

Julia Ondrova

The Place and Position of Political Parties under the Slovak Legal System

Studia Prawnoustrojowe nr 11, 71-83

2010

Artykuł został opracowany do udostępnienia w internecie przez Muzeum Historii Polski w ramach prac podejmowanych na rzecz zapewnienia otwartego, powszechnego i trwałego dostępu do polskiego dorobku naukowego i kulturalnego. Artykuł jest umieszczony w kolekcji cyfrowej bazhum.muzhp.pl, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

Zagadnienia ustrojoznawstwa

Julia Ondrova

Univerzita Mateja Bela v Banskej Bystrici

The Place and Position of Political Parties under the Slovak Legal System

1. The concept of political parties, how it is understood nowadays, has its origin in the second half of the 19th century which was significantly influenced by the development of the parliamentary movement and the spread of the right to vote. Political parties differ considerably from other social groups, e.g. interest groups or social movements. They are basically different in that aspect that they are internally unified by means of social and political preferences as well as by their overall ideological identity. They strive for an execution of governing power through the achievement of political posts. Finally, political parties can be characterized as organized bodies with a formal membership and the ownership of a party identity card. All of them are generally concerned with a wide scope of problems which are related to the most pressing questions of government policy. At the same time, political parties enable citizens to participate in a community political life, especially, in the creation of the Slovak National Council and organs of the local administration. It can be said, that political parties represent one of the essential phenomenon of a political system and under the constitution and political system of the Slovak republic they keep a key social position and play a significant role in our society. By means of political parties, an individual can take part in the creation of the public policy, in the decision – making processes related to state affairs as well as in solving public matters, and thus, he or she can participate in building up of the democratic, social and political environment¹.

Under the democracy the existence of political parties creates an inevitable basis for the selection of the further direction of a community as well as the choice for the execution of policy and its personal representation. Without their existence the representative democracy would not exist².

¹ I. Palúš, *Political Rights in the Slovak Republic*, "Pravny obzor" 1996, No.1, p. 62.

² J. Chovanec, I. Palúš, *Lexicon of the Constitutional Law*, Procom Ltd., Bratislava 2004, p. 91.

The aim of each political party is to promote its own priorities, interests and opinions, which are interrelated to the most decisive questions connected with the life of state, furthermore, to shape conceptual plans for the further development of society and to reach the maximum share in power within the state. Taking into consideration the fact that society is structured in this way, it means that it is composed of many different social groups, and therefore, tasks and obligations of political parties are to encourage those social groups whose interests they represent. Parliamentary political parties are engaged into the most important spheres of state and society life; they can significantly influence the composition of government and the allocation of higher posts within the state administration.

The Constitution of the Slovak republic does not regulate political parties as an independent institute. The issues of constitutional conception could be found in the collection of political rights and freedoms. The constitutional conception of political rights in our Constitution accepts their natural non-legal base. The content of individual political parties enclosed in our Constitution is simply defined and stated by the determination of their aims and tasks which have to be in favor of those who they represent, respectively, they have to act in accordance with the character and spirit of their obligations³.

Freedom of assembly in political parties is closely connected with other constitutional rights having a political character, namely, with the freedom of speech, freedom of gathering and petition rights. Constitutional and legal conceptions of the place of political parties are derivable from the principle of equality. According to the Article 31 of the Slovak Constitution the legal adjustment concerning all political parties and freedoms has to enable safeguarding the free competition of all political forces in our democratic society. As to the political rights and freedoms, the Constitution, as the fundamental law of our state, modifies the freedom of assembly in the Article 29, which recognizes several types of associations. More precisely speaking, the right to assembly freely is conceivable in two conceptual levels. The first level embodies the right to assembly freely in various associations, groupings, clubs and other affiliations. This right is given to everybody including foreigners. The second level of assemblage is expressed by the right to set up political parties and political movements and to meet up there. The second level is guaranteed only to citizens of the Slovak republic. From what was mentioned before, we can regard a political party as a specific type of affiliation. On the basis of the valid legal provisions, political parties are seen as the legal entities without having any semblance of state bodies. In the Article 29, Sec. 4 of the Constitution of the Slovak republic their separation from state is

³ *Ibidem*, p. 91–92.

accentuated, however, it does not mean that political parties cannot contribute in some way to the operation of state.

The right to vote and to be elected to the organs of a certain political party is exclusively given only to the Slovak citizens with a permanent residence in the territory of the Slovak republic. They have to be of a needed legal capacity and at the date of elections they must reach the age of 18 years. The valid legal provision does not forbid membership in more than one political party. In relation to the institute of membership in political parties the past legal provision had forbidden membership in more than one party. That provision had been found unconstitutional by the Constitutional Court of the Slovak republic. In connection with that fact, it was clearly stated that the prohibition of multi-party-membership in political parties was irrelevant concerning the protection of the state security, or the safety of the community order, or that it had something to do with any preventive measures against the commitment of crimes, or with the defense of individual rights and freedoms⁴.

The previous legal injunction had not either fulfilled any urgent requirement which would be of a social demand, and would be otherwise inevitable and needful. Therefore, the Constitutional Court of the Slovak republic decided to emphasize the fact that a citizen has the right to decide freely whether he or she would make use of his/her right to assembly in political parties and in what scope it would be done.

The right of citizens to found political parties and to meet there is not of an absolute character. The Constitution of the Slovak republic admits limitation of the law to create political parties and political movements and to convene there. Those limitations can be divided into two groups. The first group embodies limits which are adopted in the Article 29, Section 3 of the SR Constitution. According to this provision the execution of rights; the right to establish political parties and political movements and to meet there; can be restricted only in cases stated by the Law. The limits are: if it is essential for the security of our state, or for the safety of the public community order, or for the prevention of crimes, or in favor of the protection of the further rights and freedoms. The valid legal adjustment forbids political parties whose rules, programs or activities violate the Constitution of the Slovak republic, or the constitutional laws, rules, provisions, Acts and international treaties.

The second group is represented by the restrictions stated in the Article 54 of the Constitution of the Slovak republic. They cover the area of the right to assembly in relation to a certain category of citizens. According to this Article judges and prosecutors are restricted of having the right to

⁴ Find more information in: PLUS 3/2001.

provide entrepreneur activities, businesses and other economic activities. In the Article 29, Section 2 of the Constitution there are set up restrictions which are related to the specific professions or posts covering the state bodies. We can come up to the conclusion that the Constitution exactly settles the terms for the abridgement of the right to assembly. Restrictions established by the Constitution require the completion of two conditions. The first one is of a material character and has to be fulfilled in order to safeguard the achievement of one of the stated aims of the Article 29, Sec. 3 of the Constitution concerning, e.g. safety of the public community order. The second material condition required by the Constitution is the fact that in a democratic society there has to be willingness and necessity to accept limits; it means an abridgement is needful for the achievement of stated aims and obligations.

Position of political parties, their foundation, failure and financing is adjusted by the Act N. 85/2005 COLL. on political parties and political movements. As amended by the Adjustment a political party is a legal entity which is founded on the day of its enter into the registration file of political parties which is under the control of the Ministry of Internal Affairs of the Slovak republic. To put forward a proposal for the registration of a political party is presented by the steering committee. As amended by the valid legal Adjustment, Ministry of Internal Affairs will register a political party within a period of 15 days, started from the beginning of the proceedings, if there are no obstacles or shortcomings which might influence refusal of the registration. The registration procedure has not a character of the permission "modus operandi", in cases when all conditions are fulfilled as it is required by the Act, then there are given the vested rights to provide the registration. Afterwards, the duties for state organs arise in order to make the registration available. Registrations can be refused only on the grounds specifically declared by the Constitution or by the Act. When claims for a registration are refused, they can lay an indictment to the Highest Court of the Slovak republic and it has to be signed by all members of the steering committee. A political party finishes its existence on the day when Ministry deletes a party from the register of political parties. Malfunction of a political party is preceded by its cancel. The Act presents several ways, respectively forms, how to make a political party malfunction. It might be voluntarily canceled, or it might be done by means of an amalgamation with another political party, or by an announcement of competition, or a rejection of the proposal to announce competition on the grounds of the lack of property. It is also within the competences of the Highest Court of the Slovak republic to give a valid decision regarding the devolution of a certain political party and this decision has to be based on the proposal of the General Prosecution of the Slovak republic. It is done in cases when a political party acts in contradiction with

the Act dealing with political parties, besides mentioned methods, there are other reasons which are more distinctively declared in the Act.

By the legal adjustment the economy and financing of political parties are basically in accord with the European standard. The present legal status in the Slovak republic has its origin in the principle that all political parties are dealt like individuals of the private law, which means that they are free in ways how they have achieved their financial and material means being necessary for their activities and fulfillment of their goals, but only under the condition that they are not in contradiction with the law⁵.

The Act on political parties divides incomes of political parties into two groups. The first one consists of incomes achieved from the non-state resources, e.g. shares from business benefits, except from those coming from publicity, advertising and publishing activities, the further incomes are from membership contributions, presents and donations, from the inheritance, selling, leasing or the letting out premises or movables, from loans and credits and perks earned by means of doing the business with securities on the common markets.

The Act on political parties includes also some incomes from the state budget; there are three types of contributions: subsidies for votes which have been obtained in elections, a contribution for activities and a subsidy for achieving a mandate.

Contributions for votes are paid either to an individual political party or to a coalition when they reach in elections to the Slovak National Council more than 3 percent from the total number of all valid votes casted by constituents of the Slovak republic. For each vote a political party obtains a subsidy reaching 1 percent of the nominal wage achieved by the state economy during the previous year when parliamentary elections were hold. According to my opinion, combining payment of the contribution with the necessary percentage cannot be considered to be a kind of interference into the free competition of political forces, as the sum of subsidies is allocated only after the time when the results of elections are clear. The state shows a respect for equality of chances for all political parties according to the stated terms defined by the legal adjustment concerning the competition and laying-up claims of the participants. Payment of the contribution, which is bound to the achievement of more than 3% of the total number of casted votes, serves at the same time as a kind of a test in order to find out whether their election intentions have been really serious. Finally, it can be said, that the mentioned legal adjustment referring to the subsidy does not cause any unparallel, respectively, unbearable discrimination.

⁵ I. Palúš, L. Somorová, *State Law in the Slovak Republic*, Law Faculty, University of P.J. Šafarik, Košice 2008, p. 210.

As amended by the Act a contribution for activities is awarded to an individual political party or a coalition if they have reached or obtained the right for contribution for votes. The contribution is equal to the whole sum of the contribution achieved for votes and it is divided into 48 shares.

The subsidy for mandate belongs to political parties which under the results of elections have been able to get to the Parliament. For each mandate obtained by a political party it is possible to receive the sum of money which is thirty times bigger than the total average wage. This rule is available only for twenty mandates, for the 21st mandate and more a party has the right to obtain a contribution amounting to the sum which is twenty times bigger than the average wage. During the whole election period the contribution is payable to one mandate per a year to that party on whose candidate list a deputy is enrolled. I consider the payment of this contribution to parliamentary parties in such an amount of money as well as the whole idea of its implementation to be totally inadequate and unfair. The mentioned state subsidies to parliamentary parties create a fundamental obstruction for the economic equality of the participation in the election competition, and at the same time, according to my opinion, the ruling of the Constitution relating to the separation of political parties and political movements from the state is threaten as well. In this way, a state indirectly creates, respectively, recognizes better and worse political parties. Even the reasonable costs of political parties should not be financially covered by the state, as that money is in fact the money of the tax payers. Their coverage should have its foundation predominantly in the membership base. The use of the mentioned contributions from the state budget is obligatorily restricted by the Act on political parties, and it is bound to the fulfillment of some other obligations which are distinctively specified by the law. The legal position of political parties is not only entirely defined by the adjustment embodied in the mentioned Act, but it is as well related to other laws.

As amended by the Article 129, Sec. 4 of the SR Constitution, the Constitutional Court of the Slovak republic has the power to decide whether the decision to disband or suspect the activity of a political party or political movement was in accord with constitutional and other laws. The Act No. 38/1993 Coll. on the organization of the Constitutional Court of the Slovak republic concerning its proceedings and the position of the constitutional judges, as amended and promulgated by the supplements of law, modifies and revises the decision to disband and suspect the activity of a political party or political movement. In this case the Constitutional Court is given a guarantee to protect not only constitutionality but legitimacy as well. The proposal to start the proceeding can be put down at least by one fifth of deputies of the Slovak National Council, or by the president of the SR, by the Slovak government, or the Court related to the pronouncement of its

decision activities, the General Prosecution of the Slovak republic, a political party or a political movement. I am of the opinion that an initiator which might be declared to be unconvinced is the General court as it is not easy to find out a connection between a specific proceeding of this court and the proceeding of the Highest Court of the Slovak republic concerning the matter in question. Of the same importance is the argument that the proposal of the General court in this matter might be against the ruling of the Highest Court of the Slovak republic. Even the president of the Slovak Republic might be recognized not to be convinced as the petitioner if we take into consideration that the president has to act beyond any party interests. The Constitutional Court does not decide in the proceeding whether a political party or a political movement will be disbanded, or if their activities will be suspended. However, it investigates decisions of the Highest Court of the SR, which is the General court, and thus constitutes the body of judicial power obtaining responsibility for decisions concerning the suspending or disbanding activities of a political party or a political movement as it is stated by the Law. The Highest Court can decide on this matter only on the basis of the prosecutor's proposal. The General Prosecutor can lay down such proposal to the Highest Court of the Slovak republic in case if a political party with its articles, its program or activities violates the Constitution, constitutional rules, laws, or international treaties. The suspension of the activities of a political party has not been incorporated into the current-legitimate legal adjustment, therefore, the constitutional adjustment in this case is an obsolete one. During the existence of the Constitutional Court of the Slovak republic proceeding of this kind has not been realized as no such proposal from the justified subjects has been presented until now. It is determined by the reality that the Highest Court of the Slovak republic decided only in one case regarding the disbanding a political party and no one of the justified subjects objected against it by submitting a bid to investigate its decision.

2. The most important event for all political parties are elections, mainly elections to the National Council of the Slovak republic, and, therefore, all political subjects put the most careful attention to them. Constitutional and legal adjustments as well as the political system provide for political parties and political movements a sufficient space for their accomplishment in elections not only to the local administration bodies, but to the higher territorial units and the European Parliament as well. As amended by the Act No. 333/2004 on elections to the National Council of the Slovak republic there are constituted and created special commissions with the equal number of representatives from all political parties, political movements or coalitions. They are set up on all levels; they are the following ones: the Central election commission, regional and district election commissions, and circuit

election commissions. The election commissions and committees are considered to be the representative bodies of public power which is executed with the aim to protect the general public interests⁶.

It is without any doubt that the well-done election campaign considerably contributes to the success of political parties in elections, which is labeled by the mentioned Act as a political advertise. The Election Act regulates rules which are to safeguard equality of all political parties and to avoid any discrimination which might occur during the election campaign. Under the conditions of law to broadcast political advertise, it is provided by the Slovak radio, the Slovak television as well as by the broadcasters who are certified to do it on the base of having the proper license. During the campaign all political parties and political movements, which candidate in elections, have a free access to mass media. In elections each political party has the right to participate and to contest under the condition that it is enrolled in the register list of political parties, which is supervised by the Ministry of Internal Affairs of the Slovak Republic, and when a political party fulfils conditions affirmed by the Election Law.

One of the conditions necessary for the registration of the candidacy entry list of a political party for the elections to the Parliament, that is to the Slovak National Council, is the payment of the election financial guarantee amounting to 16 596 euro, and 1659 euro when participating in elections to the European Parliament. The ultimate deadline to pay the financial guarantee for a political party or coalitions has to be 90 days before the day of elections to the National Council of the Slovak republic. Paid financial guarantee will be returned back to a political party or coalitions in one-month-time after the announcement of the election results in case when candidature papers of a political party or coalitions were not registered, or in case when a political party or coalitions received at least two percents from the total number of the valid casted votes. An argument in favor of the convenience of a financial guarantee is mainly influenced by the fact that it is the most appropriate tool by means of which it is probable to present at least the minimal representation of a political party, and at the same time it enables to diminish the possible number of votes, the facts which are not taking into consideration when examining the election results. I think, that the place of voting financial guarantee as a necessary precondition for an execution of the passive right to vote creates an unconstitutional misuse of the constitutional right of political parties to take part in the shaping of the Parliament, the National Council of the Slovak Republic, and at the same time it violates the constitutional right of citizens to run in elections and to obtain a mandate. Election financial guarantee creates a serious obstacle for

⁶ PLUS 1/2007.

some political parties to participate in elections. By means of election financial guarantee our state tries to decrease, respectively, to obstruct participation in elections of those political parties whose representation is lower than 2% of all casted votes. It is advisable that the state should enable participation to all political parties in elections when they are appropriately registered, the use of financial guarantee obstructs this and in this way the principle expressed in Sec. 31 of the Slovak Constitution, the principle of the free competition of all political forces in the democratic society is threaten as well. The system of proportional representation creates sufficient integration incentives by the use of conclusive clauses, by their implementation the principle of free competition among political parties in elections is not hampered as they are applicable only in the phase of the distribution of mandates, on the other hand, election financial guarantee excludes, respectively, impedes the election participation of all political parties. Under the system of the proportional representation election financial guarantee stands for the substitution of financial gears which should not be the part of elections.

From the point of the representative democracy it is admissible to incorporate into the legal adjustment the efficient integrating impulses if there are sufficient reasons for it, e.g. the split of votes among a big number of political parties. The election law has to contain certain rules and regulations which would guarantee seriousness of the election intentions of subjects which participate in elections. The mentioned reasons provide significant grounds for the use of conclusive clauses which are needed for the entrance of political parties into the Parliament, and for the payment of the state contribution to cover expenses of political parties as well as their other unexpected necessities of a similar kind. In comparison to the election financial guarantee the so-called conclusive clause does not obstruct the principle of the free competition among political parties in elections as its application is provided only in the period of the distribution of mandates, that is when the free competition is finished and the finding out of the election results is already apparent. The legitimate adjustment sets different clauses for the entrance of political parties and coalitions into the Parliament. An individual political party has to obtain at least 5% of the valid casted votes, a coalition consisting of two or three political parties 7%, and a coalition comprising four and more political parties has to reach 10% of the valid casted votes. The difference in conclusive clauses needful for the entrance into the Parliament for political parties and coalitions is balanced by the legitimate objectives which are followed by the legal adjustment. The essence of legitimacy is done by providing opportunities which are given to a wide representation of the vast political spectrum which is evident in the National Council of the Slovak republic. In this way the free competition of all political forces is respected. The stated legal impediment is acceptable by the Constitution set

up in the Article 13, Sec. 4. As amended in the Article 30. Sec. 1 of the Constitution the essence and importance of the basic right is not violated in relation to the passive right of citizens. All candidates have equal conditions to decide freely with which political subject they will participate in elections to the Parliament. The percentage election limits are settled beforehand by means of setting up the objective criterions which are of a non-personal character.

The Constitution of the Slovak Republic endowed with powers the Constitutional Court to decide on the constitutionality and legitimacy of elections. The essence of safeguarding constitutionality concerning election matters lays in the protection of both, the active as well as the passive election rights. During the proceedings on the legitimacy and legality of elections the Constitutional Court examines whether the elections were done in accordance with the legal provisions enforced by the law regarding the elections. One of the subjects which are justified to present a petition in order to start the proceedings concerning the matter in question that means to present an election claim is the political party which participated in elections. Other subjects having an active procedural legitimacy to lay down a claim are the following ones: at least one fifth of deputies of the Slovak National Council, the president of the Slovak republic, the government of the Slovak republic, the Court related to its own decision activities, the General Prosecution of SR, 10% of the justified constituents of a certain constituency, the candidate who achieved at least 10% of voters in his election constituency. If necessary, the Constitutional Court requires all documents and reports regarding the elections. It might declare elections invalid, it can cancel the claimed results of elections, it can cancel the decision of the election commission and to declare that one to be the winner of election who was properly elected, or it can cancel an election claim. Each of these decisions represents an independent variety. Those varieties cannot be mutually combined⁷.

If there is not a real connection among the found abuse of the election law and the results of elections, and the election results were found to be basically correct by the election committees than there is no reason to declare elections invalid, nor to abolish the decision of the election commission and to declare petitioner to be eligibly elected. The breach of constitutionality and legality during the preparatory phase of elections might issue into the pronouncement of elections to be invalid; on the other hand, when the constitutionality and legitimacy are infringed during the period of election phase, it might cause not only the declaration of elections invalid but the results of elections might be canceled as well. In case, when there were found serious constitutional or legal failures which cannot be qualified on the base of the

⁷ PLUS 50/1999.

trustworthiness of election results, the conclusion of invalidity of elections comes into effect⁸.

What's more, the infringement of free competition among political forces can be caused by other factors which can finally result in narrowing the space necessary for the execution of the passive election law for candidates of political parties and political movements, or respectively, for their coalitions. Individuals and institutions participating in elections might breach some rulings of law in a certain extent and intensity, but, what is more important; their breach of law might cause diverse impacts. Not every breach of the election law has causal consequences on the results of elections, which are in some cases considered to be defective by the petitioner. If it is clear that the results of elections were not considerably influenced by the infringement of the Law, then, there is no reason to announce elections for null and void. The powers of the Constitutional Court to cancel results of elections or to declare elections for invalid is applicable only in cases when the Law has been seriously abused having considerably harmful influences on the free competition of all political forces in the democratic society, or if the laws concerning regulation and continuance of elections have been repeatedly violated⁹.

3. As amended by the Law political parties and political movements have the right within the referendum as well. The political party which has a representation in Parliament can by means of their representatives initiate an acceptance of the proposal to announce referendum. In this case the referendum is facultative and it is related to important interests of a public concern. Similarly, as in the case of elections, political parties delegate their nominees to referendum commissions designed for all levels. Furthermore, they have their own representatives in the bodies which are established in the time when a president is recalled from his office by a public voting. As it is stated by the Law both commissions, election and referendum, play an important role in safeguarding proper and legitimate acts, which were mentioned above.

4. For political parties which were successful in elections to the Slovak National Council, it means that they had received minimum 5% of the total valid votes, another legal ruling is important concerning The Rule of Procedure of the National Council of the Slovak republic as amended by the Act No. 350/1996. This legal ruling is also connected with the place and position of political parties. Deputies of political parties, who were able to get into the Parliament, can significantly contribute to the execution of state power; they play an important role in decision- making processes regarding the essential

⁸ Ibidem.

⁹ PLUS 19/1994; PLUS 18/1999.

questions of state interests and society wellbeing. The most significant deficiency, respectively deformation, of our parliamentary democracy can be considered in now commonly used practices, when in some cases after the elections the specialists are replaced by the non-specialists whose advantages are assumed to be in having the so called "proper credit of the right political affiliation". Such practices are especially typical for the lower state posts and subordinate office positions. According to the generally accepted opinion, the replacement is acceptable only when they are related to the higher state posts and only in case when it is necessary for the fulfillment of the election program, respectively the government program. Furthermore, they have to be generally accepted and supported by constituents themselves; on the other hand, they are irrational and out of question regarding the lower administrative clerical posts.

In accord with the Rule of Procedure deputies are associated in parliamentary member clubs depending on their affiliation to political parties and political movements or election coalitions. Parliamentary political parties are justified to propose their representatives into the parliamentary organs and bodies and into the committees which create together a kind of control organs of the Slovak National Council and besides that they nominate their members into a variety of other commissions and committees.

The Opposition parties, those parties which obtained lesser support in elections, fulfill an important role, which rests mainly in their control how is the state power exercised by the governing political parties. This control can be done in several ways, e.g. by means of interpellations, by questions and answers which are put to the fore during the time specially reserved for this, by the pronouncement of distrust to the government or to a member of the government, respectively by a proposal to impeach the government or some of its members. With reference to the government activities, deputies have the right to interpellate the government or its members. The opposition parties, besides already mentioned tools, might use other ways of control, e.g. one fifth (30) deputies of the Parliament can initiate proceedings *L Coram* the Constitutional Court of the Slovak Republic. It is particularly important in cases of questing law or its parts, respectively its rulings, if they are in accordance with the Constitution of the Slovak republic, or with the constitutional law or with the international treaties ratified by the Slovak republic. If they are found to be in contradiction with the Constitution then they are proclaimed to be invalid as it is stated by the law. Deputies can provide the parliamentary control in ministries and other government institutions and bodies. The rights as well as duties of the Opposition are to observe and to make public wrongful solutions and decisions done by the Government, especially those which are the most pressing and important having an immense impact on the whole society.

Streszczenie

Miejsce i stanowisko partii politycznych w porządku prawnym Republiki Słowackiej

Artykuł opisuje status prawny partii politycznych i ruchów politycznych w słowackim porządku prawnym, zbudowanym na zasadach demokratycznych. Zawiera krótką analizę orzeczeń sądowych i regulacji prawnych dotyczących statusu prawnego partii politycznych i ruchów politycznych. W szczególności opisuje prawne warunki ich tworzenia i rozwiązywania, reżim majątkowy, zasady finansowania oraz prowadzenia działalności.