
A Working Paper on
RTI: Implications in Reforming Political Parties

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Introduction

Informed citizenry is the backbone of democracy. Free flow of information and communication enables informed citizenry and the process of democratization. Democratization leads to a more open, more participatory, and less authoritarian society. In all forms of democracy ranging from representative to participatory or inclusive, political parties are indispensable institutions. They are projected to aggregate and articulate the people's interest and formulate the suitable policy options.

Being an intermediary institution between the state and society, parties are expected to mobilize a greater chunk of society in their activities. Therefore, organizational structure and working style of the political parties greatly affect the democratization process of the society at large.

Transparency, accountability and responsiveness are the basic thrust of democratic governance and right to information ensures those values. A democratic state can be measured through existence of those features in governance. Political parties can ensure such environment in society, provided that they also practice internal democracy within their organization. It is because the sustainability of democracy relies upon the better functioning of political parties. How the basic values of democracy are exercised within the party governance is the major issue in building or reforming political organizations in transitional democratic societies like Nepal.

Despite their unrivaled contribution in democratic struggles, Nepalese political parties are often criticized for their reluctant, irresponsible and baggy performance towards their electorates, quite contrary to the promises made during elections. The copious engagement on internal quarrels only for securing power has lessened the ideals of democracy. This has led parties towards gradual deinstitutionalization as seen through the frequent splits and fragmentations, weak political identity, decreasing political unity, leadership clout, non decision, arbitrary decision, decision behind the curtain or black-box, under representation, centralized working style, ambiguous functioning and financing, hereditary transfer of leadership and the control of communication. These are the general ill practices political parties are facing today.

Nevertheless, there are no institutional options for political parties. This is the revealed fact that all transformational agendas of Nepalese polity institutionalized through the channel of political parties no matter whoever may be the actual initiators of that particular agenda. So the only remaining options is better and more democratized political parties enshrining the ethos of intra-party democracy for inclusive, transparent and accountable governance.

Access to information is one of the vibrant tools for ensuring accountable and transparent democracy. As Nepal has already introduced the Right to Information Act (RTI Act 2007), political parties have a now lead role to play as what is defined by the Act as "public bodies"¹ with obligation to disclose the basic information in proactive manner, or whenever somebody demands it. This is the best opportunity to political parties to internalize the spirit of RTI and

¹ 'Right to Information Act', 2064 B.S. section 2 a(5).

reconstruct its internal functioning and governance. Responsiveness to people's quest for information can heal their falling public image and enable the ethical and moral power to make them fit for leadership.

This article will highlight the issues of democracy and political parties, the status of intra-party democracy, and intra-party governance and RTI in general.

Importance of Political Parties and Growing Distrust

The pivotal placement of political parties in a nation's governing system is widely accepted by all developed and developing democracies today. But in Nepal, severe crisis of governance has been witnessed, especially after 1990s. Politics started becoming a dirty game, as political stagnation and corruption began to be gradually institutionalized. Mass political alienation heightened. Fighting for state patronage and power seeking attitude among political parties paved the way for the mass distrust towards parties and the non-political and non-programmatic alliances were emerged. Parliamentary norms and values were ignored. Parliamentary procedures turned out almost like a horse-trading. The political game of forming coalition and breaking them resulted in fragmentation and split of all the parties. The inability of political parties in governance process can be observed also in this remark by the then prime minister G.P Koirala: "When I became the Prime Minister, I did not have clear idea about the powers and functions of Prime Minister ...the popular aspiration remain unmet due largely to visionless political parties, which were instrumental in restoration of democracy. The political parties knew democracy was their single point agendas".²

This shows that the parties lacked awareness about governance process. Those degrees of ignorance consequently piled up to manifest in the form of governance malpractices that weakened the states' responsive and distributive capability. The eroding trends of state machinery--specially the decreasing presence of development and services delivery agencies and absence of people elected bodies--shrunk the state domains of influence.

The nation's transformation as a Federal Democratic Republic following the Constituent Assembly elections (April 2008) has given excellent opportunity to political parties again to uplift their tarnished image among the public. But sadly, the parties are still engaged in the same rituals of power politics.

Silverlining in the Cloud

Nevertheless, the CA election with the mixed electoral system having the provision of defined representation of different clusters of society³ and the agenda of federal restructuring of the state have led the change of the previous political equation and has contributed to the party building process in Nepal. Out of seventy-four political parties, registered with the Election Commission, only twenty-five political parties were able to secure their seats in the Assembly. The results of CA election not only changed the nature of

² Krishna Hachhethu, Parties in Parliament: Role of Prime Minister published in Political Parties and Parliament, edited by Lok Raj Baral, 2004.

³ The Interim Constitution of Nepal-2007 enshrine the thrust of inclusion and stressed its application in all state apparatus. Election to Members of the Constituent Assembly Act, 2064 (2007) has defined the portion of representation of Madhesi, Oppressed tribes/Indigenous tribes, Dalit, Backward region and others through proportional electoral system.

future polity but also threatened the old party status. "The emergence of new parties, such as Communist Party of Nepal (Maoist), Madhesi Jana Adhikar Forum (MJAF), Tarai Madhes Loktantrik Party (TMLP) and Sadbhavana Party (SP) marks the relative decline of old parties, - such as Nepali Congress (NC), Communist Party of Nepal (CPN-UML), Nepal Sadbhavana Party (A), Rastriya Prajanta Party (RPP), RPP-Nepal and Rastriya Janashakti Party (RJP). Decline of old parties is largely caused by anti-systemic social movements, demand of various social strata, such as women, Dalits, Mahesis, youth, indigenous people, and ethnic groups of wider representation in political structure and their inability to include them in party framework⁴. However, in a large extent, it expanded the domain of political power and civic engagement in society that could strengthen internal democracy in political parties.

Legal regime for disclosure of information

Political parties are the link institutions between state and society. Therefore, primarily, political parties are public institution. However, the issue of public access to parties' internal functioning is often debated. Some countries have accepted political parties as public bodies, some others have not. While some have a mixed approach. Nepal's RTI Act has proclaimed political parties as public institution. It has given the distinct guidelines for routine disclosure of information for political parties. Besides this, laws related to political parties and elections have also provisioned for disclosure. This provision has been regulated by the following constitution and acts:

1) *The Interim Constitution of Nepal 2007*

The Constitution has established political parties as strong institutions. For party registration, they need to disclose the details of funds, income source of the political party and resources for bringing about such funds along with other requirements. The political parties should be democratic. It also assures that political party must provide for election of its office bearers at all levels at least once in every five years.

2) *Political Party Act 2002*

The act has compelled the political parties to keep record and account in a given format. It has compelled them to submit and publicize annual report revealing the income and expenditure within six month of the ending of the each fiscal year. The details of the donor, who has donated more than NRS. 25,000 should be mentioned in the audit.

3) *Election Commission Act, 2063 (2007)*

It has provisioned the political parties to disclose the following during election time:

- A person who has the obligation to submit returns of election expenses shall submit the returns of election expenses to the concerned District Election Office, in the format prescribed by the Commission, within thirty-five days after the date of publication of the results of election.

4) *Right to Information Act, 2064 (2007)*

As a "public body" political party has the responsibility to respect and protect the right to information of citizen. To ensure this political parties have to do, among other things:

- classify and update information and make them public, publish and broadcast,
- make the citizens' access to information simple and easy,

⁴ Dev Raj Dahal, 'Democracy Building and Party System in Nepal', *Reading in Governance and Development*, No 11, 2008.

- conduct its functions openly and transparently
- keep its information updated regarding, among other things, income, expenditures and financial transactions.

In spite of such legal mechanism of disclosure, the political parties have not strictly followed them nor have their regulatory agencies (eg Election Commission, National Information Commission) strictly implemented or facilitated to implement them. Therefore, the intra-party governance is not transparent and open.

Constraints in Intra-Party Good Governance and RTI Practice

Political parties must adopt the universally accepted basic democratic values to their internal governance and political life. There are different models of intra party governance, with instruments of both full-fledged and conditional application of democratic ideals in party governance.

Inner party or intra-party democracy can be defined as the ability of a political party to engage its members in deliberation, decision-making and action of party affairs and enforce the transparency and accountability of office bearer to its rules of governance.⁵ Transparency especially in financial matters, income and expenditure is very important for democratic parties. In addition, it requires an inclusive and participatory party structure, which enables and widens the decision-making capacities consequently to ensure greater legitimacy. The selection of candidates and the process of the choosing leadership, communication strategy, access to membership and mechanism to information disclosure is the very essence of a democratic party. The following are some major constraints, which have hindered the RTI practices and intra- party good governance in political parties.

Hierarchy and 'Black-box' Decision Making

The organizational structures of main political parties of Nepal are mostly hierarchical, leader-centric, pyramid based and centralized. The locus of power remains in their respective central offices. More than that, the extent of the centralization is associated with the degree of leadership charisma to what extent he /she can make a hold. This trend has led the formation of leader-centric parties, where the *party-supremo* is treated as a 'party' and there is no chance to dissident the chiefs "judgment". The chief's judgement is considered final and it is supposed to be followed by all strata of the party- from top to bottom. This hierarchical and centralized organizational structure led bureau pathological and buck-passing trend in political parties that has hindered candid information sharing and adherence to the RTI principles in party mechanism. The leader-centric trends in political parties has made them less accessible from the party activists and general public. This trend has occurred in Nepalese political parties in different times and different ways. Due to this, fragmentations, factionalism and splits' trends are observed in the parties. Further, it has created the 'pinnacle range of personality clout' among leaders. And some time, conversely, the party *supremo* is considered as an 'antidote' of all mal-practices of intra party governance. These trends can be seen- in all parties in Nepal- ranges and differ only in degree. It is assumed that after the demise of G.P.Koirala, the party power in Nepali Congress is fragmented and prone to be changed in 'collective leadership' so is the case in CPN-UML after its eighth national convention. However, it is seen that the decision is not made with the ethos of collective leadership.

⁵ Dev Raj Dahal, Inner Party Democracy in Nepal, A paper presented at a seminar organized by FES, CELCAR and SM collage ,Pokhara, November 27,2008.

Most of the serious policy decisions are made in conventions without serious discussion because most of the participants are engaged in lobbying and election campaign to specific candidate. less time is spent for policy discussions and debates. The resolutions are passed hurriedly without much understanding. As a result, the intermediary and subsidiary forces of social movement is struggling to break this patrimonial structure and seeking decision-making along horizontal and decentralized line⁶. This also has led to factionalism and inconsistency in party line. Short-term decisions are made by Central Committee and sometimes leader's statements are the 'party line' which will be endorsed later on. If it is possible they will try to make 'consensus'. If not, the majority decision rules out as the final resort. Lower committees of all the parties are treated as implementing and sub-ordinate agencies to follow the superior's guidelines and decisions taken by apex level. They are turned the only receiver of policy guidelines and information and they play minimum role in policy inputs. They are only the representatives of the center to obey and execute what they say. They work as 'welcome agency' and event organizer. It can be seen through the very provision in their constitution. 'Democratic centralism' is the basic organizational principle⁷ of CPN-Maoist and CPN-UML also has mentioned it as its governing principle of party organization. It is not written in NC party constitution but the inclination towards center is very high. There is no tendency to strengthen local party unit in all parties in terms of 'institutionalization'. They 'teach' rather than 'train' on issues of center's decisions and command to circulate it at lower units. There is one-way type of communication and flow of information in regard of policy matters. Only procedural and ritual reporting is being made by lower levels. The RTI provision are not strictly followed in decision making and the process of decision making is not even disclosed. Even in decisions disclosed, only limited information comes to the general public but not the detail development. All these practices suggest the *black-box* model of parties' decision making. Thus 'inclusion' in decision-making or 'participatory' decision-making is limited only to the 'physical presence' in certain party . Moreover, it is rare in all parties to use 'information' through other means such as opinion polls, survey research, for policy options to expand the legitimacy of policy outcomes.

Choices of Party Leader

The method of choosing party leadership denotes the degree of internal democracy in political party. Nepali Congress and CPN-UML have defined electoral process of choosing their leadership in party constitution⁸ and both parties have recently renewed their leadership from the top to bottom. The central electoral management mechanism⁹ is made for conducting and supervising election in party committee of all strata in NC and CPN-UML. Despite the election provision of choosing leadership there is growing trend to make consultation first for consensus leadership. It is practiced more as result of fear psychosis of threatening party unity. Seeking consultation in democratic politics is not bad but it shouldn't preclude the electoral process . In CPN-Maoist there is not clear provision of election of central and lower level of leadership and party leader is continuously leading the party after his selection. No general convention is being held from years. All leaders of respective party committees are selected by top leader' s conscience. Though, it is revealed that there will be a 'elected' central committee, in the party constitution, though it is not happened till now. Internal Elections of parties are not merely the mechanisms of choosing leaders. They also play the catalyst role for flowing the information among the party structures, party leaders, party activists and the general public. So, following of such electoral practices in some parties is good for it makes information more accessible and thus promotes the culture of

⁶ Dev Raj Dahal, Op.Cit n 7 p6.

⁷ Interim Constitution of CPN Maoist, Article 6

⁸ See Party Constitution of Nepali Congress and CPN UML

⁹ NC Party Constitution Article35(central election committee) CPN-UML) article, 17 central election commission

transparency in parties. In some parties, there is no system of internal election practices which has promoted the culture of secrecy within the parties.

Murky Selection of Candidates

The legislative role of policy formulation and recruitment of public officials in executive offices is one of the key functions of political parties. This requires candidacy for election in democracy. It is very stiff to a voter to make an informed choice from a crowd of candidacy, in this regard party plays a concierge role by shrinking the size of ballot paper. However, the selection of candidate in political parties seems very blurry and non-transparent function in Nepalese political parties. There is no provision and criteria in party constitution about the selection of candidates for public offices. In most cases, centralized method is used. The central party committee or party chief sends the name of candidates to local level for nomination and orders to make a campaign for party candidacy. In some cases, central party offices ask local party committees to send three or four names of potential candidates and the central committee or party chief finalizes the name. Mostly party leader have the final say about candidates. It is seen the long and indecisive discussion among central and local leaders does not make a sense. Finally, the candidate's name list comes from the coat pocket of party *supremo*. Though the leader is not always free to decide because clique or the coterie encircles and influences him/her in selecting candidates. Sometimes, the party factional balances is also reflected in the process of candidate selection and sometimes the compulsory provision of accommodation and inclusion of social-cultural mosaics narrows the leaders will.

The defined provision of constituent assembly election law about the inclusion of certain excluded group compells party leader to select the candidates from the distinct social group. Since there is no clear criteria about the selection of candidates, clientalism and compromising party ideals is vibrant in Nepali politics. It is observed as : *“Recruitment of powerful business persons who don't agree on party ideology can threaten party platform when their pecuniary interests are compromised. Four traits have marred the internal development of Nepal's political parties: primacy of gerontocracy, hereditary and familial succession of leadership, clientalist networks and lack of sound think tanks to update vision and policies as per the sprit of age.....lack of systematic record keeping about members and their contribution and prerogative of leader's in the promotion of cadres indicate an ad hoc mechanism in the recruitment of political officials in the party, legislature and in the government”¹⁰.*

Though, it is claimed that the chance to win the election ,the local influence and attachment of candidate, strong commitment to party ideology and campaign, prior party experience, oratory skill etc; sounds very subjective, are taken into account though irregular basis. The closeness to party leader crumbled those criteria too.

Non-Transparent Political Financing

Properly managed financing is an essential element of a sound governance in any party. Absence of this results in undue influences that could derail the functioning of a party, leading ultimately to heightened public disenchantment. Political finance implies election and non-election expenses of a political party, in cash or in kind.

¹⁰ Dev Raj Dahal,Op.Cit.n 7 p4

In Nepal, political finance is one of the most opaque issues. Increasing numbers of party¹¹, especially during the Constituent Assembly election and their growing structure both in horizontal and vertical bases, has rapidly increased party expenses. The greater the expanses- the more it has becoming obscure. Most political parties have admitted that they will have fund¹² for party functioning. The fund of CPN-UML party comprising membership fee, levy, donation, publication sales, and amount collected by special campaigns. NC party constitution has confined only membership and its renewal fee as the main source of party fund. In CPN-Maoist it is not clear in parties' constitution about what kind of resources they will have beyond membership fee. It is obvious that the mentioned sources of fund cannot afford the real expenditure of political party and they manage it by 'other sources'. How parties manage other resources of their functioning is the key issues of investigation.

Political Party Act, 2002 also has required the party fund and resources as the requirement of the party registration. It has stressed to maintain and keep the record of income and expenditure of all electoral and non-electoral expenses and *must be audited* by certified auditor annually and reported to the Election Commission.

These legal mechanism have stressed for the regulation of electoral finances. They have defined the ceiling of electoral expenses to the political parties and candidates and urged them to submit the detail report of income and expenditure within thirty five days of the election's result announcement to the Election Commission. The candidates for the First Past the Post could spend upto 459,500 and Rs. Fifty thousands for candidate under the proportional system. The Election Commission could fine as per the expense, if there was expenses crossing the ceiling. The candidate crossing the provision could be declared ineligible for any election of the coming six years. The Code of Conducts of the Constituent Assembly's election 2007 had prohibited misuse of government resources, or financial and any other temptations to voters and other possible malpractices.

Despite the comprehensive legal foundation to regulate the political finance the practices are deteriorating. The **internal recording and book keeping** practices of the parties are not in as legally prescribed. Few parties the Nepali Congress, the CPN-UML and CPN- Maoist have been maintaining in some form the books and the registry of assets.¹³ Professionals do not maintain the record. Either it is maintained with the ad-hoc practices by party leaders' relatives or party carders or it is not maintained. There is massive 'no show' trend in accounting to exclude the expenses. Rather they tend to send bills directly to the contributing companies to settle these bills¹⁴. The regulatory role of the Election Commission has not ensured the proclaimed legal requirement in practice.

Nepali Congress and CPN-UML have provisioned **Internal auditing** mechanism in their party constitution, yet CPN –Maoist has not provisioned it in its party constitution. Parties have not paid attention to their own proclamations and the legal bindings of preparing and submitting annual audit report to Election Commission within the defined time. Parties are required to report their source of income from membership and annual renewal fee, individual and corporate or any other sources of donations either in cash or in kind. Though

¹¹Seventy-four political party were registered in EC during Constituent Assembly election. There is growing trend of split and fragmentation such as Madheshi Jana Adhikar Forum and Terai Madhes Loktantrik Party were split within the three years of their establishment.

¹² Chapter 8, Party constitution of CPN-UML-2065; Article-28, Party Constitution of Nepali Congress-2017; Article-19, Interim Party Constitution of CPN-Maoist.

¹³ Report on Transparency in Political Finance in Nepal, Pilot Study Conducted under Crinis Project in Bangladesh, Indonesia and Nepal, Study Commissioned by: Transparency International Nepal, February, 2010.

¹⁴ Ibid

none of the parties have submitted their report to the Election Commission. Although, the law envisages penalties for non-compliance, so far none of the political parties have been penalized by the Election Commission for the failure to submit their reports.¹⁵ Media has reported huge amount of money comes to political parties from the businessman and corporate houses. Business community has been a major source of funding to our political parties, which even threatened the government in the past to stop paying donations to them if they continued to attack the industrial sector. Lately, the entry of high-profile businessmen as Constituent Assembly (CA) members serves as the strongest evidence of their “amicable relations” with the political parties strengthened by the flow of “corporate money” in politics.¹⁶ It is considered as the major source of party fund.

More than that lucrative political appointments, contracts, transfer and promotion of public employees are mentioned as other source of party income. The party leaders are reluctant to disclose the detail information about their source of income. Many party leaders themselves are unknown about the source of income because it is managed by and presented only among the core leaders of the party. It is reported that some youth wings of the party also collect money forcefully for party expenses.

Election Commission is the main agency as a regulatory constitutional body for party activities. The Election Commissions' monitoring of the parties is seen 'event oriented'. At other times, it has not properly monitored parties and even the monitoring mechanism is weak. The practice of appointment of the election commissioners as per different parties loyalties has made them weak to execute the compliance of law in case of violation. Besides, the Election Commissions lacks the human resources to strictly execute its liabilities and make functional of its 'tracking mechanism'. Mechanism for civic political monitoring is weak and event oriented and limited to the rituals of 'election monitoring'. The election monitoring reports of civic groups could not bring out the real 'financial transaction' of political parties during the Constituent Assembly's election 2008. They have not prioritized the political finance as the key area of monitoring. There is no provision of prohibition of cash donation to political parties and it is not even managed by one-window bank account system to all the income and expenses.

The domain of political finance is increasing day by day in Nepali politics. In whatever the form, the paying for democracy is increasing its cost. The under table dealings of huge amount of money has crumbled the citizen's right to informed choice of political parties and candidate. The ambiguity of party fund has raised the question upon the moral base of party's, their political accountability and transparency. It has further derogated the public accountability of the political parties that has made the parties deinstitutionalized and undemocratic.

Reinventing Intra-party Governance through RTI

Access to information is a key tool for people-centered governance, development and democracy. It enhances peoples' capacity to control over public authority, people's representatives and the overall political process. It transforms 'public' to 'citizens' and thereby makes democracy from representative to participatory and inclusive one. Therefore, the right to information makes people's access to public bodies, their functioning, organizations, decision-making and resources. Ultimately, it enhances greater openness and transparency. Openness, transparency, and accountability are the basic tenets of intra-party democracy. It makes lively contacts among people. Party, where freedom of information,

¹⁵ Ibid

¹⁶ Pranav Bhattarai, Money in Politics, Republica, 2010-8-10.

discussion and debate are not enjoyed and allowed, where channels of communication are controlled and obstructed, ultimately are led to weak performance and seclusion from the broader mass. Such-degrading trend may lead party to failure.

The failure of party is the failure and the degradation of the political system. Failure of political system hampers not only the political parties but also to the system of governance and ultimately to the people and nation. Weak parties cannot guarantee the better governance and democracy. Better governance and democracy is not a single issue. It is associated with the betterment of the political party. As such, to transform the transitional Nepalese politics into the democratic politics the competent, strong, and democratic parties are required.

Nepal is under transitional politics. The constitution writing process is going on as a grand decision-making. In this transition of Nepalese democracy, the restructuring of public institutions is emerging as a key agenda. In this context, political parties being public intuitions and the driving force of constitution writing and restructuring of the state cannot remain aloof and stagnant. This transition therefore could be an opportunity as well for political parties to revive their own institutions and structures which is further a chance to answer the frequently charged mass criticism for them.

In this context, access to information is a better option for redefining the parties, there structure and spirit. There are a lot of questions in peoples' mind to the political parties- such as what are the bases of parties functioning? How many members does the party have? What are the sources of parties' fund? How are the parties' fund managed? Where are the parties' expenses? How they spent? How much money do party people get paid? How are the party offices made and how they are running? How decisions are carried out in parties? Who decides the candidates' selection in an election? How the lower level parties' committees are involved in decision process? What are the criteria for membership? Who has the final say in the party?

Leaving all these questions unanswered, the parties cannot become democratic. To answer all these queries, parties should massively flow information, proactively. For that, RTI should be established as the basic guideline of party functioning.

Disclosure Mechanism and Trends

There is no strong, vibrant formal and permanent disclosure mechanism in political parties in Nepal. Most of the parties have the separate department for publication and publicity. However, except some publications and mouthpieces of some parties, there are no mechanism of regular and timely interaction with the lower committees, party activists and the public. Publication and publicity department works massively at the time of agitation, general election and general convention of the party. Most of the parties have recruited spokespersons in the central level, but they are ritualistic in working modality. The spokesperson's appointment is more a 'glamour' rather than something fulfilling or enhancing the access to information and promoting proactive disclosure and transparency to the public. The spokesperson reveals the facts to the extent he/ she gets the information from the senior leader (Party Supremo). Sometimes it becomes even funny when the things do not develop as per the spokesperson's proclamations. Thus, only the senior-most leaders know the real happenings. The offices set up of the parties are not disclosure-friendly. The basic features of parties' disclosure can be summarized as such:

Cultures of Secrecy- Nepali society is developing as an open society but traditional legacy of closed society still prevails. Nepali parties are not the outcomes of the open political

systems. They emerged as a movement and mission for democracy in a closed society. They have worked secretly for years for accomplishing the single mission of establishing democracy. Therefore, they have not, fully, coped-up with the open political system and thus have not reflected the features of open society in their structures, mechanisms and working modalities. This has been even reflected in inter- party nexus.

Superiority Complex- Most of the politicians are from either the middle class or higher-class background. Even the leaders from lower middle class assume to be changed in class-structure. Most of the politicians now are city elite. Party structure and functional modality has also supported this. Therefore, there is a superiority complex even among the intra- party leaders. The superior leaders, therefore, do not feel it necessary to share the policy issues with the lower strata of the party leaders, party activists and the general public.

The 'Real Ignorance' of the 'Real Power'- In adopting RTI laws there was positive role of the politicians. However, there is passiveness in implementing it. The passiveness reflects the ignorance of the leaders about the real value of RTI as it opens avenues for participatory democracy.

Technological Illiteracy- Mostly, Nepalese political parties have used traditional or people-intensive channels of communication such as- party meetings, local rallies, canvassing, pamphlets, and speeches. Now, parties are shifting towards mediated broadcasting channels of communications such as newspapers, magazines, televisions, and radios as they are becoming competent. Some of the political parties and politicians even have used internet channels of communications such as party and personal web site and e-mail. Though, most of the channels are one way . Parties have not institutionally exploited Information and Communication Technology (ICT). The party institutions, rank and files are not connected with web network. It has not been used for conducting dialogues with lower party's committees and larger mass of the electorates. Party's and politicians web-sites are launched with limited information of party history, organogram and general program. The websites are not regularly updated. Some parties' web- sites are even dysfunctional.

Information as Propoganda

Nepalese political parties have used propagandist approach in disseminating information instead of enhancing and capacitating their respective party's committees, activists and electorates. The parties use information to keep their support bases on hold. They sometimes tend to misinform and dis-inform.

Uneven and Fragmented Disclosure- Nepalese political parties are not regular in disclosure of information on internal functioning and programming. The ratio of disclosure is frequent, relatively, at the time of election and convention. There is no regular disclosure mechanism and disclosure are fragmented and factional. Sometimes, it is hard to find the real 'party-line'.

Reactive and Formal than Proactive Disclosure-

Most often, Nepalese political parties are reactive in disclosure of information. Their basic form of disclosure is media- mediated or disclosure upon request. Nepalese parties are not strictly following the self- disclosure guidelines that is embodied in the spirit of RTI as well as the electoral laws.

Conclusion and Recommendations

Conclusion

Political parties are the indispensable institutions in Nepalese democracy. Major Nepalese political parties originated from the democratic movement and therefore as oppositional forces. Now, they are in the phase of institutionalization. However, most of them have hierarchical, centralized and leader-centric structures, which are also guided by the culture of secrecy, and mission guided objective. This structural nature has hindered the easy access of and the free flow of information. Some parties have initiated internal election practices for choosing their leaders and respective party committees while some other parties have not even asked for convention for more than a decade. There are not clear and transparent criteria for candidate selection process of most of the parties'. The electoral and non-electoral political financing and the sources of fund of political parties is ambiguous. Even the Election Commission is silent to legal compliances on mandatory financial disclosures. National Information Commission has not been able in promoting *suo moto* disclosure of political parties. The demand side of party information is very weak. Neither the party carders nor civil society organizations have effectively demanded the party information. Thus, openness has not become the party culture.

Even parties involved in one-point mission of democracy have not become able to enshrine democratic values of openness and transparency within their structure and style of functioning. RTI act was adopted within the wave of reforming and restructuring the state and all non-democratic legal regimes along with April apprising 2006. The activeness of adoption is not seen in implementation of RTI. Now, the wave of restructuring of public state apparatus has come as an opportunity to redefine parties' own structure, spirit and functioning. In this context, parties should use RTI to redefine their institutions, and uprooting the culture of secrecy and reactive disclosure.

Recommendations

The recommendations and the role of stakeholders for democratizing political parties are given below:

Role of political parties

- Political parties should maintain internal book-keeping, auditing and disclosing the sources of income and expenditure publicly at least in an annual basis.
- Internal election processes should be prioritized in choosing party leaders, portfolio and respective committee members.
- Candidates for public offices should be elected through the electoral college of party members of respective constituencies.
- Robust information management system should be introduced and full time information officer should be appointed under the close connection with concerned department.
- All transactions of political parties should be maintained through single bank account.
- Information and communication technology (basically-web-site, e-mail and internet) should be used as interactive means of communication and proactive disclosure. Information and communication scheme should link all party strata, and broader public. It should not be left only as a 'web master's' responsibility. The concerned department should take its responsibility.
- Political and civic education, training and awareness programs, along with RTI notion, should be conducted through party schools/ training institute.

- Parties' centralized, hierarchical and pathological structure and opaque functioning should be redefined by participatory, open, and access to information friendly working modality.
- Political parties should free themselves the culture of secrecy and commit to comply with the RTI Act in internal functioning.

Role of Government

- Manage public funding and state subsidies to political parties for making them more accountable to the public and taxpayers.
- Codified and separate legal framework on political finance should be made.
- Make private political funding legal and tax-free.
- Help Election Commission and National Information Commission to ensure concerned sector's compliance with the laws relating to Political Finance and disclosure.
- The government should ensure the operation of the single bank account, of income and expenditure, of the political parties. Government should ensure the media disclosure of all kinds of funding.
- Make central guidance of disclosure for public bodies along with political parties.
- Assist in record management of political parties.

Role of Civil Society

- Engage in vigorous advocacy and awareness campaign for intra-party democracy and disclosure of political finance.
- Conduct Civic – political monitoring, by using civil society network, as watchdog for making open and transparent parties and political process.
- Conduct 'Democracy Auditing' based on universally accepted democratic measures along with RTI for creating open, transparent political parties and democratic societies.

Role of Election Commission

- Strict implementation of political finance regulations, election laws on party disclosure.
- Strictly implement the legal provisions of internal election of political parties for selecting leaders and conduct regular conventions. It should further play the observer role in the process.
- Strengthen and capacitate the human resources for effective monitoring of party activities – especially , book keeping and record management, political finance and disclosures (both in election and non-election time).
- Prepare disclosure guidelines for political parties in collaboration with National Information Commission and make it mandatory.

Role of National Information Commission

- Develop an information disclosure guideline, in collaboration with Election Commission, mentioning the exceptional provisions for political parties and make it mandatory.

- Review the information and record management system of political parties and suggest them to be RTI friendly.
- Order political parties for regular proactive disclosure.
- Facilitate and encourage both supply and demand side of political - party information.
- Decide complaints regarding political parties.

Role of Media

- Prioritize positive and objective reporting regarding political parties avoiding the 'stereotyped' negative coverage of parties.
- Conduct investigative and follow-up reporting on intra- party irregularities, political finance, selection of party leaders and candidates and party decision-making and functioning.
- Prioritize disclosing of the information of intra- party governance and political finance.
- Conduct public sensitization on RTI and intra – party governance.
- Conduct follow-up and reporting on political corruption.
- Provide citizen's disclosure space on political party reform.

Role of Constituent Assembly

- Ensure in the new constitution recruitment of professional commissioners in Election Commission.
- Make Election Commission an independent and autonomous constitutional body.