

# INNER PARTY DEMOCRATIC GOVERNANCE: A CHALLENGE

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## ABSTRACT

In India traditionally parties have been seen as pocket boroughs of those at the helm. Often there are entry barriers to members. Communist parties have always had a somewhat strict membership admission procedure, which is generally uniform in its application. The mainstream parties which are mass-based and have no rigid membership norms, however, have been creating barriers of entry to all persons who are potential threats to the current leadership. While ordinary, faceless members are admitted as cannon-fodder with ease, the potentially influential members are not always welcomed with open arms. Similarly, even the faintest criticism of party bosses on any issue is taken as an act of indiscipline. Again, when leadership changes in the party, the same member who was earlier punished for rebellion is welcomed back with alacrity. There are countless instances of such disgraceful autocracy in all major political parties in India. The widespread and increasing disenchantment with politics and politicians is much too widely known to require any substantiation. The way our legislatures, Lok Sabha, Rajya Sabha, and State assemblies, function does not make us proud. One of the major causes for the unruly and unproductive functioning of the legislatures is the quality of people who find their way into the legislatures.

The political parties, which exhibit such authoritarian tendencies in protecting the privileges of those in power and nipping in the bud a potential threat to individual dominance have not shown the slightest sense of shame or remorse in assiduously cultivating and recruiting known criminals, corrupt persons and charlatans and rogues. Such shady elements are courted and welcomed, while decent and dignified citizens are shunned and often rejected. No major mainstream party has any published membership rolls. Spurious membership and disputes arising out of it are only too well known to all of us in respect of major political parties. As a net result, parties have often become a collection of greedy, corrupt and unscrupulous persons, who are willing to use any method, however

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ugly, immoral, violent or brutal, to perpetuate their hold on state power. By virtue of entry barriers and expulsion powers in the hands of party bosses, no real rejuvenation of parties with injection of fresh blood is possible. All idealistic, talented youngsters are often repelled by the parties, and undesirable elements find a haven in them. Therefore, it is the exigency of time that the democratic system in India must be strong. It is only possible whenever the inner party governance will be democratic in its real sense.

## INTRODUCTION

India can be supposed to be one of the largest democratic countries in the world, but the unhealthy position of democracy in India is a great cause of concern today. The health of a democracy depends on the choice of representatives and leaders, which in turn is directly linked to the way political parties function and elections are conducted.

India has outstanding men and women in public life, but a flawed electoral process is increasingly alienating public-spirited citizens from the political and electoral arena. The persons best equipped to represent the people find it impossible to be elected by adhering to law and propriety. If elected, decent citizens cannot survive for long in elective public office without resorting to, dishonest methods. Even if they survive in office, their ability to promote public good is severely restricted.

Indian people have often been changing governments and elected representatives. However, this change of players has little real impact on the nature of governance. Even if all those elected lose, and all losers are elected, the outcome is not substantially altered. This sad situation calls for a change in the rules of the game, and citizens cannot be content with mere change of player.

### Internal Democracy in Political Parties: Constitution of India

- a. Art 19 of the constitution accords citizens the right to form associations, thus implicitly recognizing the right to form political parties.
- b. Election symbols (Reservation and Allotment) order, 1968, issued by the Election Commission under Art 324 of the constitution, read with the provisions of RP Act, 1951 and conduct of Election Rules 1961 provides for recognition of political parties.

c. A party will be recognized by the Election Commission as a State-level party and allotted a common symbol for its candidates if it has been engaged in political activity continuously for five years, and had obtained at least one out of 25 members of Lok Sabha or one out of thirty members of State Legislative Assembly or 4% of the total valid votes cast at the election in the State.

d. A party satisfying these conditions in four or more states is recognized as a national party.

e. The symbols allotment order, 1968 has been recognised by the Supreme Court as a self-contained code and can be treated as one of the important landmarks in the evolution of regulation of political parties.

f. Section 77 of RP Act, 1951, amended in 1974 states that a political party for the first time in a statute. This amendment excludes expenditure incurred by a party from the statement of accounts lodged by a contesting candidate.

g. Tenth Schedule was added to the Constitution in 1985 through 52nd amendment. This is the only reference to political parties in the constitution. Tenth Schedule provides for disqualification of members for voluntarily giving up membership of a political party or violating party whip.

h. Provision for registration of political parties with the Election Commission is made under section 29A which was inserted in the Representation of People Act, 1951.

### **Consequences of Weak Democratic Governance**

Parties have become arbitrary, autocratic and unaccountable. As parties are integral to democratic politics, their undemocratic functioning has weakened Indian democracy and politics. The choice of candidates for the voters is essentially limited to parties. Non-party candidates have very little say in elections. As a party represents decades of effort, dreams, aspirations, history, nostalgia and emotions, new parties cannot be easily formed. The only effective way of improving the quality of a democracy is by improving the functioning of political parties. Entry into a party is often tightly and arbitrarily controlled by the leadership. Strict, but objective and uniform norms applicable to communist parties are welcome. But in most mainstream parties the leadership denies membership to those with the potential to challenge their position. Similarly persons utterly opposed

to party's stated ideology are admitted as members when it suits the leadership. Disciplinary powers are invoked and expulsions are resorted to habitually only to safeguard the position of leadership of a party. No healthy debate and democratic dissent are tolerated. Leadership choices at various levels are rarely made by democratic voting. In most parties, internal elections are rarely held, or when held, are perfunctory. Even membership rolls are not available. Party leadership is utterly unaccountable to its members as well as the public regarding contributions made and expenditure incurred. Choice of candidates is left to the discretion of the party bosses. There are no democratic procedures of member choice and secret ballot for candidate selection. Party policies are rarely debated or decided in party fora. Members have no role in shaping party's policies. Manifestoes are written in a cavalier manner, and if the party is elected to office, promises are disregarded with impunity.

Lok Satta conducted a survey of leading political parties at the grassroots level. This survey was initiated by Sri LC Jain's idea of a Political Party Development Index to act as a pressure point for parties to reform. Constituencies for study of each party were short-listed based on the party's consistent good performance over the past four general elections, and the final choice was made by the party concerned. In effect these constituencies represented the best face that the parties could offer. The findings of the study confirmed all the ills of our party system outlined above.

### **Suggestions**

1. Rules governing membership of the party and registers of current members should be available and open to inspection by any member of the party or the representatives of Election Commission.
2. Membership of a party should be open to all citizens of India, subject to their subscribing to the party philosophy, and uniform membership norms and barriers of entry.
3. There shall be internal mechanisms for adjudicating disputes within the party, including those concerning the interpretation of the party constitution.
4. Disciplinary action shall not be initiated on the grounds that a member has opposed the leadership or espoused a view contrary to the leadership's view.
5. The party constitution should contain provisions on:
  - i. The name, register office and activities of the party,
  - ii. The admission and resignation of members,

- iii. The rights and duties of members
  - iv. Admissible disciplinary measures against members and their exclusion from the party,
  - v. The general organisation of the party,
  - vi. Composition and powers of the executive committees and other organizations
  - vii. The preconditions, form and time limits for convening meetings of members and representatives and the official recording of resolutions.
  - viii. Matters which may only be decided upon by a meeting of members and representatives.
  - IX. An overall vote by members and the procedures to be adopted when the party convention has passed a resolution to dissolve a party or merge with another party. The result of the overall vote determines whether the resolution is confirmed, amended or rescinded.
  - x. The form and content of a financial structure which satisfies the rules of financial accountability.
6. A member may only be expelled from the party if he or she deliberately infringes the statutes or acts in a manner contrary to the principles or discipline of the party and thus seriously impairs its standing.
  7. The Election Commission decides upon appeals on expulsion from the party. The rights to appeal to a higher court is guaranteed. Decisions must be justified in writing.
  8. There shall be democratic election by members through secret ballot for filling all vacancies of office bearers and the highest executive body. The executive committees at various levels shall be elected at least every second calendar year.
  9. All decision making in party organs shall be by majority vote, and the ballots shall be secret at the executive committee, delegates' and representatives' assemblies. Voting at other levels shall be secret if the members ask for it.
  10. Party's assets, receipts, income and expenditure shall be audited and the audited statements shall be furnished to the Election Commission by September 30 next. Public shall have access to these records and may obtain copies from EC on payment of a nominal fee.

11. All contributions more than Rs. 1000 shall be disclosed to the public and the Election Commission. The commission shall make available copies to the public on payment of a nominal fee. Any violation of disclosure norms shall invite de-recognition and imprisonment of members of executive committee for three years.

12. Candidates for election to any public office must be chosen by secret ballot. The nomination procedure shall be governed by the party statutes. A person may only be named as party candidate in a constituency if he or she has been selected in an assembly of party members in the constituency or in a special general assembly of representatives elected for this purpose. The candidates and the representatives for the assemblies of representatives shall be selected by secret ballot.

Selection of candidates for other public offices shall be by secret ballot at the appropriate level.

### **Conclusion**

Conclusively it is submitted that inner party discipline is an essential element for an effective and true democracy. Since all the representative are supposed to be associated with some political party and when they elected and work for the people they should not forget the very fact that their activities are being conferred to their parties. Again it is incumbent on the party people to develop a sense of social service among the party workmen rather than the sense to rule hence, for a good democracy it is necessary that inner party democratic governance should be checked up to the extent of its absolute efficacy.

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