

1. Political parties are indispensable to any democratic system and play the most crucial role in the electoral process in setting up candidates and conducting election campaigns. In recent years, we have witnessed rise in political corruption, decline in morality in public life and a succession of unstable governments, and the reason for such a recurring phenomenon is said to be the archaic and chaotic functioning of political parties. In the light of the above statement, discuss the problems in the working of political parties in India. Do we need a special law to regulate their functioning? Give your arguments.

(250 Words)

**Answer:**

Political parties are political organizations of individuals that seek to influence government policy, usually by nominating their own candidates and trying to seat them in political office. These parties participate in electoral campaigns, educational outreach or protest actions.

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**Problems in the Working of Parties:**

1. **Absence of Inner Party Democracy:** Over the last fifty years of Independence, no political party has been able to observe the basic norms of inner party democracy. The authority in organizational matters has always been from the top to the bottom through successive layers of party structures. Leaders of political parties in Independent India have not always emerged through a process of democratic elections and promotion from the lower levels to the higher and the top. Thus, leadership in most political parties in India may be democratic in appearance but highly oligarchic in reality.

It is suggested by some scholars that enforcement of party constitution through legal and judicial action may be necessary. Regular organizational elections should be mandatory. In order to control bossism in parties, many analysts have suggested the introduction of a more democratic process of nominating party candidates by a primary election by the party membership. An alternative suggestion is to authorize each local party unit to have a significant say in nominating the party candidates in that area for legislative offices.

2. **Representation of Women:** Political parties cannot remain indifferent towards women who constitute nearly 50% of the electorate. Although almost all parties have attempted to build women organizations to secure their support and make their organization more broad-based, but in practice they have fielded much less proportion of women candidates in the elections giving them proportionately much less representation in the legislative bodies than their actual population strength. In recent times this has been a matter of crucial concern in view of the controversy over reservation of 30% or so of the seats in these bodies.

3. **Need for Funds:** To perform various functions and contest elections in an effective manner, every political party requires huge funds. Apart from expenditure of office establishment, full time-workers, agitations, propaganda and travel, parties have to organize election campaigns. But the financial matters of party are kept secret while other aspects of organization are known to people. Very little is known about finances of political parties. In fact, secrecy is maintained even within a party.
4. **Lack of Ideology and Values in Politics:** There has been a very sharp erosion in the ideological orientation of political parties. Party dynamics in India has led to the emergence of valueless politics much against the ideals of the father of the nation, Mahatma Gandhi, who suggested that the Congress party should be disbanded after the achievement of Independence and its members should engage themselves in the service of the people. But the democratic norms and institutions have been destroyed systematically over the last fifty years of the working of the Constitution. In the process, both the politicians and political parties have lost their credibility. There seems to be a crisis of character amongst the politicians, as the system does not encourage the honest leader. Because of the falling moral standards both in the public and among the leaders, criminalisation of politics and politicization of criminals has become the norm. Due to degeneration of leadership, parties have been entangled in power struggle for the sake of personal ends.
5. **Regionalisation:** The regionalisation of political parties has compelled many of the parties to orient their highly centralized organization and decision-making structure to suit the new demands of party at the state level, thus adopting a confederation like approach for the party organization. This has resulted in a lesser assertion of national control over state units.  
Secondly, regionalism and regional parties have made 'ethnicity' acquire a growing respectability at home and abroad.  
Thirdly, as national politics has now entered a coalition phase, regional parties are being grouped together to provide a working majority at the centre. At the same time, differences in the economic, educational and social interests of regional middle classes, intermediate castes and the new classes to overwhelmed the unifying capacity of regional pride.
6. **Casteism:** Although there is hardly any instance in India of a political party being totally identified with any particular caste group, yet there are cases of certain castes lending strong support to particular political parties. Thus, while political parties struggle among themselves to win different caste groups in their favour by making offers to them, caste groups too try to pressurize parties to choose its members for candidature in elections
7. **Criminalisation:** Although the influence of muscle power in Indian politics has long been a fact of political life since the First General Elections of 1952, when some feeble allegations were made about the use of outlaws by the politicians to further their electoral prospects, the intensity and frequency of such allegations, have increased in more recent times, and the criminalisation of politics and the persons known to have criminal past becoming legislators and ministers has not

only become very common but is being openly defended by the party leaders. A stage has now reached when the politicians openly boast of their criminal connections.

8. **Growing Violence:** The growth of political parties and emergence of various political groups in India has brought into focus a very disturbing and serious phenomena in the body politic of India. There are some sections of the population and highly organized political groups and parties, who do not like to remain within the orbit of the Indian Constitution and work outside the existing political apparatus and party norms, and in the process have taken to political violence and terrorism in a big way, as the only method for political participation. This has not only spread panic amongst the general population in some areas of the country, but people seem to have lost confidence in the efficacy of government in ensuring security for the general populace. Criminals now call the shots. They dictate and the Governments obey. Whether it is the hijackers of a plane or kidnappers of a film star, their writ runs supreme.

Presently there is no laws stating what parties can and cannot do. This creates the risk that political parties may engage in ruthless politics with little or no public accountability. But one does not have to invent a new wheel. There is a draft bill called the Political Parties (Registration and Regulation of Affairs, etc) Act, 2011, prepared by the Centre for Standards in Public Life (CSPL) under the guidance of former Chief Justice of India M N Venkatachaliah. This draft bill attempts to address a wide spectrum of issues ranging from the formation of political parties to registration, governance, accountability, regulation of political parties, functions of parties and their discipline. It compulsorily lays down the condition for maintenance and reporting on accounts and all contributions above Rs 20,000 by political parties, clearly noting that compliance with provisions of the Act and the declaration submitted by political parties at the time of registration would be legally binding on them, on a continual basis. Strict norms have been laid down for the observance of internal democracy like no nominations and periodic free and fair elections for selecting various office-bearers within a political party. Addressing the existing discrepancy where even unregistered parties can contest elections, the draft bill calls for registration with the ECI as a necessary criterion for contesting elections. Moreover the registrar, through this draft bill, is empowered to direct a special audit of the accounts of any year of a party or of any local unit. The draft bill strongly talks about penalties to be meted out to political parties in case of deviance from the provisions laid down by the bill, by way of a fine of Rs 10,000 per day of non-compliance, imprisonment of up to three years, as well as withdrawal of registration. Other significant grounds for de-registration of a political party by the registrar, according to this draft bill, is the noncontesting of more than one general election, or not securing a prescribed minimum percentage of votes polled, or not taking part in mainstream political activities.

Amongst high-level government reports on this issue, there is the Law Commission's '170th Report on Electoral Reforms' (1999), the National Commission for the Review of

the Working of the Constitution report on electoral reforms (2002) and the ECI's recommendation on electoral reforms (2004). Though these reports strongly advocate the regulation of all political parties through law, they recommend the inclusion of this law as part of the already existing RPA, rather than enacting an exclusive Act for the regulation of political parties in India.

Thus law is needed to curb the growth of valueless politics.

## PRACTICE QUESTIONS

### **Answer the following Questions**

1. In order to make Paris Climate deal successful, it is essential to create a fair and equity based rule book at the earnest. Comment. (250 words)
2. Recently mooted Draft Forest Policy (DFP) will significantly undermine the provisions of Forest Policy, 1988 and hasten diversion of forest land for developmental projects. Analyse. (250 words)