

LAW ON POLITICAL PARTIES

(Indian Express - January 17, 1990)

Sir, - It is earnestly hoped that as promised Mr. V.P. Singh will speedily implement the necessary electoral reforms which would strengthen the democratic processes in the country. It is of paramount importance to pass legislation to establish norms for the proper functioning of political parties. This in itself will go a long way in strengthening our democracy. Currently, in the absence of any established norms, there is rampant ad-hocism, autocracy and corruption in the functioning of our major political parties.

Liberal democracies in other countries have passed adequate laws to ensure this. The Federal Republic of Germany enacted comprehensive legislation called the Law on Political Parties as early as in 1967, dealing with the internal organization of parties and stipulating the various elements of a democratic party organization. These embrace the administrative structure of the party from grassroots to supreme bodies, the articles of association and programmes, election of the party organs including the executive committee, the setting up of party courts of arbitration and the rights of participation to be accorded to the party members.

The law lays down that the party general meeting must be held in at least every second calendar year. The party congress is required to elect the chairman and other members of the executive committee, it being entitled to receive a progress report from the executive committee at least every two years and adopt resolutions in regard thereto. The law requires that the tenure of the members of the executive committee shall be limited to a maximum of two years.

Another important provision relates to the obligation imposed on the political parties to render a public account of the origin of their funds, thereby eliminating a fertile source of corruption in the body politic. Parties which fail to submit the report are disqualified for reimbursement of election campaign expenses as provided for under the law.

In the US a system of primaries had been adopted for facilitating a fuller participation of the people in the selection of candidates for elective offices. Primary elections are held to ascertain the popularity of candidates for being selected for such offices, thereby reducing the chances of the party bosses influencing the nomination of candidates in elections. Thus candidates obtain nomination on merit rather than by any dubious and corrupt means.