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Civil society institutions or semi-public agencies? State regulation of parties and voluntary organizations in Norway

Jo Saglie and Karl Henrik Sivesind

Institute for Social Research, Oslo, Norway

ABSTRACT

The relationship between the Norwegian State on the one hand, and political parties and voluntary organizations on the other, has traditionally been based on mutual trust. To assess the claim that civil society institutions are developing towards 'semi-public agencies', we review state regulation of Norwegian voluntary organizations and political parties. The State does demand more accountability and transparency in return for public funding, but many aspects are also regulated scarcely or not at all. This indicates that substantial mutual trust remains. This relationship might be characterized as a partnership based on interdependence, rather than colonization.

KEYWORDS

Accountability; Norway; political parties; regulation; voluntary organizations

Introduction

Voluntary organizations are traditionally regarded as the main institutional feature of civil society, whereas political parties have been considered to be a bridge between civil society and the State – but firmly anchored within civil society. The autonomy of both voluntary organizations and political parties is being questioned, however. They are regarded as vital for the maintenance of democratic governance, welfare provision and other public responsibilities, and are, therefore, funded and regulated by the State to a great extent. The argument is that non-governmental organizations (NGOs) and parties have been transformed into 'public utilities' (van Biezen, 2004) or 'semi-public agencies'.

As Fraussen and Halpin (2018) point out, the literatures on parties and on voluntary organizations share many commonalities. Nevertheless, insights from writings in these two fields are rarely integrated. The literature on voluntary organizations, moreover, is split into sub-categories concerning nonprofit organizations, interest groups, social movements and so on. In this article, we aim to bring these literatures together by describing and comparing state regulation of voluntary organizations and political parties in Norway. In the Norwegian context, voluntary organizations include voluntary associations, private foundations and nonprofit welfare providers. This description aligns with the nonprofit sector definition used by UN Statistics (United Nations, 2003).

CONTACT Jo Saglie  jo.saglie@socialresearch.no  Institute for Social Research, PO Box 3233 Elisenberg, 0208 Oslo, Norway

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Compared with other countries, Norway is a country where a transformation into ‘semi-public agencies’ seems less likely. The relationship between the Norwegian State on the one hand and political parties and voluntary organizations on the other, has traditionally been based on mutual trust rather than control. Traditional social movements and mass party organizations have declined, however, in Norway as in other West European countries (van Biezen & Poguntke, 2014), and changes have taken place in the relationship between the State and the voluntary sector (including parties). State regulation of political parties has traditionally been very weak in Norway; legislation that requires parties to report their income and expenditures has now been introduced. Likewise, the Norwegian State has recently started to develop policies for the voluntary sector (Strømsnes, 2013). Some would even go so far as to say that the State has ‘colonized’ Norwegian civil society. What happens when the traditional trust-based relationship is exposed to the international trends of state regulation and financing? Does this affect the behaviour of parties and voluntary organizations, in a way that pulls them away from their ‘true missions’?

Even though we – following Fraussen and Halpin (2018) – regard both parties and voluntary organizations as varieties of the general concept ‘political organizations’, there are some noteworthy differences. One critical distinction is that parties compete in elections. Thus, there is a need for regulating the electoral activities of political parties, e.g., by electoral laws. It may, however, also be seen as crucial to regulate voluntary organizations, especially when they contribute to the production of welfare services. Another difference is that laws are written by party representatives. Parties may have reasons to ask for regulation of their own activity, but they may also have incentives to avoid such regulation (Borz, 2017). It is, thus, difficult to hypothesize about the extent of regulation of parties compared with voluntary organizations (but see Borz, 2014).

In the first section of this article, we present the thesis of transformation of voluntary organizations and parties into ‘semi-public agencies’, and we develop a framework for empirical analysis. Next, the case of Norway is presented. In the following sections, we use our framework to map the elements of state regulation of parties and organizations in Norway, and then compare these two sectors. We utilize previous research on Norwegian parties and the voluntary sector, and review relevant legislation and other regulations. Based on this review, we discuss whether the thesis of ‘semi-public agencies’ applies to the Norwegian case, and consider some implications for the ‘social democratic model’.

State Regulation

Semi-Public Agencies?

The thesis of transformation is found in the literature of both political parties and voluntary associations. In the party literature, the ‘cartel party thesis’ describes how parties distance themselves from civil society and, according to Katz and Mair (1995, p. 16) ‘become semi-state agencies’. Public funding of political parties is seen as an important cause of this development, and this literature emphasizes its negative consequences. It has been argued that public party financing entails fewer incentives to recruit members, and thus reduces the parties’ ability to function as participatory and representative channels. A related argument is that public funding makes parties a part of the state apparatus, rather than

representatives of civil society. Funding is often followed by state regulation. Katz (2002, p. 90), for example, observes that ‘party structures become legitimate objects of state regulation to a degree far exceeding what would normally be acceptable for private associations in a liberal society’.

Criticism has been raised, however, against this view of state-society relations. Enyedi (2014, p. 197), for example, comments that the ‘cartel theorists do not consider the State as a tool used by people to achieve common goals. They treat it as an alien force, reproducing, ironically, the neoliberal conceptualization of state-society relations.’

Another critique is that public funding and membership decline are not necessarily causally related. Social changes which affect people’s demand for party membership may be the reason, rather than the parties’ demand for members. Moreover, the effects of public funding may be different from what the cartel thesis implies (Pierre, Svåsand, & Widfeldt, 2000; van Biezen & Kopecký, 2017). The impact will, in any case, depend on the design of the subsidies.

In the literature on political parties, the development towards ‘semi-public agencies’ is often described as a general trend. Recent empirical studies of party laws, however, show that the extent and character of such regulations varies considerably between countries (van Biezen & Borz, 2012; van Biezen & Piccio, 2013). The established democracies, such as the Nordic countries, have more limited regulations of political parties, instead focusing on their electoral functions. Countries with more recent experiences with authoritarian regimes tend to make more explicit prescriptions for their internal party organizations. Germany is an early example, followed by many of the newer democracies in southern and eastern Europe.

Regarding voluntary organizations, some civil society scholars claim the voluntary organizations have given up too much of their independent role and policy influence through handing over ownership and operation of welfare services to the government to promote public responsibility (Selle, 1999; Tranvik & Selle, 2005). Other scholars claim the loss of influence is a result of the State’s ‘colonization’ of the voluntary organizations (Lorentzen, 2004).

The close relationship between voluntary organizations and the State can nevertheless be interpreted differently, and the State is not necessarily purely instrumental, in a narrow sense, when regulations and funding systems are developed. First, the State is not a unitary actor. Different government ministries and agencies may support selected parts of civil society – who are allies in their struggle against other ministries. Second, the State subsidizes its own critics – opposition parties as well as interest groups in opposition to government policies, i.e., advocacy organizations for environment, animal protection, human rights, gender equality, disabled people, the elderly and immigrants.

Third, organizations have useful knowledge in various policy areas, and often become partners in policy-making dialogues. The advocacy and policy-making roles do not necessarily conflict: organizations may further their members’ interests by channelling their input into the State apparatus. That is nothing new, as the comprehensive literature on corporatism shows.

Salamon (1987) noted that the voluntary and public sectors both have distinct advantages and drawbacks. The State is better equipped to handle some of the challenges of welfare service production, such as funding, avoiding particularism and paternalism, and instituting quality-control standards. Voluntary organizations can personalize the

service, and be more innovative, flexible and cost-effective. Given this match between the shortcomings of the one sector and the virtues of the other, close cooperation makes sense. This argument refers to welfare service production, but it might be expanded to policy-making and governance in general. Voluntary associations may, for example, have expert knowledge of specific issue areas, which the State may lack. Voluntary organizations may also perform tasks on behalf of the government, such as distributing public funding to member organizations or to local activities (Sivesind, Arnesen, Gulbrandsen, Nordø, & Enjolras, 2018). If this is the case, ‘partnership’ may be a better metaphor for the relationship between the State and civil society than ‘colonization’.

A Framework for Analysis

To sum up, publications in both fields describe a development away from ‘pure’ civil society organizations to *hybrids* between state institutions and civil society organizations. Different terms are used to describe this hybrid form; we use ‘semi-public agencies’. In line with van Biezen’s (2004) concept of ‘parties as public utilities’, we regard public funding and public regulation – without public *ownership* – as core features of these ‘semi-public agencies’. Parties and organizations perform certain services for the State and, thus, become instruments for it. To ensure that the organizations perform these services, the State can use different kinds of regulation and funding. In the case of parties, the ‘service’ is to provide a channel for democratic participation. In the case of voluntary organizations, the services may vary. One example is sports associations, which provide an arena for physical activity and, thus, improve public health.

To map the extent of regulation and funding, however, is insufficient. Enyedi (2014, p. 198) points out that it is ‘important to consider the actual content of regulation’. Some types of regulations will restrict the autonomy of the organizations; others will safeguard it. Likewise, public funding may be earmarked – restricting what the organizations do – or it may be given unconditionally, thus enabling the organizations to realize their own goals.

How, then, should the occurrence of semi-public agencies be measured? First, we map regulation of parties and voluntary organizations in the *constitution*. Following van Biezen and Borz (2012), we regard constitutional codification as an important indication of the normative status of parties and voluntary organizations within their polities.

Second, we draw on Bolleyer’s (2014) classification of core areas of relevant regulation of parties and organizations: formation, operation and dissolution. Formation and dissolution both concern the very existence of the organization or party, or at least its access to certain privileges. The central aspect of formation is *registration*: What are the criteria for gaining a formal status? Regarding dissolution, a forced dissolution of parties and organizations is an extreme reaction. *Deregistration* may be more widespread: To what extent can the State withdraw privileges from parties and organizations?

Regarding operation, we consider different aspects. *Funding* and *accountability* are two central aspects of the daily operations of both parties and voluntary organizations. As Bolleyer (2014) points out, the regulatory system consists of both constraints and privileges. Privileges, such as public funding, enable parties and organizations to do their work. Such privileges are, however, usually followed by constraints: In return for funding, the State usually requires accountability. As Bovens, Schillemans, and Goodin (2014) point out, the concept of accountability is multidimensional. We use it to describe mechanisms that

hold organizations accountable to state institutions, usually involving the possibility of sanctions. Organizations can be held accountable for financial dispositions as well as procedures and results. Moreover, following Bovens et al. (2014, p. 7), we focus on *public* accountability: i.e., that information about the organizations is open to and accessible by the general public. Transparency will, thus, often be an important element of accountability.

In addition, we look into one aspect that only apply to voluntary organizations – regulation of *lobbying* – and one that only applies to parties – regulation of *candidate selection*. These activities may be seen as the constitutive functions for advocacy-oriented voluntary organizations and political parties, respectively (see e.g., Bolleyer, 2014).

The Case of Norway

A ‘Scandinavian model’ of welfare provision, with a relatively strong element of citizenship rights and state responsibility for welfare, was introduced as an idea in Norwegian politics even before the turn of the 20th century (Kuhnle, 1981). The popular movements emerged in the early 19th century, mobilizing people around religion, temperance, the new Norwegian language, labour issues, enlightenment, sports and shooting, as well as help for blind and deaf people. Political parties emerged together with these popular movements, adopting similar organizational structures, with local and regional branches. Individual parties were more or less closely affiliated with movements representing the same social or cultural groups – in some cases with a formalized cooperation, in other cases with a shared ideology and close contacts (Allern, 2010; Rokkan, 1967). Since then, voluntary organizations have pioneered the provision of welfare services. It gradually became clear, however, that the voluntary sector lacked the necessary capacity and resources; thus, the State became accepted as the main source of funding for welfare as coverage gradually expanded (Kuhnle, 1983; Kuhnle & Selle, 1990).

In Lester Salamon and Helmut Anheier’s typology (Anheier & Salamon, 2006; Salamon & Anheier, 1998; Salamon et al., 2004), countries cluster into four types – social democratic, corporatist, statist, and liberal models – according to the size of public welfare spending and the scale of the nonprofit sector. Norway is usually classified as belonging to the social democratic model, where public welfare costs are extensive and welfare provision constitutes only a minor part of the nonprofit sector. Other activities, particularly in the culture and recreation areas, dominate the Norwegian voluntary sector (Anheier & Salamon, 2006; Salamon & Anheier, 1998; Salamon et al., 2004)

The nonprofit organizations’ share of paid employment in the welfare field is just 7%, compared to 13% in Denmark and 20–25% in corporatist countries such as France, Austria and Germany (Sivesind, 2017). When considering both paid and voluntary workforces, member-based organizations, particularly those in culture, sports and recreation, represent the largest share of the nonprofit organizations. Only 21% of the income of these voluntary organizations (excluding nonprofit service providers) comes from government funding, and a dominant part of that is support for activities initiated by the organizations, based on general criteria (Arnesen & Sivesind, 2017). There are also low levels of volunteering in welfare services and high levels outside of the service field (in so-called expressive organizations) (Sivesind & Selle, 2009, 2010).

From our perspective, the important point is that the social democratic model gives the State fewer incentives to control and regulate voluntary organizations, even though the

voluntary sector depends partially on state funding. Furthermore, since the nonprofit organizations play a smaller part in welfare services, they are less burdened by the fear of alienating state sponsors. This freedom results in surprisingly critical voluntary associations (Janoski, 1998). In other words, this funding model makes a transformation of voluntary organizations into semi-public agencies less likely.

Whereas this argument only applies to voluntary organizations, another argument is more general. Norway is often described as a high-trust society. Generalized social trust, as well as trust in political institutions, is relatively high (Newton, 2007, pp. 346–347). Norway has even been labelled a ‘state-friendly society’, where voluntary organizations often have promoted increased government involvement, rather than seeing the government as an adversary. Even though the ideological distance can be considerable, the government accepts civil society organizations as legitimate participants in policy discourses (Grendstad, Selle, Strømsnes, & Bortne, 2006; Kuhnle & Selle, 1992).

This relationship is often described as corporatism. The term ‘corporatist’, however, underplays the extent to which the State serves as a meeting point in which representatives from society work out policies in a spirit of consensus and compromise (Rothstein & Trägårdh, 2007). Jepperson, therefore, uses the term ‘social-corporate system’ in contrast to a ‘state-corporate system’, such as Germany, where the State by tradition has had a more dominant role in relation to civil society (Jepperson, 2002; Schofer & Fourcade-Gourinchas, 2001).

To sum up, this high level of mutual trust between citizens, organizations and the State also indicate that a transformation into semi-public agencies is less likely. Admittedly, mutual trust may make the organizations less likely to object to become instruments for the State. They may be able to pursue their main goals in collaboration with the State if they can resist cooptation. Seen from the State’s point of view, however, trust reduces the need to regulate parties and organizations.

Constitutional Regulation

Norway has been known for constitutional conservatism, resulting in a very loose coupling between the written Constitution and the living Constitution. Accordingly, as van Biezen and Borz (2012) and Borz (2014) have shown, the Norwegian Constitution does not say much about voluntary organizations and parties. A major constitutional revision in 2014, however, brought the written text closer to actual practice, as a series of articles on human rights were enshrined in the Constitution. This led to a constitutionalization of voluntary organizations through adoption of an article on freedom of association: ‘Everyone has the right to form, join and leave associations, including trade unions and political parties’ (Article 101). Following a constitutional amendment in 2012, State support for religious associations is also explicitly mentioned. Owing to Norway’s corporatist tradition, and the importance of business and labour organizations for wage formation, economic growth and employment, one might expect constitutional regulation of these groups (cf. Borz, 2014). That is not the case, probably because neither business nor labour organizations want it. Neither does the Norwegian Constitution regulate political parties in detail (van Biezen & Borz, 2012). Except for the aforementioned article on freedom of association, the Constitution only mentions parties briefly, focusing on their electoral functions.

In short, the Norwegian Constitution does not support the hypothesis of semi-public agencies. The Constitution does not interfere in the internal life of parties and voluntary organizations. In contrast to countries with an authoritarian past, nobody has seen the need for constitutional regulation of how parties and organizations work in Norway. Instead, the recent constitutional amendments protect civil society from such interference.

Registration and Deregistration

Registration of Voluntary Organizations

In Norway, there are a multitude of registers, laws, exemptions, and support arrangements that define different, partly overlapping voluntary sector sub-groups. Thus, whereas a ‘foundation’ is defined by law, a ‘nonprofit’ or ‘voluntary organization’ is not a distinct legal category in Norway; however, the various administrative arrangements and regulations specify different target groups.

One of the more important arrangements that define sub-groups of the voluntary sector is the Register of Non-Profit Organizations. It was established in 2009 to simplify the interaction between voluntary associations and public authorities by providing systematic statistics and policy-relevant research and information; in doing so, it aims to strengthen the legitimacy of voluntary activity (Strømsnes, 2013, pp. 92–93). Only voluntary associations, non-commercial foundations, and limited liability companies that only distribute funds to nonprofit activities are eligible for registration. While registration is optional, the number of registered organizations is steadily increasing, as registration is a requirement for receiving proceeds from the State-owned gaming company Norsk Tipping (the so-called ‘grass-root share’ that is allocated to a certain organization by the gamers), value-added tax (VAT) compensation, and other benefits (Arnesen & Sivesind, 2017).

Another example is a central register for foundations in connection with the Norwegian Gaming and Foundation Authority, which ensures activities are in line with the Foundation Legislation Act and the foundation’s statutes. All foundations in Norway have to be registered. The Norwegian Gaming and Foundation Authority also supervises and controls all private and State-operated lotteries. Voluntary associations must apply for an exemption from the general ban on gaming to arrange lotteries and bingo, and then submit accounts to the gaming authority. The regulations define yet another target group.

In addition, there is a register for fundraising organizations operated by a private foundation called the Fundraising Control [*Innsamlingskontrollen*], established by the fundraising organizations themselves to promote confidence among the donors. The Parliament abolished the Act of Registration of Fundraising in 2015 because of its confidence in voluntary organizations’ ability to self-regulate the registration and promote the sector’s credibility. In practice, this was of little consequence since registration of fundraising was never mandatory. Operations that did not meet standards could legally continue without registration unless they violated other laws. The Fundraising Control has established a code of conduct, monitors audited accounts and annual reports, keeps a public list, and awards an accreditation seal to approved organizations.

As there is no legal regulation of voluntary organizations *per se*, neither is there any legal regulation of dissolution or banning of such organizations. Inclusion in the Register of Non-Profit Organization is non-compulsory. Organizations that no longer fulfil legal

requirements for registration (e.g., if the organization starts transferring profit to members), can, in principle, be deregistered; however, the consequences of deregistration are only financial. For example, a deregistered voluntary organization is not eligible for VAT refunds, but apart from that, it can continue its work as before. The voluntary register authorities cannot interfere if an organization violates its own statutes, in contrast to the power of the Foundation Authority.

Party Registration

Norwegian legislation distinguishes between registered parties and other groups that field candidates in elections (e.g., local candidate lists, unaffiliated with the national political parties; see Aars & Ringkjøb, 2005). A political group can apply to the Register of Political Parties. According to the Political Parties Act (§ 3), registration requires, among other things, that the party collect signatures from 5,000 eligible voters. The status as a ‘registered party’ is advantageous. First, a local list must collect a number of signatures (varying with municipal size) before each election, whereas a registered party can submit candidate lists for elections without gathering new signatures. Ballot access is therefore easier for registered parties. Second, only registered parties get public funding for their organizations, as we shall see below. The local lists are, in practice, excluded from these opportunities.

The Party Act (§ 5) determines that ‘when the party has not issued a list of election candidates in any constituency at two consecutive parliamentary elections’, it will be deregistered. This means that even if the local lists were able to collect enough signatures for registration, they would be deregistered after two elections.

Comparing Parties and Organizations

Legal regulation on registration and deregistration of both political parties and voluntary organizations exists in Norway. Registration of voluntary organizations is a quite recent innovation. On the one hand, this supports the notion of semi-public agencies. On the other hand, this is a relatively soft type of regulation. Registration may be advantageous for both voluntary organizations and parties, and deregistration does not mean dissolution or banning. As far as we know, the state has no legal basis for dissolving or banning parties or organizations (except for organized crime).

Funding

Funding of Voluntary Organizations

Despite a high level of public welfare spending, the nonprofit sector in Norway does not rely heavily on income from the public sector. Only 36% of the income comes from transfers and payment from the public sector, 7.5% from gifts, and 56.5% from sales, fees, and charges (Sivesind, 2007; Sivesind & Selle, 2010). These shares have changed little from 1997 to 2015, and they are similar to those in other Scandinavian countries (Sivesind et al., 2004; Sivesind et al., 2018; Statistics Norway, 2017b). Important reasons for this are that a small share of the nonprofit sector performs welfare services that in most

countries primarily are paid for by the government. Member-based organizations, particularly at the local level, generate a high share of income through their own activities; volunteering is a highly significant input. To a large extent, volunteering is used to generate cash income through flea markets, coffee and hot dog sales, as well as to arrange sports and culture events and festivals. Traditionally, lotteries have also been an important source of income for the voluntary organizations (Arnesen & Sivesind, 2017).

In the welfare service field, income from the government accounts for more than 60% of funding. International activities receive significant amounts in private donations, but even larger payments come from the State for development aid and disaster relief (Statistics Norway, 2017b), since the NGOs are a main public policy instrument in this field (Rattsøutvalget, 2006). These organizations, however, are still formally separate from the government. They are mostly voluntary associations governed by a board elected by individual members. In some cases, welfare providers are private foundations operating private schools, kindergartens or elderly care institutions, which are subject to the Foundation Act's requirement of independence.

In the voluntary sector outside the welfare field and foreign aid, direct support from the public sector represents a much smaller share of the total income. In housing and labour organizations, fees and charges dominate, while public benefit organizations and culture and recreation organizations get more than one-third of funding from the government and 50–60% from sales, fees, and charges. Religion is the only field where private donations are a significant source, representing about one-third of the income (Sivesind et al., 2018; Statistics Norway, 2017b).

There is also significant *indirect public support* for sports and cultural activities, in particular through funding of sports facilities, local and regional culture houses, and meeting places. Surplus income from the State-owned gaming company, Norsk Tipping, is also used for supporting such causes, in addition to its general support for voluntary activities following quotas set by the Parliament. This support is partly distributed by the Government and partly channelled through voluntary umbrella organizations that distribute support for local activities, i.e., The Norwegian Confederation of Sports and the umbrella organizations for voluntary children and youth organizations (Frifond).

In addition to revenue from gaming, the State and the municipalities give economic support to certain types of voluntary organizations – in particular, youth and children's organizations and religious societies – based on predefined criteria, such as the number of members, geographic coverage, and the organization's statutes and main purpose. There are also support arrangements targeting advocacy organizations for disabled people and elderly, environmental organizations and immigrant organizations (Arnesen & Sivesind, 2017; Lorentzen, 2010).

Income-tax deductible donations are another kind of indirect support. The maximum sum of deductible donations from individuals to voluntary associations was 12,000 NOK [2,200 US dollars] from 2005 to 2013, but increased to 30,000 NOK in 2017. The smallest deductible amount is NOK 500 a year to each organization. The list of Norwegian organizations that qualify for deductible donations has gradually expanded to 566 organizations in 2017, and includes a broad spectrum of activities – from culture and recreation, to environment, religion, peace and human rights, development and disaster aid, as well as general social and welfare associations. The donated amount must be reported by the

organization to the tax authorities, and only registered gifts can be deducted. In 2015, the average deducted amount was NOK 4,300, and 683,324 tax payers (Statistics Norway, 2017a) or 24% of employed persons, used the opportunity to deduct gifts. This means that many people use the system even though the deducted amount is quite moderate. One reason for this is that an increasing number of people donate regularly, which makes it easy for the organizations to register and report to the tax authorities (Sivesind, 2015).

Finally, registered voluntary organizations benefit from *VAT exemptions*. They do not have to pay VAT on many important types of income, including membership fees, sale of organizational effects, lotteries, gifts, flea markets, irregular advertisements, as well as cafe, kiosk, and food sales in connection with the organization's arrangements. These types of income are considered non-commercial by the tax authorities. Nonprofit organizations also have somewhat higher basic amounts exempted from VAT, employer's tax, and income tax than do business enterprises. Thus, the law recognizes nonprofit organizations as business enterprises with very limited modifications in certain areas of taxation.

Additionally, in 2001 when VAT on services was introduced in Norway, the Parliament granted voluntary associations a right to full compensation. In 2010, the compensation was extended to include all types of VAT. The amount allocated by the government only covered 49% of the VAT in 2012, but increased to 76.3% in 2015. The plan is to gradually increase the amount until it covers full compensation for all VAT, but in practice, the number of organizations that take part grows faster than the budget.

Party Funding

Norwegian political parties are clearly financially dependent on the State (Allern, Heidar, & Karlsen, 2016, pp. 42–44), and the share of party income from public subsidies is relatively high comparatively (van Biezen & Kopecký, 2017, p. 87). In 2016, 74% of total party income came from public funding (Statistics Norway, 2017c), and 18% was generated by the parties themselves, through membership fees, lotteries and other activities. Only a minor part – 8% – was donations from interest groups and private individuals. Such donations reach a somewhat higher level in election years (e.g., it was 14% in 2015, when there were local elections). Accordingly, donations constitute a minor part of party finances (Allern, 2010, pp. 118–119, 274–276; Henriksen, 2011).

Some elements of party subsidies had existed earlier, but the general system for public funding of party organizations was introduced in 1970 (see e.g., NOU, 2004: 25; Svåsand, 1991). The main argument was that parties play an important role in a democracy, and that the state should provide the parties with the resources they need to fulfil their functions (NOU, 2004: 25, pp. 38–39; Svåsand, 1991, pp. 127–130).

The system for party funding is rather complex, including support for the parties' national, county and municipal organizations, their youth organizations at the national and county levels, the parliamentary party groups and the party groups in county and municipal councils. The system has gone through some revisions, and the present criteria for support dates back to the recommendation of the Democracy Financing Committee (NOU, 2004: 25).

Public party funding is allocated on the basis of the number of votes received by the party (at the national, county and municipal levels). The only exception was state

support for party youth organizations, which previously was based on membership figures and reported activity as a part of a more comprehensive system for funding of voluntary youth organizations. Membership fraud through inflated membership figures, however, was uncovered in party youth organizations. Since 1995, the criterion for subsidies to the party youth has been based on votes, rather than membership (NOU, 2004: 25, p. 42).

The question of a pay-out threshold has been disputed. Between 1975 and 2005, public support for the national organizations was limited to parties that had received at least 2.5% of the votes in the last parliamentary election. There were no such thresholds at the county and municipal levels. According to the current legislation, party support (at all levels) consists of two elements: a 'basic support' – a flat-rate sum for all eligible parties – and a 'vote support', proportional to the number of votes. To be eligible for the 'basic support' at the national level, a party must get at least 2.5% of the votes or have at least one MP elected. At the county and municipal level, the corresponding threshold is 4% or at least one elected councillor. There is no threshold for the 'vote support', but as the 'vote support' constitutes 90% of the grants, the effective threshold was lowered. There are, nevertheless, limits to inclusiveness. As mentioned above, only registered parties are eligible. Others may still receive support for their groups in Parliament, county councils or municipal councils, but not for their organizations.

Comparing Parties and Organizations

Political parties in Norway rely heavily on public funding. In general, the voluntary sector is less dependent on public money, but it nevertheless benefits substantially from a number of direct and indirect support schemes. More substantial public funding is targeted for providers of welfare services and foreign aid. The *amount* of public subsidies, however, does not determine whether parties and organizations have become semi-public agencies; the crucial point is whether these subsidies affect what these organizations are doing. We will return to this question in our concluding discussion.

Accountability

Holding Voluntary Organizations Accountable

In Norway, the Ministry of Culture has the responsibility for coordinating the policy for the voluntary sector. Organizations providing welfare services, international organizations, and immigrant and environmental organizations, however, have more contact with the ministries responsible for their respective fields of operation. The relations to the public sector have been characterized by proximity in terms of communication and contact rather than dependence in terms of finance and control (Kuhnle & Selle, 1992). To a large extent this still applies, even to areas where the state has instrumental reasons for supporting voluntary organizations, such as promotion of public health, emergency preparedness, integration of immigrants and refugees, and foreign aid. For example, sports contribute to improving the health of the population, and the Red Cross and similar organizations are important for emergency preparedness (Stortingsmelding nr. 39, 2006–2007). The state has made agreements with organizations in several areas about integration of immigrants and refugees in their activities (Sivesind, 2013).

The public-sector agencies have a right to review the accounts of nonprofit providers of out-sourced welfare services, although their capacity to do so in many cases is limited. The organizations must also submit accounts showing how certain kinds of support have been used, such as Frifond support to local youth and children activities. All organizations that hold a license from the Norwegian Gaming and Foundation Authority to arrange lotteries must submit their annual accounts. Organizations getting VAT compensation must also submit annual accounts, and additionally an auditor's report if they have operating expenditures above a certain level (5 mill. NOK for the simplified model, or 3 mill. NOK for the documented model). Organizations are not required to submit annual accounts to the Register of Voluntary Organizations; however, certain larger organizations have to submit their annual accounts to the Central Register for Business Accounts because the organizations have a statutory obligation to keep accounts.

Holding Parties Accountable

Traditionally, political parties have not been strongly regulated in Norway. Writing in 1991, Svåsand (1991, p. 119) could claim that 'few aspects of party activity have been kept more away from the public eye than the question of party finance'. Initially, there were no conditions for the support given and no control of how the money was spent. Parties were regarded as civil society associations, not to be controlled by the State. According to Pierre et al. (2000, p. 12), 'discretion on how the money was spent was seen as a key precondition for the introduction of the subsidies in order to ensure that parties would not become bound in any way by the state'.

This initial period of trust has ended: the parties are now obliged to report their income and expenditures. Except for the earlier-mentioned membership fraud in youth organizations, there have not been any major scandals in Norwegian party finance. Party finance is nevertheless disputed. The parties of the Right usually claim that the Labour Party is controlled by the trade unions, through their financial contributions. Likewise, the parties of the Left claim that the Conservatives are in the pockets of wealthy business leaders.

Even though this national debate may have contributed to increased transparency, the international influence seems to be equally important. The first step was taken in 1998, when the Parliament passed the Act on Publication of Political Parties' Income. The national organizations of all registered parties were obliged to submit annual accounts of their income. Relatively strict requirements of party finance transparency were introduced by the Council of Europe (2003). The Democracy Financing Committee discussed whether the Norwegian practice lived up to these standards, and introduced some new measures to improve transparency (NOU, 2004: 25, ch. 6). Among other things, county and municipal branches should also report their income, and the reported party income should also be published by Statistics Norway, thus being more accessible to the general public (see Henriksen, 2011). The committee's recommendations were then incorporated into the new Party Act.

The Council of Europe was still not satisfied, and its 'Group of states against corruption' (GRECO) evaluated the Norwegian system and made some specific recommendations in 2009. Accordingly, the Political Parties Act was amended in 2013 (see Prop 140 L (2011–2012)). One major change was that the existing obligation to report *income accounts* was extended to *expenditures*.

Comparing Parties and Organizations

Both parties and voluntary organizations are facing increasing demands for accountability and transparency. This is – at least partly – a consequence of the developments in registration and funding described above. It is not surprising that the State wants to see how public money is spent. In this respect, an element of transformation towards semi-public agencies is certainly present. It should be remembered, however, that the starting point for this development was a trust-based system with few accountability measures.

Constitutive Functions: Lobbying and Candidate Selection

Regulation of Lobbying

Even though an increasing number of countries introduce lobbying regulations, most democratic countries have no such regulations (Chari, Hogan, & Murphy, 2010, pp. 10–11). This is also the case in Norway, where the relationship between politicians and interest groups is still based on trust. There is no lobby register in Norway. Proposals to create such a register have been turned down by the Norwegian Parliament on several occasions – most recently in 2014, with 11 votes for and 104 against. The Presidium of the Parliament argued against a lobby register, claiming that it would be easy for lobbyists to evade it, and that such a register could even raise the threshold for contacting politicians (Stortinget, 2014).

Regulation of Candidate Selection

Candidate selection is seen as an intra-party issue in most countries and, therefore, unregulated by the state. As Hazan and Rahat (2010, p. 4) point out, Norway was one of the few exceptions from this pattern until 2002. Candidate selection was, thus, an early exception to the dominant pattern of limited party regulation in Norway.

A separate Nomination Act was passed in 1920, when proportional representation was introduced. The legislators wanted a new system for choosing candidates, adapted to the new multi-member constituencies that covered much larger areas than the former single-member districts (Valen, 1988, pp. 210–211). The Nomination Act was later incorporated in the Election Act, but abolished in 2002 as recommended by the Electoral Reform Commission (NOU, 2001: 3, pp. 230–231).

According to the Nomination Act, municipal branches elected delegates to nomination conventions in each of the 19 constituencies, where the candidates were then selected (Valen, 1988; Valen, Narud, & Skare, 2002). The prescribed rules were not mandatory; the parties were free to choose their own procedures. But if they abided by the Act, public funding covered expenses in connection with the nomination conventions. The procedures of the Nomination Act were largely followed, and deviations were usually minor. Even today, most constituency parties adhere to the candidate selection procedures of 1920. Membership ballots have been introduced in several parties, but these are usually only advisory: the final decision is still taken by the nomination convention.

Comparing Parties and Organizations

When we look at the two ‘constitutive functions’ lobbying and candidate selection, there are few signs of transformation. Lobbying is still unregulated, and candidate selection – where the rules were not mandatory – has been deregulated.

Conclusions: A Transformation of Parties and Voluntary Organizations?

As discussed in our framework for analysis, we regard public funding and public regulation as the two core aspects of a transformation towards semi-public agencies. We find, on the one hand, signs of such developments in both parties and voluntary organizations. Regarding *public funding*, the design of public subsidies may certainly affect priorities. For instance, Norwegian political parties and civil society organizations would probably have made less effort to build educational associations without public funding (see e.g., Svåsand, 1991, p. 139). Many types of voluntary organizations try to recruit more members by keeping fees at a minimum in order to maximise public support. The result is that many Norwegians get in touch with voluntary organizations through membership without necessarily being motivated for active participation or volunteering. Another example of the effect of incentives is an umbrella organization called Hyperion that was established in 2003, partly in order to build a nationwide structure that qualifies for membership support from the Ministry of Children, Equality and Social Inclusion. It has recruited more than 19,000 members in 11 years, for the most part by absorbing existing local activities without any previous central level affiliation, such as role games, board games, computer games, computer gatherings and activities related to cartoons, animé, science fiction, fantasy, and horror. This means a change of organization structure that benefits the affiliated organizations (national spokespersons in policy debates, possibility to borrow equipment etc.), but it is difficult to see if it leads to any major changes in activity.

When we turn to *public regulation*, we see that one aspect of state–civil society relations has changed in a more general way: there is a greater emphasis on accountability and transparency, in particular in welfare service provision, disaster preparedness and foreign aid. The State does not give away money unconditionally. The initial state of trust between the state and political parties is – to some extent – gone. At least, lack of public accountability cannot be justified to the public and to international organizations such as the Council of Europe. Civil society organizations that get public support for particular projects must write reports and submit accounts. In order to apply for general support, they must submit documentation of the number of members, type of activities, organization structure, statutes, and other data. New Public Management has resulted in a stronger focus on economic and operational accountability in general.

On the other hand, our review of different types of regulation has also shown that many aspects of parties and voluntary organizations are left unregulated or scarcely regulated. The lack of a lobby register, the deregulation of candidate selection, and the very limited constitutional regulation of parties and voluntary organizations indicate that a substantial element of mutual trust remains. The debates and hearings before the establishment of the Register for Voluntary Organizations show that there is broad political support for avoiding general laws and regulations and for the principle of organizational

freedom (NOU, 2006: 15). Inclusion in the Constitution in 2014 is further confirmation of this deep-rooted principle.

Moreover, to assess whether organizations have become semi-public agencies, it is necessary to go beyond the extent of our two core aspects: public regulation and funding. The question is to what extent these regulations and subsidies affect the internal life of parties and organizations: do they restrict the autonomy of the organizations, or enable them to reach their own goals? Even though there are some indications of changing priorities, our data do not support the thesis of a *general* transformation of voluntary associations into ‘semi-public agencies’. If we look at the more than 80,000 local voluntary associations in Norway, there are few signs of instrumentalization. Some of the national-level organizations and umbrella organizations are included in public policy documents. Others have made agreements with national public authorities about contributing to certain policy goals. These goals, however, are for the most part quite uncontroversial as seen from the organizations’ point of view. There is a strong overlap with organizational goals and policies, for example regarding promotion of public health, emergency preparedness, integration of immigrants and refugees, human rights and foreign aid.

In some of these areas and in the small nonprofit sector for provision of welfare service, the organizations sign contracts detailing output with the government on local, regional or national levels. Foreign aid organizations are also involved in projects with targeting goals set by the Norwegian Agency for Development Cooperation. All other government transfers, however, are basically funding to promote the organizations’ self-initiated activities. This includes the VAT-compensation increasing year by year (NOK 1.3 billion to sports and voluntary organizations in 2017), general support per member for youth and children organizations, and large sums of money distributed from the surplus from gaming (Arnesen & Sivesind, 2017). In addition, there is government support targeted for building infrastructure, houses and sports facilities that voluntary organizations may use. Only smaller amounts are used to fund projects initiated and specified by public agencies, e.g., for advocacy organizations for elderly and disabled people, environmental organizations, immigrant organizations, and religion and life stance organizations (Lorentzen, 2010). This, however, supports and promotes organizations that, to a large extent, are alternatives, watch dogs or even in direct opposition to the public authorities. Compared to other West European countries, nonprofit organizations in Norway get a smaller share of support from public authorities and provide fewer welfare services on public contracts (Sivesind & Selle, 2010). They are, to a greater extent, partners in policymaking dialogues or interest groups in opposition than the concept of ‘semi-public agencies’ would suggest. This is in line with Janoski’s (1998, p. 133) observations:

Voluntary associations in the social democratic regimes have the ability to be much more independent and engaged in critical discourse. Although the state may provide much of the social democratic regime funds for voluntary associations, they are not reduced to fund-raising efforts and are surprisingly critical of state policies.

Regarding political parties, party membership has indeed declined in Norway, as in most West European countries (van Biezen, Mair, & Poguntke, 2012), but the causal relationship between public funding and membership decline is uncertain. The relation between Norwegian parties and the state has certainly been transformed: Parties have become

financially dependent on the State, and the State has, in return, demanded increased transparency and accountability. The question is, nevertheless, whether this has turned parties into semi-public agencies. These regulatory measures do interfere in the way parties work, but only to a limited extent – it can hardly be described as state infringement on their independence as civil society organizations.

One aspect of the social democratic model – the minor role of welfare-providing NGOs – may prevent such a transformation. The voluntary sector within the social democratic model – just like political parties – does only to a limited extent produce tangible welfare services. Instead, they provide more intangible goods: sports associations contribute to public health, neighbourhood associations contribute to a sense of community, and political parties provide arenas for democratic debate and participation. As the utility of voluntary organizations is more diffuse, the question of ‘semi-public agencies’ may be less relevant than in countries where NGOs are major welfare providers.

Voluntary organizations, in particular the broad social and humanitarian organizations, have contributed to the formation of public policies and regularly take part in official committees, but they have also acted as change-oriented pressure groups. This has to do with the openness of the political system and with the fact that the voluntary organizations were able to coordinate the expectations of members and the State because public financing, consultation and communication in most cases did not imply strong governmental control (Kuhnle & Selle, 1990, 1992). There has been a high degree of organizational pluralism; the different social movements have their own agendas and they have been able to make their voices heard. At the same time, the participation of civil society organization in policymaking and implementation is very important for establishing legitimacy of the output. Thus, even though changes have taken place, the relationship between the government and the voluntary sector might still be characterized by interdependence, rather than competition or dominance.

What can we learn from the Norwegian case? We found that state regulation and funding has increased, but not necessarily in a way that restricts the autonomy of the organizations. As mentioned in the introduction, Norway is a country where a transformation into semi-public agencies seems less likely. Thus, our findings cannot be used to reject a general thesis of semi-public agencies. The case study, however, has demonstrated the usefulness of an in-depth study of public regulations of parties and voluntary organizations. Limiting the study to a single country has enabled us to look into several aspects of state regulation, and to go beyond the *amount* of regulation to discuss whether regulation restricts the autonomy of the organizations or enables them to reach their goals. Case studies from countries where a transformation appears more likely would therefore be most useful, to see whether some of the same mechanisms work in a different context.

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