developed countries perceive floor crossing as distortionary to post-election legislative process.⁸

In line with these aspects of floor crossing—definition of, reasons for, consequences of floor crossing and the mechanisms that prevent or support the behaviour—this research presents a public perception to understand the aspects of and trends in parliamentary floor crossing and its relations to political corruption⁹ in the Maldives. It uses primary and secondary methods-based data collection and analysis. This research is designed with a holistic approach to understand the basic nature of floor crossing in the Maldives using both qualitative and quantitative methods of data collection and analysis. The research agenda reflects upon the following hypothesis building part.

1.1 HYPOTHESIS BUILDING: A LITERATURE REVIEW

The first phase of data collection and analysis involves hypothesis building through a review of the basic literature. The hypothesis creates a worldview on floor crossing and its possible connections to corruption, setting a baseline approach for collecting and analysing data on floor crossing in the Maldives.

It is not the purpose of this research to assert that parliamentary floor crossing in the Maldives involves political corruption. Rather it creates a framework of public perception or opinion on parliamentary floor crossing and its relations to political corruption, to provide a basic snapshot of what floor crossing looks like in the

Maldives. This reduces the need for a review of the full literature. The research acknowledges the amount of research done on this topic at national and global levels, and limits its qualitative investigation of secondary resources to the literature that specifically, not exclusively, looks at the basic nature of floor crossing through aspects of definition, reasons, consequences, and political institutions. In other words, this hypothesis presents a worldview for defining and analysing what floor crossing looks like and how its occurrence can be related to political corruption in the Maldives.

1.2 DEFINING FLOOR CROSSING

One of the key literatures reviewed in this research includes a study conducted by Diana Z O'Brien and Yael Shomer¹⁰ involving a cross-national assessment of party switching or floor crossing across 20 democratic countries. Reflecting on past, but limited, studies on floor crossing, O'Brien and Shomer¹¹ defines and explains the reasons and consequences of floor crossing in both developed and developing countries. Consistent with other studies,¹² they define floor crossing, synonymously with party switching or defecting, as a

process where parliamentarians change their party position by voting or moving to another party against their original party lines during the legislative session(s).¹³ This limits or reduces the capacity of a political party to push forward its political and policy agenda, especially that of the ruling party's, to achieve its governance objectives, eventually leading to policy failure and loss of public confidence in the legitimacy of the political system. While political parties are a key foundation to democracy, such disruption to effective and efficient party practices could lead

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to an ultimate weakening of the overall democratic system.¹⁴ Therefore, floor crossing is also identified as a determinant of democratic state of a party system.

1.3 REASONS FOR FLOOR CROSSING

O'Brien and Shomer¹⁵ identify two key factors influencing parliamentarians to cross the floor or switch sides and deviate from original party lines. They are based on motivational and institutional reasons.

Motivational factors include reasons of maximising electoral support, gaining benefits to maintain office and achieve their own ideological goals by shaping policy outcomes.¹⁶ When parliamentarians have confidence in the legislative process for their re-election to office, it is likely for them to act accordingly to gain support from the broader group of parliamentarians—mostly those holding major and ruling party positions. Parliamentarians can gain support and prestige by promoting good policy that could build public confidence—parties that have 'bad policy' is likely to experience its parliamentarian crossing the floor. Parliamentarians seek to maintain affiliations with parties that will enhance their party hierarchy and provide desired positions in the Parliament. In such instances, parliamentarians may choose to cross the floor to join the

party or party line that will enhance party positions, personal prestige and chances of re-election.¹⁷ With the largest resources-base, the government or the ruling party is the most likely party that could provide parliamentarians with what they desire after elections.¹⁸

Institutional reasons are based on the type of political regime, electoral systems and candidate selection process. When the political regime provides incentives for a defecting parliamentarian to switch party for greater political and personal benefits, floor crossing is a likely activity within that political system. Presidential systems can create more incentives than parliamentary systems as the head of executive in presidential system has little influence against parliamentarians from crossing the floor. There is limited legislative influence on individual parliamentarians by any means of threat for their re-election.¹⁹

Electoral systems have a greater influence on floor crossing decisions when 'party leaders have no control over the final rank of candidate on the ballot', like in open-list proportional representation

systems.²⁰ When individual evaluation matters, candidates are likely to shift from original party line to another party for political gain and prestige. However, in a party-centred legislature, where

party evaluation matters, it is less likely for parliamentarians to switch sides as they will be surer of being re-elected by original party constituents.²¹

1.4 CONSEQUENCES OF FLOOR CROSSING

A major consequence of parliamentary floor crossing or party defection during legislative sessions is the weakening of party systems. Decisions to cross the floor create a bad image for the political party and distort voters' confidence in a particular party. Moreover, this results in creating instability within political parties, leading to the losing of elections, primary voters' support and partisan elite, discrediting the democratic process entertained by party politics.²² Kamath, P. M.,²³ Janda²⁴ asserted party

defection or floor crossing as an act that is 'inherently undemocratic' as it distorts 'party loyalty, meaningful electoral choice, and democratic accountability'. Floor crossing affects the party system's stability and effectiveness by reducing the voters' ability to hold parties accountable.²⁵ Institutional weaknesses can allow political actors to maximise their personal interests at the expenses of public interests, through corruption and abuse of public office.²⁶

1.5 MECHANISMS THAT PREVENT OR SUPPORT FLOOR CROSSING

Institutional factors matter in determining the levels and extent of floor crossing.²⁷ According to Janda²⁸, countries with developed democratic systems with lesser anti-defection laws experience lesser issues of parliamentary floor crossing; while developing or

underdeveloped democracies with more anti-defection laws experience more issues of floor crossing. Due to negative consequences, both developed and less developed democracies have adopted anti-defection laws that prevent or prohibit floor crossing during legislative

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1.5 MECHANISMS THAT PREVENT OR SUPPORT FLOOR CROSSING

sessions. Despite this key function of anti-defection laws, adoption and usage of such institutional mechanisms vary across countries for varying reasons. One view lies with democratic characteristic of floor crossing that promotes electoral competition, while the other lies with the more contentious effects of floor crossing that involves weakening of the core values and practices of political parties.²⁹ Established democracies value freedom of parliamentarians as a matter of democratic principle more than in developing democracies. Such democratic principles do not necessarily come from within the political party system; rather they are evolved and developed as social, cultural and political foundations created by a more democratically mature electorate.³⁰ Therefore, the ability or the effectiveness of such preventive and supporting institutional measures and the reasons for having them will depend on the broader political system in place including the type and level of interplay between the parliamentarians, parliamentarians and parties, and party politics and constituents within that system.

In an institutionalist approach, 'problems with corruption are strongly linked to weaknesses or shortcomings in the ability of the country's broader legal framework and political system to

effectively address abuses of power and the misuse of public resources for private gains.'³¹ In electoral systems with weak institutions, it is easier for vote buying and political bribery to occur.³² Transparency Maldives noted:

'The visibility of acts of corruption depends on the level of transparency and accountability within public institutions, and the readily available mechanisms for reporting corruption, which in turn also depend on the political system of the country. Therefore, the perception of corruption in the Maldives can only be an indication of a greater problem of corruption, and a legitimate claim that the overall political and legal institutional framework has weaknesses in its ability to address corruption.'³³

In view that weak institutions can facilitate political corruption, this hypothesis takes the view that an indication of floor crossing associated with weak institutional factors can be an indication that parliamentary floor crossing has a relation to possible political corruption in legislative process.

2 METHODOLOGY

2.1 RESEARCH DESIGN

This research adopts a mixed methods approach to create a public perception of floor crossing in the Maldives. The Maldives currently lacks a baseline research on floor crossing. This places limitations on the present research to set a starting point on what floor crossing looks like in the Maldives. However, a mixed methods research,³⁴ on the one hand, with qualitative approaches can conceptualise what floor crossing looks like in legislative decision-making based on limited, but sound and comprehensive studies, and use that perception to set a

viewpoint on peoples' opinions gathered through data from interviews. On the other hand, mixed methods with quantitative approaches can enhance the feasibility of data collected and analysed through the qualitative approaches, by adding numerical data assessment process that can reduce the likelihood of having contentious doubt about any impression-based research outcomes.³⁵ In line with this methodological approach, this research follows the following research agenda.

2.2 RESEARCH AGENDA

This research adopts a progressive approach based on stages of data collection and analysis through qualitative methods followed by quantitative methods. It involves the following stages:

- 1** Hypothesis building through a review of basic literature available on the issues of floor crossing (see 1.1);
- 2** Conducting public interviews;
- 3** Conducting a numerical assessment of the interview results from the qualitative analysis of the interviews;

- 4** Formulating interview questions forms a crucial part of this research. Questions are formulated based on the hypothesis to allow accuracy in explaining the public perception in terms of definition, reasons, consequences, and properties of preventing and supporting measures with respect to floor crossing in the Maldives and how they are related to corruption; and
- 5** Identifying research outcomes and analysing the findings based on the hypothesis and the short case studies undertaken in Chapter 3

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2.2 RESEARCH AGENDA

showing an overview of regional and global aspects of floor crossing.

2.2.1 CONDUCTING PUBLIC INTERVIEWS

Public interviews form a key component of this research that provides a set of data to understand and explain how public perceives about parliamentary floor crossing in the Maldives and its relation to corruption. Interviewing is a key method for empirical data collection. Collecting data through interviews will follow both qualitative and quantitative methods of data collection and analysis. There are two reasons for using interviews as the primary method of empirical data collection. First, given that the Maldives presently lacks a baseline study on parliamentary floor crossing, interviewing can provide a means to acquire information from people, who have experienced and are experiencing effects of floor crossing. Second, interviewing, in both qualitative and quantitative methods of research, provide the researcher with the best-suited method for collecting data on issues involving social world or human behaviour.³⁶

First stage of data collection is undertaken through a qualitative method where a number of questions

are formulated for public audience (interviewees). This stage develops a general perception of how and why floor crossing happens in the Maldives in the view of the public. This stage of data collection and analysis creates a context-based narrative from the stories told by relevant interviewees; but may not consider the numerical significance of the data gathered. This stage of data analysis will help create a public-opinion-based assessment of what floor crossing looks like in the Maldives. However, the research also uses a quantitative approach to assess the interview data and generate a quantified result based on simple random sampling method.

2.2.2 QUANTIFYING INTERVIEWS

The research uses a simple random sampling model where interviews are conducted using random 'digital dialling technique' or telephone. A list of valid numbers compiled from national directory is used to ensure authenticity of numbers and presumed receivers or interviewees. Random sampling is applied to interview 200 people randomly selected from the public. In human investigations, there are chances of having a biased perception; however, the random sampling will reduce this factor by eliminating any intentional

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2.2 RESEARCH AGENDA

selection from the researchers' side.³⁷

Interview results are divided into three categories, in a way to show, by percentage and numbers (interviewees), the public perceptions, with respect to definitional aspects, reasons for floor crossing, mechanisms that prevent or support floor crossing, consequences of floor crossing, and their links to corruption. The perception, by percentage and numbers, with respect to these areas is assessed according to the following levels:

- **Agreed:** This means that the interviewee has answered 'yes' to the question.
- **Do not agree:** This means that the interviewee has said 'no' or 'not necessarily'.
- **Neutral position:** This means that the interviewee has said 'don't know' or 'no comments'.

These levels are formulated in a way to assess, based on the hypothesis, the public perception of floor crossing and its relation to corruption in the Maldives. People's opinions will be categorised with respect to these levels based on how interviewees respond to the questions.

2.2.3 FORMULATING INTERVIEW QUESTIONS

Both selecting interviewees and formulating interview questions are based on the hypothetical and practical properties pertaining to floor crossing explained above. Floor crossing encompasses particular meanings, one with respect to parliamentarians voting against their original party line, and the other where such parliamentarians eventually or immediately switch parties during legislative sessions. The hypothesis also explains key and general reasons for floor crossing, and the consequences of floor crossing on party politics, stability and legitimacy, encompassing institutional factors engendering political corruption.

The research formulates a questionnaire based on the following four categories.

1 Definitional aspects of floor crossing:

- Interviewees are assessed on their understanding of floor crossing, specifically on what floor crossing means to them.

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- Interviewees are assessed with respect to their observation of any behaviour that could be defined as a parliamentarian defecting from his/her party line in the legislative process in the Maldives.

2 Reasons for floor crossing:

- Interviewees are assessed with respect to their understanding of why parliamentarians have crossed the floor or are crossing floor in the Maldives.
- Interviewees are assessed with respect to their observation of personal behaviour of parliamentarians with respect to motivational and institutional factors leading to floor crossing.

3 Mechanisms that prevent or support floor crossing:

- Interviewees are assessed on their understanding of the political system in place in the Maldives and how that system can affect floor crossing.
- Interviewees are assessed with respect to their observation of

the strengths and weaknesses of party system in the Maldives and how that may have or have not prevented floor crossing.

4 Consequences of floor crossing:

- Interviewees are assessed on their understanding of the consequences of floor crossing in the Maldives
- Interviewees are assessed with respect to their observation of how consequences of floor crossing have affected their life and country

Annex 1 includes the questionnaire formulated base on these properties or categories of floor crossing.

2.2.4 IDENTIFYING RESEARCH OUTCOMES AND ANALYSIS OF THE FINDINGS

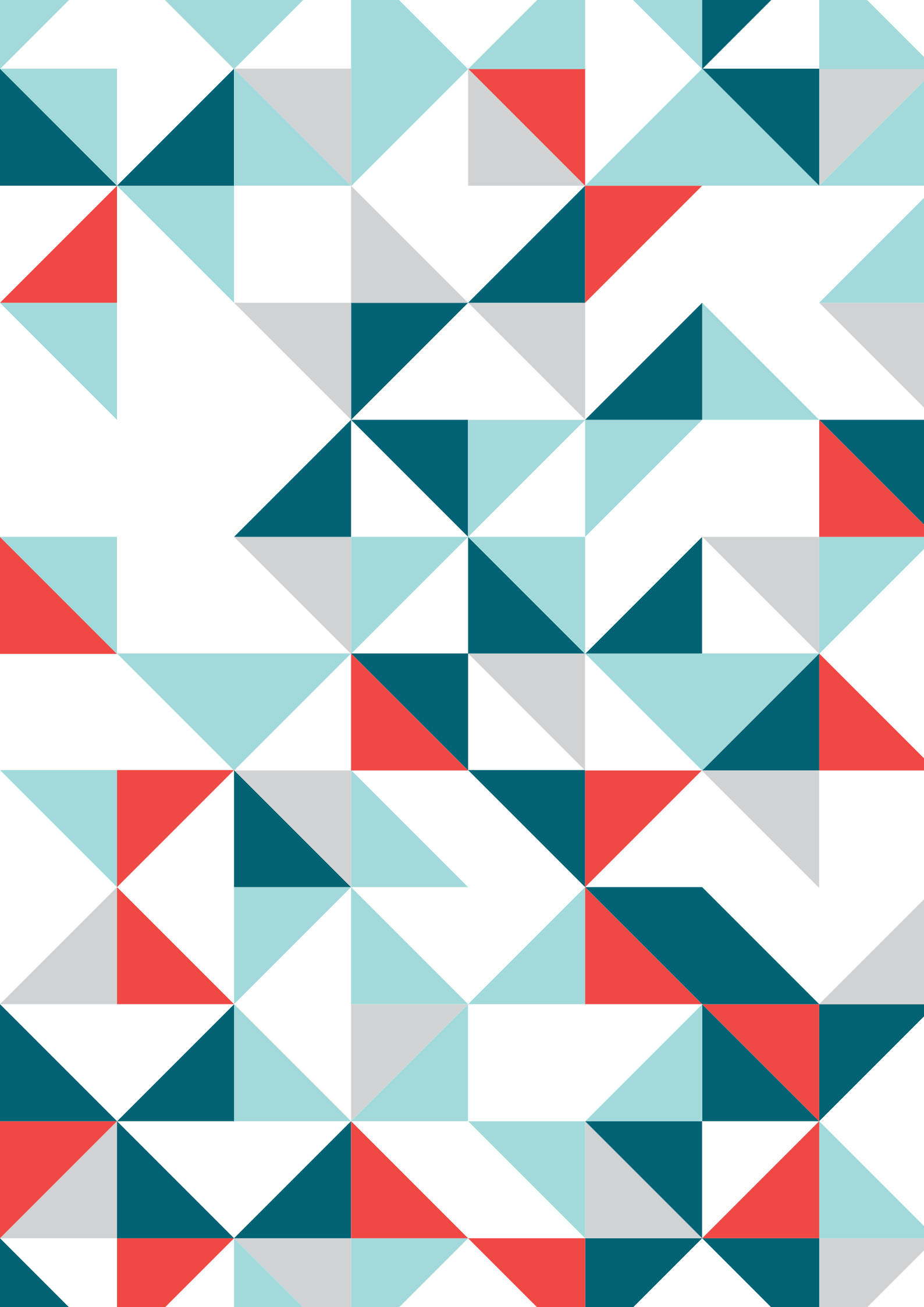
The research outcomes are based on the interview findings and key case studies on the general trend in floor crossing at national, regional and global levels. Interview findings are categorised into four levels of assessment to indicate how interviewees understand and address floor crossing in the Maldives.

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2.2 RESEARCH AGENDA

Chapter 3 has five cases studies including two global level studies, two regional level studies, and one specified national study on the Maldives. These will generate a comparative idea of the trends of floor crossing in these contexts.

Data from both these stages of research are analysed using the hypothesis developed through literature reviewed in this research. It provides a basic framework to understand and analyse definitional aspects, reasons for floor crossing, mechanisms that prevent or support floor crossing, and consequences of floor crossing.



3 CASE STUDIES

3.1 FLOOR CROSSING IN INDIA



As common to most South Asian countries, India observes floor crossing or party switching during the legislative session. Although India has a democratic system with one of the most mature and evolving political party system in the region,³⁸ there is a tendency and practical behaviour of parliamentarians in crossing the floor during legislative sessions.³⁹ However, India is amongst countries that have legislation in place to prevent floor crossing—India has anti-defection laws adopted in 1973, 1985 and 2003. According to PRS Legislative Research (2009), ‘the Anti-Defection Law was passed in 1985 through the 52nd Amendment to the Constitution, which added the Tenth Schedule to the Indian Constitution.’⁴⁰ Such laws can disqualify parliamentarians voluntarily defecting

from original party line.⁴¹

The existing laws remain weak as parliamentarians seek to change party position or cross the floor despite such acts being discouraged by law.⁴² Moreover, the Indian political system has limitations to adhere to democratic practices in party politics unlike in many developed countries that have self-regulated preventive mechanisms against forms of corruption involved in floor crossing. Many of the developed countries view floor crossing as part of a democratic process.⁴³ However, weak political and legal institutions in place can limit this democratic process from preventing acts of corruption related to floor crossing.⁴⁴

The literature reviewed in this research places emphasis on the anti-defection laws in India.⁴⁵ This review of floor crossing in Indian party politics seeks to evaluate floor crossing with respect to the properties of anti-defection laws in India. Historically, anti-defection laws were questioned in the political front on grounds that such preventive mechanisms can violate democratic freedom of legislators. However, legal justifications have been made in favour of having such laws as it ‘seeks to recognise the practical need to place the proprieties of political and personal conduct.’⁴⁶ It also states that that law is

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3.1 FLOOR CROSSING IN INDIA

to ‘deter “the evil of political defections”⁴⁷ by legislators motivated by lure of office or other similar considerations’⁴⁸ and political activities leading to corruption.⁴⁹

‘Lure of office’ is a key reason why parliamentarians cross the floor. The literature reviewed here as well as preventive mechanisms stress that Indian parliamentarians are more inclined to switch sides or vote against their original party lines hoping to have better political leverage or to maintain office or seat. It is not obvious that such shifts are directly linked to corruption. However, politicians changing position for political gain have self-seeking and political objectives that are not always transparent.⁵⁰ Talking on the ‘Modi wave’ Express News Service (2014) wrote:

‘In UP, where the Samajwadi Party is being bogged down by falling stock after the Muzaffarnagar riots, many sense the insidiously growing popularity of the BJP.

Agriculture Minister Raja Anand Singh’s son, Kirti Vardhan Singh joined the BJP, quitting the SP. He said: “It is certainly not a political party, but a family party. Unless you are a part of the family, you cannot expect any attention.”

Sighting party defections at ‘political desertion’, Express News Service (2014) informs that floor crossing engendered by lure of office is common to all many states of India, indicating the existence of the activity throughout Indian politics.⁵¹

Indian democracy is founded on a multi-party political system. Political parties have been the driving force of Indian democratic system. However, the literature reviewed here observes that Indian political parties have fragmented over the years engendering unstable governments—weak party politics is weakening the political governance system in India. With 74 political parties recorded in 1952, today, since 1989, number of political parties have been swollen to more than 177 parties.⁵² In Indian party politics, such fragmentation of political parties is an indication of defection from or political desertion of original party ideology—by dividing the original ideology.⁵³ More importantly, such behaviour can weaken the party system and weaken democratic institutionalism.⁵⁴

3.2 FLOOR CROSSING IN BANGLADESH



Although the Constitution of Bangladesh, by Article 70 prohibits floor crossing by parliamentarians in the legislative process, parliamentary floor crossing is not non-existent, neither a new matter in Bangladesh.⁵⁵ According to Rahman (2010), a very initial instance of floor crossing was experienced in 1995, when ‘Mr. Ebadur Rahman Chowdhury, Major General Mahmudul Hasan and Mr. Paritosh Chakroborty, all belonging to the Jatiyo Party joined the Bangladesh Nationalist Party.’⁵⁶ A second instance was noted in 1996, when two members being elected on the nomination of Bangladesh Nationalist Party (BNP) were later discovered as having appointed to cabinet posts of the ruling party. The

two members did not resign from their legislative position; but their case was concluded to declare a violation of Article 70.⁵⁷ A third instance happened in 1996, when a parliamentarian belonging to the Jatiyo Party became a cabinet member of the ruling party; but this case did not violate Article 70 as the appointment was done with the consent of the Jatiyo Party. A fourth instance was noted in 2005, when a parliamentarian elected on a ticket from Awami League switched to BNP—it was declared that he violated Article 70.⁵⁸

A fundamental reason for Article 70 prohibiting floor crossing is to help strengthen and stabilise parliamentary democracy, and to make effective and smooth the functioning of the government. As per the above cases of floor crossing, a shift in ideology or joining another party happening with the consent of the original party does not constitute a defection or violation of Article 70. These set the basic rationale of Article 70 in Bangladesh.⁵⁹ However, reasons for consent-based defection are also not clear—lack of transparency in decision-making that engenders elements of control by the ruling party can create room for acts of corruption during such interactions between two parties in the legislative process.⁶⁰ Meisburger (2012) noted according to a commentator that:

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3.2 FLOOR CROSSING IN BANGLADESH

‘[U]nder the anti-defection or anti-floor crossing law the government and the executive is in a position from where they can practice dictatorship, as there is none from the government to protest or vote against.’⁶¹

Article 70 has an effect of concentrating power in the central government by eliminating freedom to vote against a policy detrimental to original constituency, especially for those parliamentarians linked to the ruling party. Forming inter-party coalitions on the other hand may create room for government manipulation of policy areas as per the political interests of the Dhaka-based leadership especially when coalitions happened on individual basis.⁶² Furthermore, constitutional restriction on floor crossing is also behind the rationale to prevent abuse of government finances.⁶³

The property of undermining democracy entertained by Article 70 has further raised concerns amongst scholars and parliamentarians in Bangladesh. A noted observation due to the restriction imposed by Article 70 has been boycotting of the parliament by dissatisfied members. Most of the time the agenda of the opposition members cannot be pushed whenever the ruling party opposes it.⁶⁴ Centre for

Policy Dialogue (CPD) noted as per one commentator that ‘MPs are abstaining from such exercise for fear of being punished by the party high authorities,’⁶⁵ leading to lack of accountability in the legislative process. Furthermore, Professor Ali Ashraf noted the following during the dialogue of CPD:

‘[T]he extra-constitutional interventions in the political system [is] the main obstacle in the path of consolidating democracy ... [T]he role of think-tanks and civil society organisations in building awareness on the importance of participation among the citizens in a democratic society. Regarding the boycott culture of the parliament, the veteran ruling party lawmaker believed that people should make the MPs accountable and compel them to participate in the parliament. At the same time, civil society should ask questions and express their concern over the code of conduct issued for the MPs, he opined.’⁶⁶

Bangladesh can be identified as a country that strictly enforces the law against floor crossing; but the rationale behind constitutional restriction of floor crossing tends to favour power dominance

of the ruling party or the Dhaka-based leadership, limiting room for exercising democratic practices and freedom of expression in the legislative process. Weak democratic institutionalism has a

way of institutionalising floor crossing as a process of power accumulation in the government rather than as a mechanism to prevent personal-interest-based behaviour.

3.3 FLOOR CROSSING IN SOUTH AFRICA

‘[T]he “frequent floor-crossing ... in the Republic of South Africa ... [is]... in my opinion, an indicator ... [of] ... a rudimentary party system with an underdeveloped party loyalty, and underdeveloped cohesion among members and party officials and an underdeveloped identification with the party.”

Professor Hans-Joachim Veen⁶⁷ (2006)



As a developing country with political institutions in transition, South Africa faces challenges in establishing democratic practices in its multi-party political system. Parliamentary floor crossing has been identified, by the literature reviewed here, as a detriment to the representative democratic process in South Africa since 1993, despite the enactment of its Constitution that, while ensuring accountability, transparency, participatory and representative system of governance, places principles to prevent such acts of floor crossing that harms its party system.⁶⁸ South Africa has adopted legislation to prevent floor crossing on grounds that it poses challenges to the representative democracy including distortion of party politics, engendering betrayal of party’s supporters by elected representatives and undermining the Constitution. Such weakening of the political system of South Africa only leads parliamentarians to seek ‘chequebook politics’⁶⁹ and

3 CASE STUDIES

3.3 FLOOR CROSSING IN SOUTH AFRICA

political manipulation by ruling party with unavoidable acts of floor crossing with possible links to corruption.⁷⁰

However, the 1996 Constitution does not exclusively make schedule to indicate that acts of floor crossing can cause parliamentarians to lose the job⁷¹—it however provided for the adoption of legislation to regulate floor crossing. Institutional design by Constitution is to address adverse effects of floor crossing which makes ‘individual favour-seeking less productive and renders the political system less susceptible to rent-seeking.’⁷² Once the representative system has been manipulated by dominant ruling party, the adoption of such legislation became a challenge or at least, if adopted, a designed in a way to cater the dominant party.⁷³

First attempt of floor crossing was observed during the 2000s. Democratic Party (DP), the New National Party (NNP) and the Federal Alliance (FA) joined together to form a coalition—Democratic Alliance. The idea was to create a majority faction in the Parliament, which enabled ruling party or the government to manipulate decision-making.⁷⁴ The literature reviewed here describes South Africa’s party system as a single-dominant party system where the ruling party forms coalition to with other parties to manipulate decision-making in the

legislative process.⁷⁵ In a dominant party system, floor crossing further causes proliferation of new parties when dominant party is capable to drawing members of such small and new parties to its coalition—this was evident in 2003 and 2005.⁷⁶

In the opinion of South African political parties, floor crossing by elected representatives is a detriment to party politics as well as representative democratic system enshrined by the Constitution.⁷⁷ Antipathy towards floor crossing is mostly shared by the opposition parties. However, some major parties such as DA believed that floor crossing is also useful in testing voter support in the event when parliamentarians are dissatisfied with original party policy, to cross the floor and resigned from office with the hope to win the seats during next election testing individual loyalty of voters.⁷⁸ Although there are views that floor crossing becomes necessary in some occasions, floor crossing in the long run becomes advantageous to the ruling party or bigger parties—finally to have total manipulation of legislative process.⁷⁹ Moreover, long-term dominance by one major party is

3 CASE STUDIES

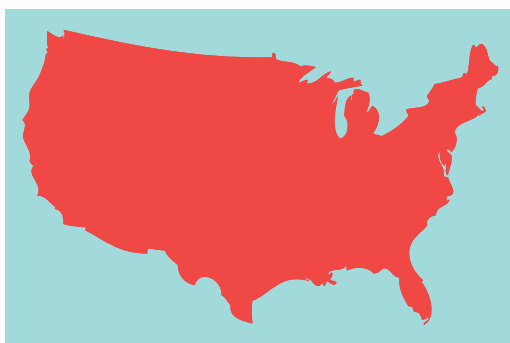
leading to political corruption in the party system as that was observed by public opinion polls during the 2014 elections.⁸⁰ According to Bekoe⁸¹ (2014):

‘The ANC today is seen as more corrupt and ineffective than at any time in recent years. A 2011 Afrobarometer survey showed that 50 per cent of interviewees saw government officials as corrupt and 25 per cent thought that corruption was one of the country’s most pressing problems; this is the highest concern for corruption since 2002, when only

13 per cent thought of corruption as significant.’

The representative democratic legislative mechanism encompassing a single-dominant party facilitate floor crossing in South Africa, more importantly enabling the ruling party or office holder(s) to control the legislative process. Existence of a dominant ruling party, through time, further limits the adaptive efficiency of the legislative system—despite what the Constitution provides for—to adopt and implement legislation to prevent floor crossing, which is in itself a detriment to the very democratic process of legislation making.

3.4 FLOOR CROSSING IN THE UNITED STATES



Floor crossing or party defection is observed in party politics throughout the history of the United States (US). Timothy

P. Nokken and Keith T. Poole’s historical assessment of legislative party defection and/or party switching in the US concluded with the claim that, although the founders of the Republic placed caution in partisan politics leading to divisive politics, the US has experienced acts of legislative floor crossing for reasons mostly enhancing the likelihood for incumbent legislators’ re-election.⁸² According to Kenneth Janda⁸³:

3 CASE STUDIES

3.4 FLOOR CROSSING IN THE UNITED STATES

‘[I]n the United States, with its stable two-party system, identified 20 members serving in the House and Senate from 1947 to 1994 who changed their parties while in office—16 switching from Democratic to Republican. This steady erosion of Democratic representation helped the Republicans—the decided minority party in Congress following World War II—gain strength until they won control in the 1994 election.’

This is relatively speaking a minimal number measured against the timeframe assessed above. One view for this is because of a solid two-party system developed in the US. Solid two-party structure means there is solid and stable voter confidence in the supporting party. There are higher chances for legislators to sustain support to gain votes for re-election. Consistent with Aldrich and Bianco, Jim F. Couch and Taylor P. Stevenson⁸⁴ noted that:

‘[T]he [party] switch is part of a strategy to increase their [or switcher’s] probability of being re-elected. Empirical evidence . . . shows that the vote shares decrease after the member of

congress switches to the new party. Both party’s primaries become more competitive after the switch and the primaries in the switcher’s new party become less competitive over time.’

In the US, floor crossing is affected by external conditions like political events that change partisan control of the political institutions and ideological reasons.⁸⁵ Legislators cross the floor for pride, privilege and prestige, with a ‘vengeance’ to show that they could obtain or draw in greater support by supporting the interests of the new party.⁸⁶ For example, when Michael P. Forbes (Democrat) who switched back to Republican Party in the 1990s,⁸⁷ ‘Democrats were angry and organized around another candidate, Regina Seltzer, a 71-year-old retired librarian and near political neophyte.’⁸⁸ On the other hand, Forbes’ change of party was alleged to have involved personal offerings from the receiving party.⁸⁹ Political support in the form of money or finance campaigning contribution from political parties also increases political party expenditure of parties by increase of campaign expenditures for the party switchers.⁹⁰ Such personal offerings from receiving parties involved in floor crossing links this activity to acts of corruption

3 CASE STUDIES

3.4 FLOOR CROSSING IN THE UNITED STATES

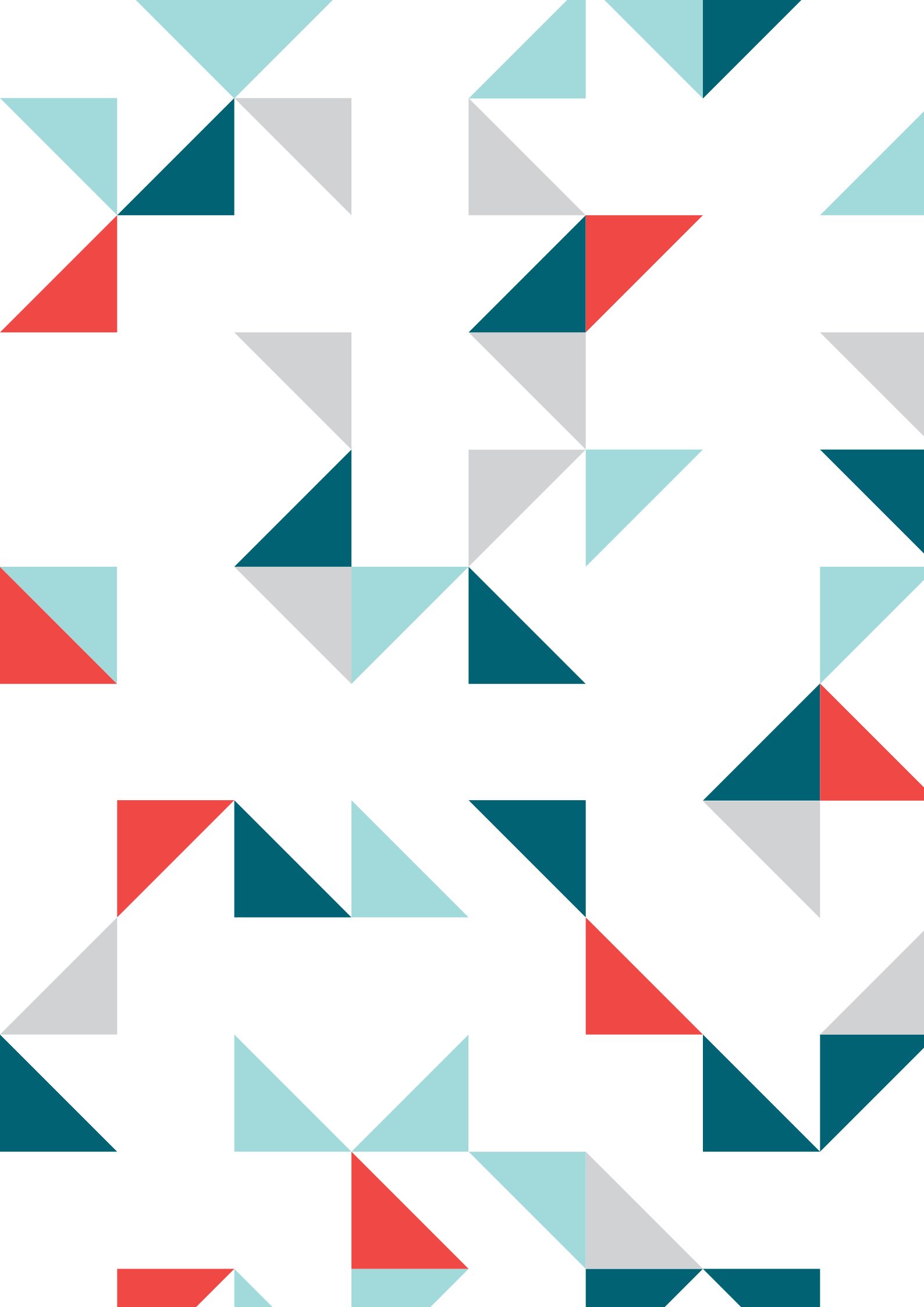
within the legislative process and party system—there is the likelihood of affecting democratic principles attached to the electoral system.⁹¹

However, despite possible effects of divisive politics by floor crossing, there is no tangible support for preventing legislators from crossing the floor in the US.⁹² Janda's study on anti-defection laws in countries show that as a developed country that experience floor crossing in the legislature, there is less demand among legislators to illegalise floor crossing in the US—it has mostly been seen as part of exercising democratic freedom.⁹³ Reparations for any damages to original party due to floor crossing are met by a self-regulatory process within the legislators and political parties in the US. For example, studies show that floor crossing causes hatred amongst former colleagues from the original party against floor crosser as well as involves gains for floor crossers.⁹⁴ Couch and Stevenson⁹⁵ (2013) stated:

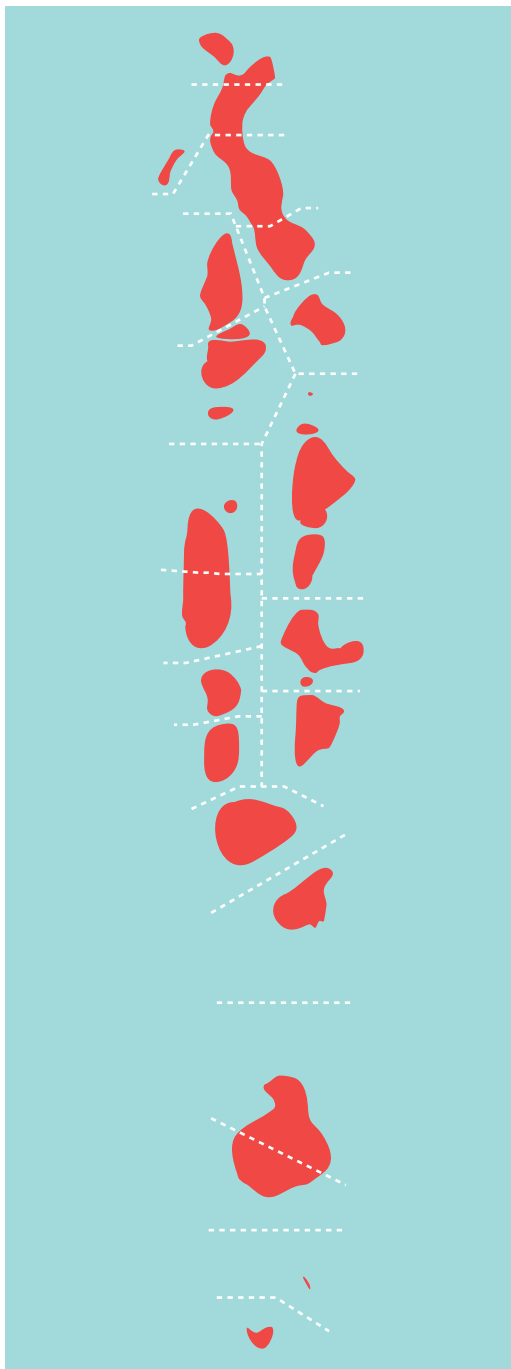
member of congress with the main objective: keeping the job.'

While floor crossing or party defection in the US is not criminalised, the political democratic discipline acquired by the US legislators and political parties creates a self-regulatory process for any issues pertaining to acts of floor crossing, disincentivizing potential floor crossers from switching and keeping party confidence.⁹⁶

'It is probable that potential party defectors are presented with a bundle of benefits; a compensation package, which includes campaign contributions, committee assignments as well as pork barrel spending. All of which would help the incumbent



4 FLOOR CROSSING TRENDS IN THE MALDIVES



Although not much research has been conducted into floor crossing in the Maldives, it is a frequent and common feature in the political spectrum of the country. Since the adoption of the Constitution 2008 paving the way, for the first time in the country, of a multi-party democratic system, the number of political parties increased, and political rallies and events became popular and frequent. Legislators form an important segment of political party membership and its leadership, although, only a handful of dominant parties are represented in the Parliament, in both the sessions following the parliamentary elections in 2009 and 2014.

Under the 2008 Constitution, legislators, just as anyone else, are vested with constitutional rights and freedoms of participating in the activities of political parties.⁹⁷ The role of political parties being represented in Parliament is laid down in the Regulation of the People's Majlis, including regulations for membership in committee and subcommittees, allocation of speaking slots, etc. Hence, despite the absence of any legislative restrictions on defection of party membership after being elected to parliamentary seat, such numbers become recorded in the parliamentary official records, and public and media attention to party defection is extant. On

4 FLOOR CROSSING TRENDS IN THE MALDIVES

the other hand, defection of voting in Parliament, or a parliamentarian voting against the party lines is not formally recorded as such, and fails to grab much attention.

Many politicians see switching of party membership by legislators as a constitutional right which should not be hindered or restricted. On one recent occasion following the switching of 3 parliamentarians from Jumhooree Party (JP) to the ruling Progressive Party of

Maldives (PPM), the Deputy Leader of PPM is reported to have stated that ‘changing political ideologies is a right that members have’ and the party has no right of claim against the parliamentarian that leaves from that party.⁹⁸ Perhaps owing to this viewpoint, or due to vested interest by all political parties represented in the Parliament, no formal attempts to address or regulate the issue of floor crossing is evident in the recent years.

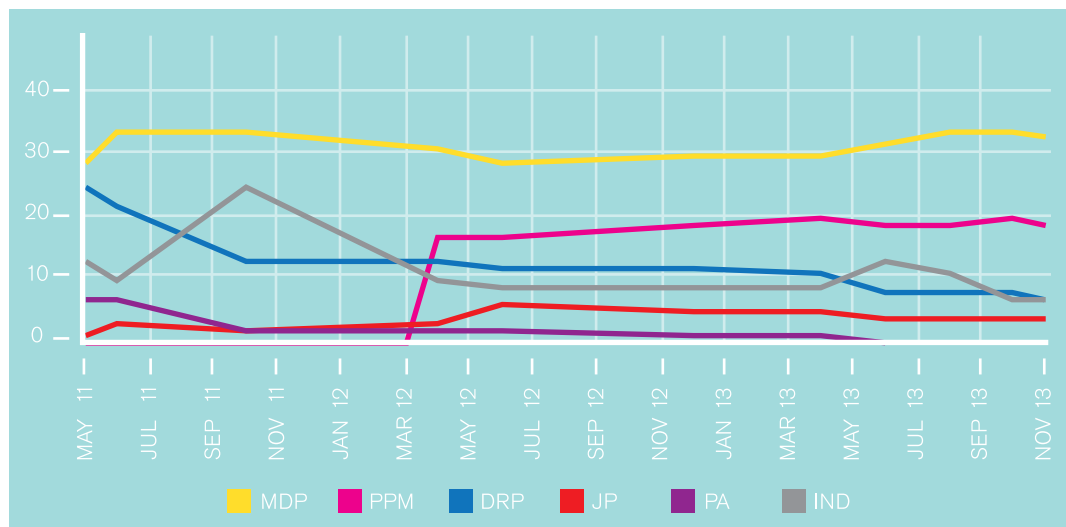


Figure 1: Change in party membership at the Parliament during the parliamentary term of 2009-2014 – based on data available from the People’s Majlis secretariat, for the period from May 2011 to November 2013.

4 FLOOR CROSSING TRENDS IN THE MALDIVES

In contrast, however, floor crossing was initially prohibited for elected officials of the recently enacted local governance system. The Decentralised Governance of Administrative Regions Act 2010, initially provided that local councilors elected under a ticket from a political party shall lose his/her seat if he/she leaves or is removed from that party.⁹⁹ This legislative prohibition which attempted to regulate floor crossing amongst elected officials of local governance was short-lived, until the Supreme Court invalidated

the provision in December 2012, citing that the prohibition contradicted with the constitutional rights of political participation and the right to run for public office.¹⁰⁰ Advocators against restriction of floor crossing would cite the Supreme Court decision in effectively prohibiting any proposed restrictions on party switching for parliamentarians or other elected officials, and the prospects of any legislative measures to address or regulate floor crossing in the near future are slim.

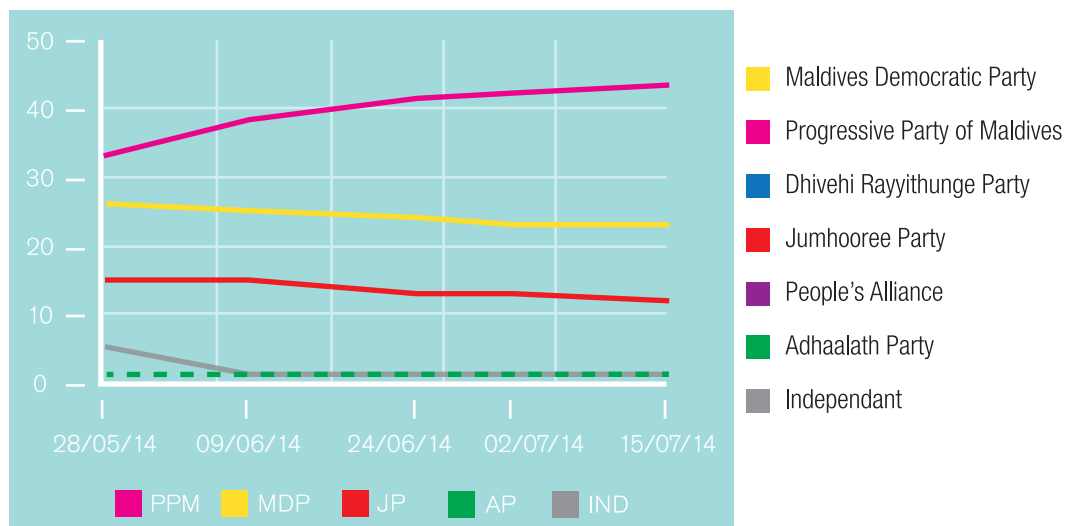


Figure 2: Change in party membership at the Parliament during the current parliamentary term of 2014-2019 – based on data available from the People’s Majlis secretariat, for the period from May to July 2014.

4 FLOOR CROSSING TRENDS IN THE MALDIVES

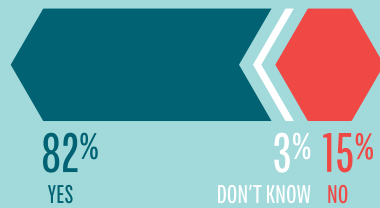
Allegations of bribery and corruption are widespread following incidences of floor crossing. It is commonplace for the party from which the parliamentarian leaves to accuse those members and the party to which they join, of offering and accepting ‘unattainably high financial and material incentives’ to join that party, in order to boost their parliamentary representation.¹⁰¹ The leader of JP on one occasion stated that members defect parties for vast sums of money amounting to as much as US\$ 2 million.¹⁰² In 2011, one parliamentarian announced that he himself was offered US\$ 2 million to switch party membership.¹⁰³ Others however, reject the notion of any bribery in floor crossing, and relate it to a ‘realistic temptation’ to transfer to a party expected to come to power in light of growing public disillusionment with democracy.¹⁰⁴ Nonetheless, the Parliament of the Maldives has been perceived, in recent history, as the most corrupt and ineffective institution, with a lack of adequate accountability mechanisms for Parliamentarians.¹⁰⁵ The competent authorities vested with investigatory and prosecution functions of corruption related offences have been proved ineffective in addressing allegations of corruption in inter-party defections.¹⁰⁶

5 SURVEY FINDINGS AND ANALYSIS

5.1 DEFINITIONAL ASPECTS OF FLOOR CROSSING:

QUESTION 1

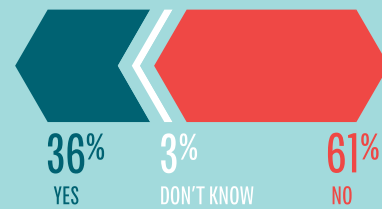
Have you observed floor crossing by Maldivian parliamentarians during legislative sessions?



82 per cent of interviewees have observed floor crossing by parliamentarians during legislative sessions in the Maldives.

QUESTION 2

Have you observed parliamentarian from your constituency crossing the floor during legislative sessions?



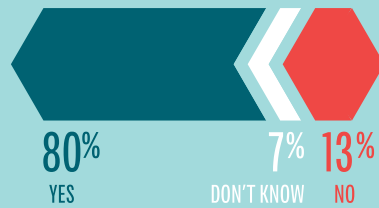
61 per cent of interviewees have not observed floor crossing behaviour during the legislative process from parliamentarians of their constituency. However, 36 per cent of interviewees have observed such behaviour from parliamentarians of their constituency.

5 SURVEY FINDINGS AND ANALYSIS

5.1 DEFINITIONAL ASPECTS OF FLOOR CROSSING

QUESTION 3

Do you see floor crossing as an act connected to corruption?



80 per cent of interviewees see floor crossing as an act connected to corruption.

SUMMARY

Floor crossing seems to be a common occurrence in the Parliament of the Maldives. Majority of interviewees (82%) have observed parliamentary floor crossing in the Maldives while a notable number of interviewees (36%) have observed floor crossing behaviour during the legislative process from parliamentarians of their constituency. Significant number of interviewees (80%) also believe that floor crossing is an act connected to corruption, indicating that floor crossing is perceived by the public to have a negative impact. This is particularly worrying as a survey¹⁰⁷ undertaken by Transparency Maldives in 2014 shows the low levels of confidence Maldivians have in the Parliament—one of the key representative institutions. Therefore, floor crossing behaviour by parliamentarians, especially since it is largely perceived to be an act connected to corruption, has the potential to further deteriorate public confidence in the Parliament and call into question the integrity of parliamentarians as elected representatives in the eyes of the public.

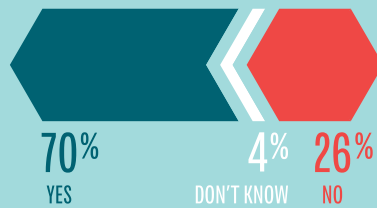
5 SURVEY FINDINGS AND ANALYSIS

5.2 REASONS FOR FLOOR CROSSING:

QUESTION 4

Do you believe that the following reasons are why parliamentarians cross the floor in the Maldives?

(a) Personal reasons



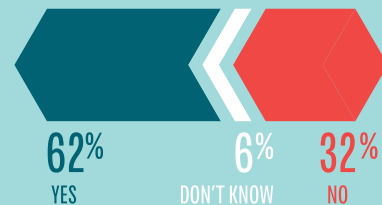
70 per cent of interviewees believe that Maldivian parliamentarians cross the floor for personal reasons not very clear to the public.

(b) Because money or other gains have been offered to parliamentarians to vote against own party line or defect to another party



84 per cent of interviewees believe that floor crossing happens because money or some sort of gain/profit have been offered to parliamentarians to vote against own party line or defect to another party.

(c) Because parliamentarians enhance more power and influence in the parliament by defecting to another party

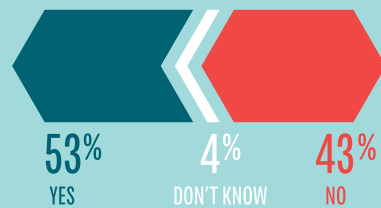


62 per cent of interviewees believe that floor crossing happens because parliamentarians can enhance more power and influence in the Parliament by defecting to another party.

5 SURVEY FINDINGS AND ANALYSIS

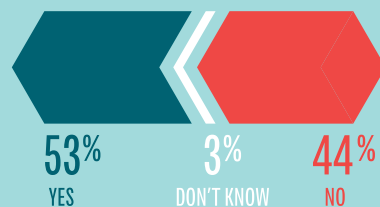
5.2 REASONS FOR FLOOR CROSSING

(d) When party policy is not in line with own view or ideology



53 per cent of interviewees believe that floor crossing occurs when parliamentarians' own view or ideology.

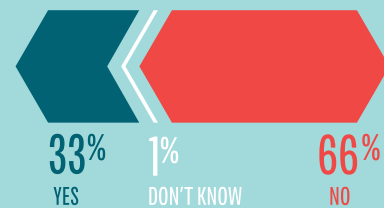
(e) When there are better chances of being re-elected in the other party



53 per cent of interviewees believe that floor crossing happens when

the chances of being re-elected is higher by switching to another party.

(f) To support constituents' original views and ideology?



66 per cent of interviewees believe that supporting the views and ideology of constituents is not a deciding factor in parliamentarians' decision to cross the floor.

5 SURVEY FINDINGS AND ANALYSIS

5.2 REASONS FOR FLOOR CROSSING

SUMMARY

Out of six possible reasons why parliamentarians may decide to cross the floor in the Maldives, interviewees identify the following as the main reasons:

- 1** 70 per cent of interviewees believe that parliamentarians cross the floor for individual or personal reasons not very clear to the public. This lack of transparency regarding the motives behind parliamentarians' decision to cross the floor can further encourage distrust in a society where citizens are already deeply cynical of politics and have little confidence in representative institutions.
- 2** 84 per cent of interviewees believe floor crossing happens because parliamentarians receive money or some sort of material gain from another party by voting against own party line or switching parties. It is worth mentioning here that one way to sever the connection between floor crossing and corruption is by making the asset declarations of parliamentarians public and by building a comprehensive asset declaration regime where allegations of

corruption—in particular, those concerning misappropriation of funds and illicit enrichment—are thoroughly investigated.

- 3** 62 per cent of interviewees believe that parliamentarians cross the floor because they stand to gain more political power and influence in the Parliament—and presumably in their new political party—by doing so.

Apart from these three reasons, interviewees also identify several other reasons why parliamentary floor crossing occurs. One reason is that parliamentarians may cross the floor when the party policy is not in line with their own view or ideology. In other words, ideology is one factor that determines parliamentarians' allegiance to political parties. 53 per cent of interviewees acknowledge that this allegiance or loyalty may waver for entirely legitimate reasons such as irreconcilable ideological differences between parliamentarians and their respective parties. However, a notable number of interviewees (44%) also disagree that this is one of the reasons why parliamentarians vote against their party line or switch parties, thus indicating that there is no strong consensus on a positive relationship

5 SURVEY FINDINGS AND ANALYSIS

5.2 REASONS FOR FLOOR CROSSING

between floor crossing and preserving the ideological independence of parliamentarians.

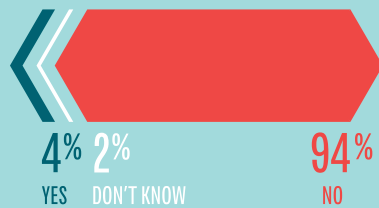
This view is further supported by the fact that 53 per cent of interviewees believe that parliamentarians engage in floor crossing behaviour for purely ambitious reasons such as maximising the chances of being re-elected by switching to another party. This indicates that floor crossing may very well discourage the advancement of political parties as parliamentarians, despite being elected with a party affiliation, have the power to act independently of party rules as their mandate is driven by their own political ambitions rather than the advancement of their political parties—or even, by extension, their constituents. In fact, 66 per cent of interviewees believe that supporting or honouring the principles and interests of constituents is not a deciding factor in parliamentarians' decision to cross the floor. That said, a notable number of interviewees also view that floor crossing occurs not necessarily because parliamentarians have a higher chance of being re-elected by doing so. This indicates that there is no strong consensus on the relationship between floor crossing and the chances of being re-elected.

5 SURVEY FINDINGS AND ANALYSIS

5.3 MECHANISMS THAT PREVENT OR SUPPORT FLOOR CROSSING

QUESTION 5

In your view, are the legal and governance systems in place strong enough to stop or prevent parliamentary floor crossing?

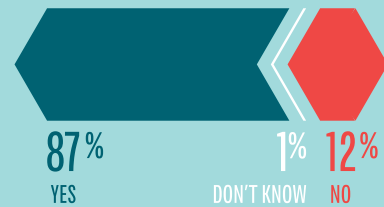


94 per cent of interviewees view that the legal and governance systems in place are not strong enough to stop or prevent parliamentary floor crossing.

QUESTION 6

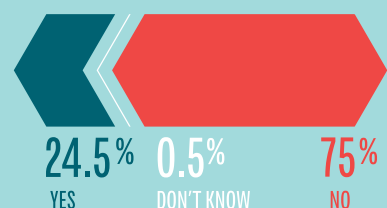
Do you believe that the issue of floor crossing should be addressed through the following ways?

(a) Laws should be in place to prevent or restrict floor crossing



87 per cent of interviewees believe that the issue of floor crossing should be addressed through laws that prevent or restrict floor crossing.

(b) It should be a self-regulatory process

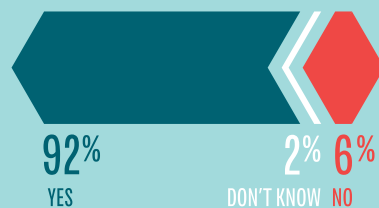


5 SURVEY FINDINGS AND ANALYSIS

5.3 MECHANISMS THAT PREVENT OR SUPPORT FLOOR CROSSING

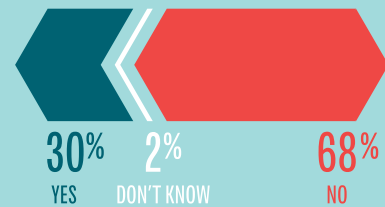
75 per cent of interviewees do not believe that the issue of floor crossing should be addressed through a self-regulatory process where parties can discipline floor crossers and address any negative effects of floor crossing.

(c) Should be allowed to exercise freely, but any act of corruption related to floor crossing should be addressed through law



92 per cent of interviewees believe that the issue of floor crossing should be addressed by allowing it to be exercised freely, but with the exception that any act of corruption related to floor crossing should be addressed through law.

(d) It's not an issue and can be allowed to exercise freely



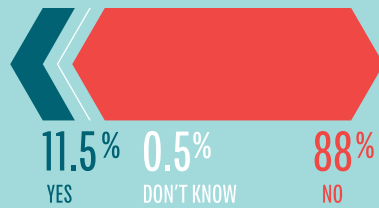
68 per cent of interviewees believe that floor crossing is an issue and cannot be allowed to exercise freely.

5 SURVEY FINDINGS AND ANALYSIS

5.3 MECHANISMS THAT PREVENT OR SUPPORT FLOOR CROSSING

QUESTION 7

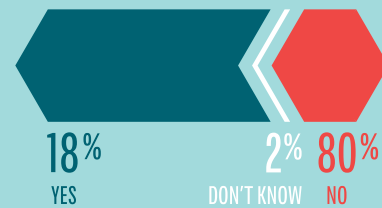
In your view, are the legal institutions in place strong enough to stop or prevent corruption in parliamentary floor crossing?



88 per cent of interviewees view that the legal institutions in place are not strong enough to stop or prevent corruption in parliamentary floor crossing.

QUESTION 8

In your view, do political parties of the Maldives encourage parliamentary floor crossing?



80 per cent of interviewees view that political parties of the Maldives encourage parliamentary floor crossing.

5 SURVEY FINDINGS AND ANALYSIS

5.3 MECHANISMS THAT PREVENT OR SUPPORT FLOOR CROSSING

SUMMARY

An overwhelming majority of interviewees (94%) believe that the legal and governance systems in place are not strong enough to stop or prevent parliamentary floor crossing. It must be noted that the Maldivian Parliament currently does not have any legislation in place that prohibits or sanctions floor crossing. Although parliamentarians (with the exception of independent members) are elected with a party affiliation, they are not legally obligated to retain their party label during the whole of their mandate. However, the survey shows that majority of interviewees want some sort of a legal mechanism that either prohibits or regulates parliamentary floor crossing. 87 per cent of interviewees believe laws should be in place to prevent or restrict floor crossing. This further establishes that there is a considerable level of public concern against floor crossing. However, this concern exists not because parliamentarians cross the floor, but rather because the public does not believe floor crossing can happen without corruption involved. This is why an overwhelming majority of interviewees (92%) believe that while floor crossing should not be prohibited and allowed to exercise freely, it must be monitored so that any acts of corruption related to floor

crossing can be addressed through law. However, while some form of a regulatory system is desired, majority of interviewees (75%) disagree that it should be a self-regulatory process where political parties are allowed to discipline floor crossers and address any negative consequences of floor crossing—thus hinting a lack of public confidence in the party system to successfully or even effectively combat corruption in general.

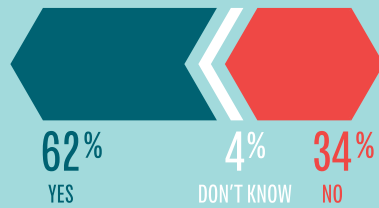
5 SURVEY FINDINGS AND ANALYSIS

5.4 CONSEQUENCES OF FLOOR CROSSING:

5.4 CONSEQUENCES OF FLOOR CROSSING:

QUESTION 9

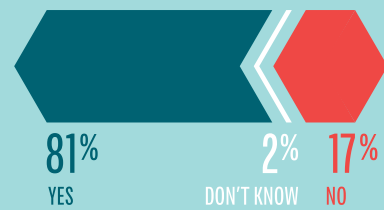
In your view, does floor crossing weaken your confidence and support for your party position as a constituent of the party?



62 per cent of interviewees view that floor crossing weakens their confidence in and support for their party position as a constituent of the party.

QUESTION 10

In your view, can floor crossing undermine democracy and weaken party system?



81 per cent of interviewees view that floor crossing undermines democracy and weakens party system.

5 SURVEY FINDINGS AND ANALYSIS

5.4 CONSEQUENCES OF FLOOR CROSSING:

SUMMARY

Majority of interviewees (62%) believe that floor crossing weakens their confidence in and support for their respective political parties. However, a notable number of interviewees also maintain that floor crossing does not affect their support for their parties. This indicates that there is no strong consensus on a negative relationship between floor crossing and constituents' confidence in political parties. Perhaps one reason for this is that, as more than half of interviewees acknowledge, parliamentarians may have, in some cases, entirely genuine or legitimate reasons for floor crossing—for example, ideological differences between parliamentarians and their respective political parties.

However, majority of interviewees (81%) believe that parliamentary floor crossing undermines representative democracy and weakens the Maldivian multi-party political system. This view is not surprising when majority of interviewees see floor crossing as an act connected to corruption, and believe that parliamentarians cross the floor (in some cases, at least) not because of principles of ideology, but rather to pursue personal ambitions that may very well compromise the principle mandate of their respective

political parties and the interests of their constituents. Therefore, what is observed here is that there is considerable level of public concern that floor crossing enables political corruption and opportunism, which ultimately creates a legitimacy crisis for parliamentarians and affects the legitimacy of the Parliament as a democratic institution.

ANNEX 1

INTERVIEW QUESTIONS AND ASSESSMENT METHODS

Interview results are divided into four categories, in a way to show, by percentage and numbers (interviewees), the public perceptions, with respect to definitional aspects, reasons for floor crossing, mechanisms that prevent or support floor crossing, consequences of floor crossing, and their links to corruption. The perception, by percentage and numbers, with respect to these areas is assessed according to the following levels:

1 Agreed: This means that the interviewee has answered 'yes' to the question.

2 Do not agree: This means that the interviewee has said 'no' or 'not necessarily'.

3 Neutral position: This means that the interviewee has said 'don't know' or 'no comments'.

These levels are formulated in a way to assess, based on the hypothesis, the public perception of floor crossing and its relation to corruption in the Maldives. People's opinions will be categorised with respect to these levels based on how interviewees respond to the questions.

INTERVIEW QUESTIONS

1. DEFINITIONAL ASPECTS OF FLOOR CROSSING:

- Interviewees are assessed on their understanding of floor crossing, specifically on what floor crossing means to them.
- Interviewees are assessed with respect to their observation of any behaviour that could be defined as a parliamentarian defecting from his/her party line in the legislative process in the Maldives.

Question 1

Have you observed floor crossing by Maldivian parliamentarians during legislative sessions?

Question 2

Have you observed parliamentarians from your constituency crossing the floor during legislative sessions?

Question 3

Do you see floor crossing as an act connected to corruption?

ANNEX 1**INTERVIEW QUESTIONS****2. REASONS FOR FLOOR CROSSING:**

- Interviewees are assessed with respect to their understanding of why parliamentarians have crossed the floor or are crossing floor in the Maldives.
- Interviewees are assessed with respect to their observation of personal behaviour of parliamentarians with respect to motivational and institutional factors leading to floor crossing.

Question 4

Do you believe that the following reasons are why parliamentarians cross the floor in the Maldives?

- (a) Personal reasons
- (b) Because money or other gains have been offered to parliamentarians to vote against own party line or defect to another party
- (c) Because parliamentarians enhance more power and influence in the parliament by defecting to another party

(d) When party policy is not in line with own view or ideology

(e) When there are better chances of being re-elected in the other party

(f) To support constituents' original views and ideology?

3. MECHANISMS THAT PREVENT OR SUPPORT FLOOR CROSSING:

- Interviewees are assessed on their understanding of the political system in place in the Maldives and how that system can affect floor crossing.
- Interviewees are assessed with respect to their observation of the strengths and weaknesses of party system in the Maldives and how that may have or have not prevented floor crossing.

Question 5

In your view, are the legal and governance systems in place strong enough to stop or prevent parliamentary floor crossing?

Question 6

Do you believe that the issue of floor crossing should be addressed through the following ways?

- (a) Laws should be in place to prevent or restrict floor crossing
- (b) It should be a self-regulatory process
- (c) Should be allowed to exercise freely, but any act of corruption related to floor crossing should be addressed through law
- (d) It's not an issue and can be allowed to exercise freely

Question 7

In your view, are the legal institutions in place strong enough to stop or prevent corruption in parliamentary floor crossing?

Question 8

In your view, do political parties of the Maldives encourage parliamentary floor crossing?

4. CONSEQUENCES OF FLOOR CROSSING:

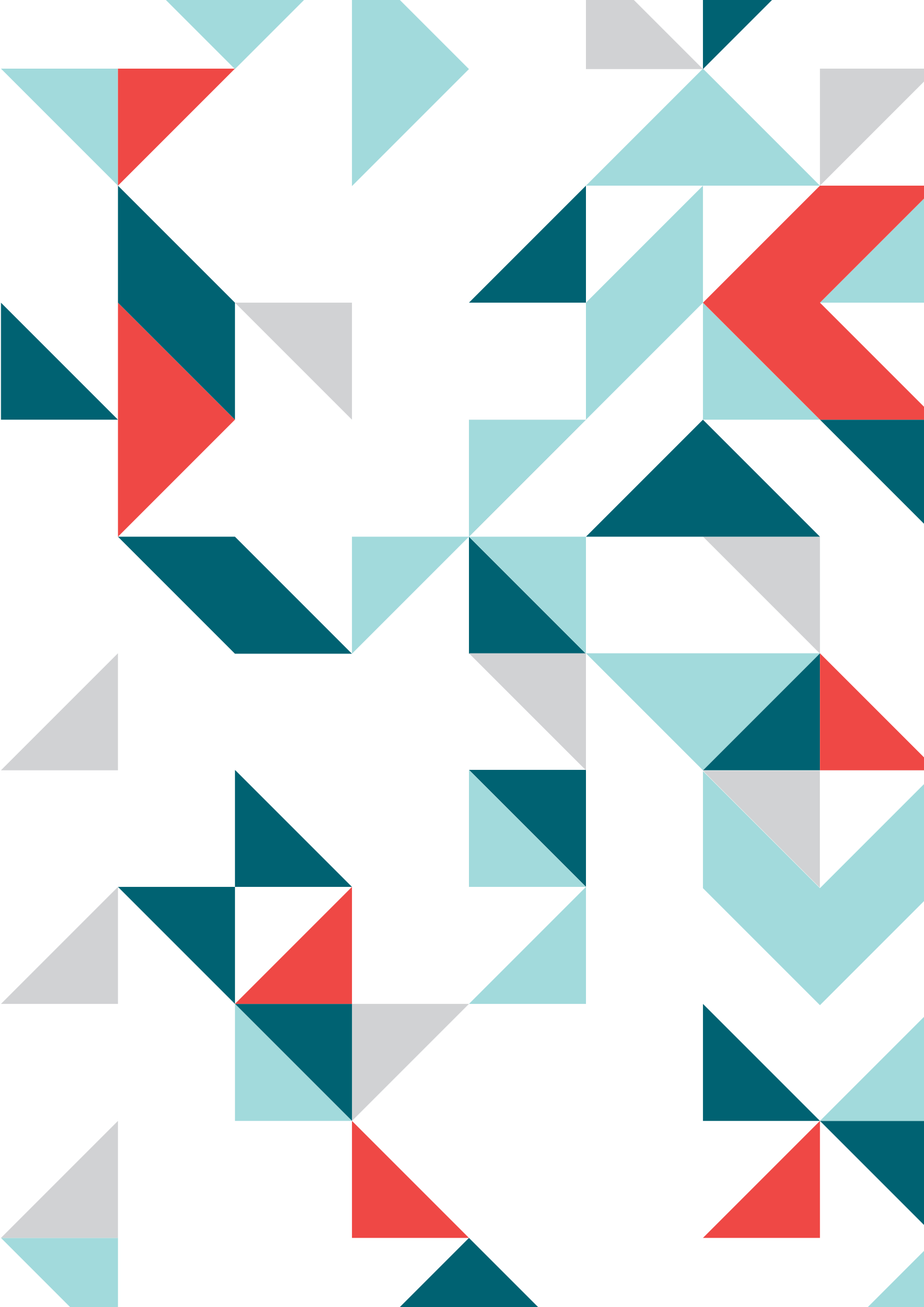
- Interviewees are assessed on their understanding of the consequences of floor crossing in the Maldives
- Interviewees are assessed with respect to their observation of how consequences of floor crossing have affected their life and country

Question 9

In your view, does floor crossing weaken your confidence and support for your party position as a constituent of the party?

Question 10

In your view, can floor crossing undermine democracy and weaken party system?



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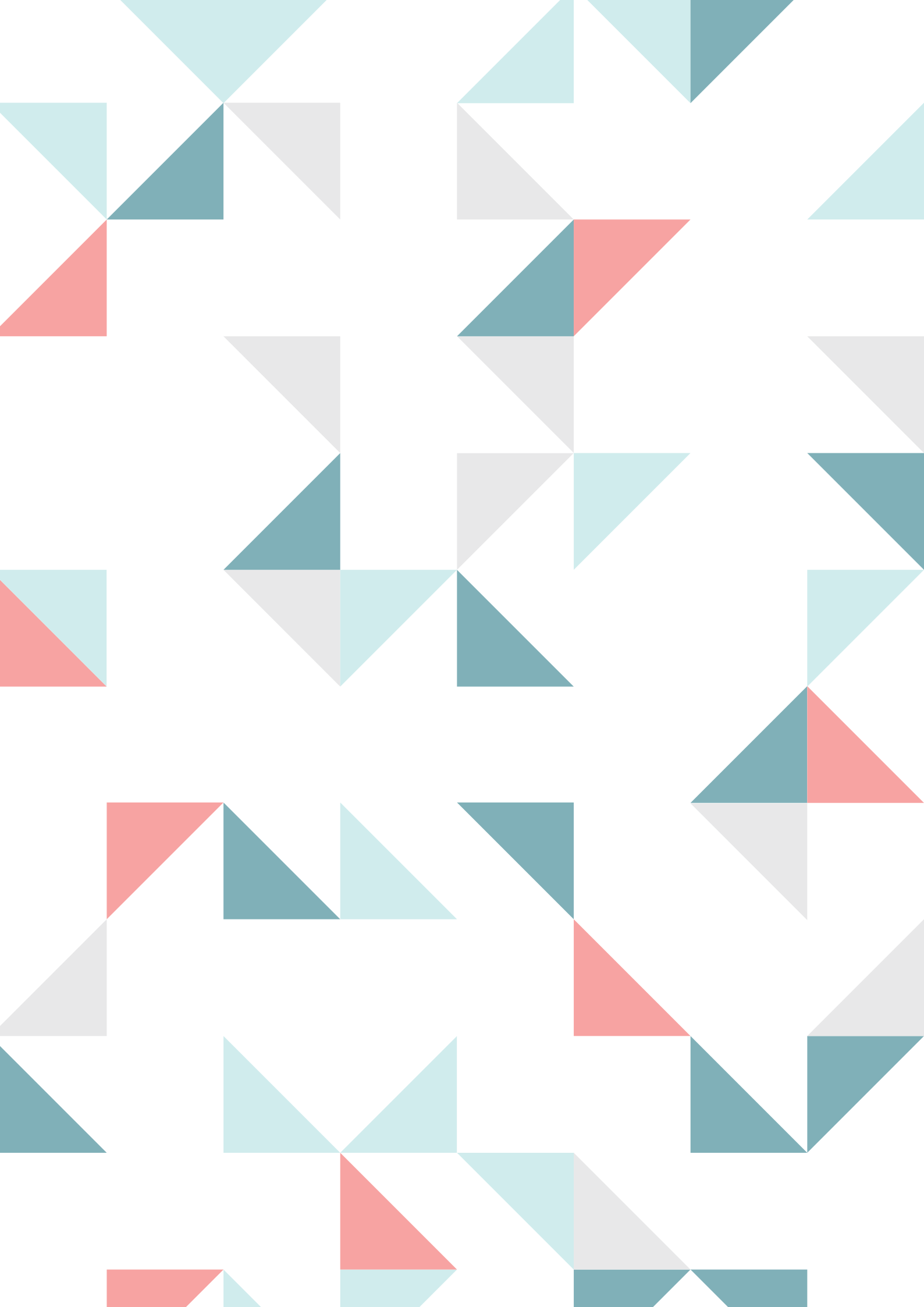
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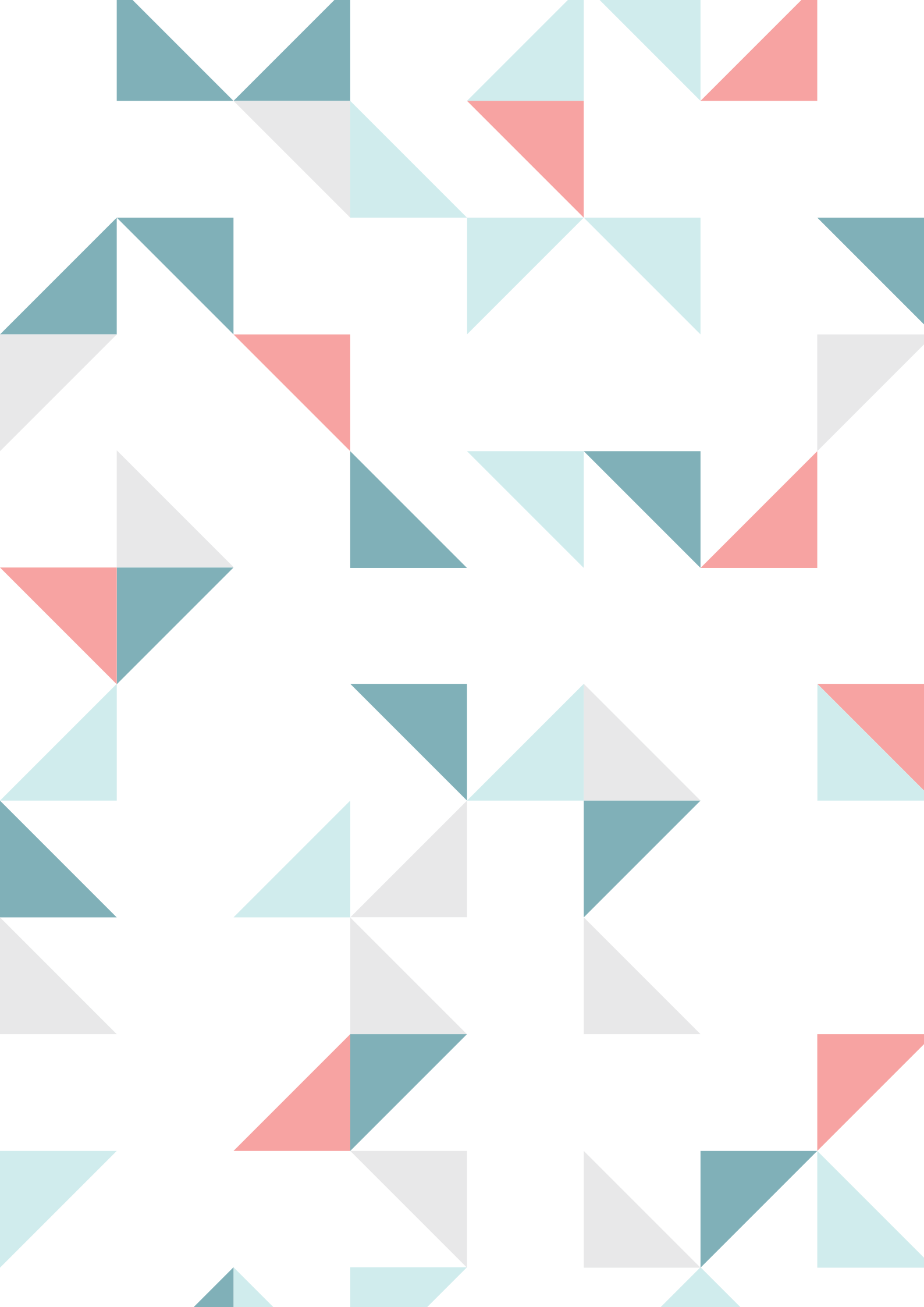
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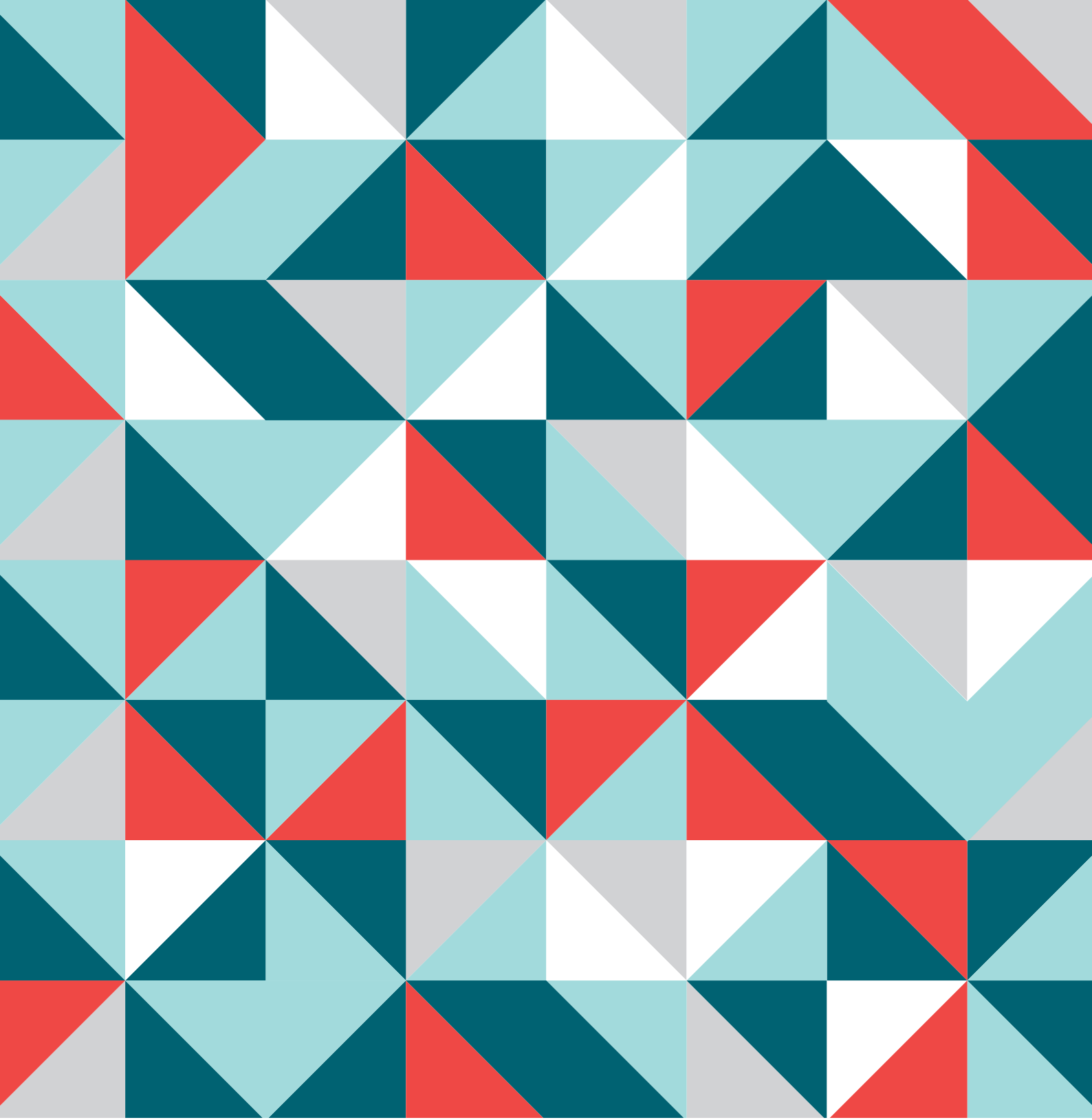
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