



KAMARAJ IAS ACADEMY
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Whip in a state Assembly or Parliament

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Why in News: Supreme Court recently observed that Members of a House are bound by the ‘whip’, and if any section of MLAs within a political party that is part of a ruling coalition says it does not want to go with the alliance, the MLAs will attract disqualification

A ‘whip’ in the House

A whip in parliamentary parlance is a written order that party members be present for an important vote, or that they vote only in a particular way.

The term is derived from the old British practice of “whipping in” lawmakers to follow the party line. In India all parties can issue a whip to their members.

Parties appoint a senior member from among their House contingents to issue whips — this member is called a Chief Whip, and he/she is assisted by additional Whips.

Functions of the whip

In practice, the whip is an official appointed to maintain discipline among, secure attendance of, and give necessary information to, members of his party.

Party whips are persons who are expected to be a channel of communication between the political party and the members of the party in the legislature.

They also serve the function of gauging the opinion of the members, and communicating it to party leaders.

Kinds of Whips

Whips can be of varying degrees of seriousness. The importance of a whip can be inferred from the number of times an order is underlined.

A one-line whip, underlined once, is usually issued to inform party members of a vote, and allows them to abstain in case they decide not to follow the party line.

A two-line whip directs them to be present during the vote.

A three-line whip is the strongest, employed on important occasions such as the second reading of a Bill or a no-confidence motion, and places an obligation on members to toe the party line.

Defiance of Whip

The penalty for defying a whip varies from country to country.

In the United Kingdom, an MP can lose membership of the party for defying the whip, but can keep her/ his House seat as an Independent.

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In the US, the party whip's role is to gauge how many legislators are in support of a Bill and how many are opposed to it and to the extent possible, persuade them to vote according to the party line on the issue.

In India, rebelling against a three-line whip can put a lawmaker's membership of the House at risk. The anti-defection law allows the Speaker/ Chairperson to disqualify such a member; the only exception is when more than a third of legislators vote against a directive, effectively splitting the party.

Concerns over the Whip

In India, the amendment which added the Tenth Schedule to the Constitution, commonly referred to as the anti-defection law, can potentially result in the MP losing his seat in Parliament if he votes against the party whip.

There is no data on the frequency of whips issued in India; and, since most bills here are passed by voice vote, it is quite impossible to say whether a party supported or opposed a bill, except by what one might be able to infer from the speeches made by its MPs.

Since 1985, there have been a total of 19 cases where MPs lost their seat in Parliament for disobeying the party whip.

The anti-defection law and the whip system reduce the MPs to a mere headcount on the floor of the House, and further deter them from exercising their judgment on major issues

The Way Ahead

Several practitioners are of the view that the whip should be applicable only to motions where the survival of the government is in question, and not to ordinary legislation. In the UK, political parties sometimes announce a "free vote", in which MPs are allowed to vote as they wish on ce