

# POLITICAL PARTIES AND THEIR ROLE IN SAFEGUARDING THE SUPREMACY OF THE CONSTITUTION

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## Abstract:

Nowadays, the political scene of the world is stirred by political parties. The separate fronts of the Government, on the one side, and Parliament, on the other, are now obsolete notions, while political parties dominate social life, having become genuine states in state. Therefore, within the contemporary organization of the powers in state, the issues are assessed from a different perspective: traditional structures are maintained, while their functions evolve and transform rapidly.

A modern society without political parties is unconceivable. Today, more than ever, political parties deserve their qualification of "engines of political life" and "reasons of the aging of the classical theory of the separation of powers"; at the same time, they must act within the boundaries set by law, namely by observing the principles of a democratic state and the constitutional order.

When dealing with the theory of the separation of powers in state, we must keep in mind that, to a large extent, it was developed in a time in which political parties did not exist yet or were not in their modern form. The main problems were of institutional nature and referred to the various bodies, their competencies and the relationships between them.

Unfortunately, in societies in transition, where authentic democracy is still developing, political parties – in some countries – perceive governing as a means of obtaining ministerial portfolios at all costs, irrespective of whether they have professionals for the field concerned or not. This often creates a governmental crisis, which usually leads to changing the incumbents and obtaining more positions in the new government.

In this context, some of the incumbent parties set up all kinds of obstacles in order to limit the number of parties, and if this limitation fails, they manage to create legal provisions which discriminate among parties with seats in Parliament and those which are not represented, both in local and parliamentary elections. However, this is a mistake which has its origins in a misapprehension of the role of political parties in a democratic state, governed by the rule of law, ignoring thus important values such as political and party pluralism.

**Keywords:** political party; pluralism; freedom of association; ballot vote; state power.

## General considerations

The history of the beginning of political parties – close to the shape they exist in today – is one of relatively recent date, being in close relation with the appearance of legislative assemblies and universal suffrage; the starting point is represented by the bourgeois revolution of 1789 in France, a moment that marks the transition from feudalism to capitalism. In these conditions, the political parties – that are in an incipient form - were fighting tools in the hands of the bourgeoisie against the aristocracy and absolute monarchy.

Bourgeois democratic revolutions of 1848 in Europe led to the development and completion of democratic institutions, to the establishment of a new system of principles about the conquest and exercise of state power - the principle of eligibility and representation. Thus political parties have evolved into stable organizations with an ideology, programs, statutes and clearly defined goals. Evolution has favored the emergence of electoral systems and the extension of voting rights to increasingly large categories of people, which increased the support base of parties and allowed them the designation of representatives in the governing bodies of the state - parliaments and governments.

The political scene in the second half of the nineteenth century was divided between conservative parties, supporting the interests of the nobility, liberal parties promoting the interests of the big bourgeoisie and workers' parties, organized into unions, leagues or revolutionary clubs based on which later formed most socialist parties. Since then, the democratic life of a country is hardly conceivable without the presence and evolution in the political scene of political parties.

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The sociological phenomenon, of the association in temporary groups in order to achieve certain interests, often occult or personal, is present since antiquity. These formations represented only the interests of a social segment reduced, did not have an organization based on programs and statutes and their work ceased when fulfilling their purpose for which they were established. In this position, those parties - called clans, clubs or committees - were far from the modern notion of political party, resembling more with pressure groups. Grouping was done according to various criteria - or rather interests : political, military, dynastic, socio-professional or, more often, religious<sup>1</sup>.

In Romania, the history of political parties begins in the second half of the nineteenth century through the establishment in 1871 of the Conservative Party and the National Liberal Party in 1875. The political party phenomenon manifested and developed subsequently and by other political parties who have made their presence felt in Romanian politics after World War I; Thus, in 1926 the National Peasant Party was established and in 1927 the Social Democratic Party appears.

Through a decree given by Charles II in 1938 were dissolved all associations, groups and political parties; the party system was established by the creation of the National Renaissance Front, a situation that lasted until 1940. There was a short period during the Antonescu regime, in which the Legionary Movement occupied the forefront of the political scene. 1947 marked the beginning of the communist dictatorship, dissolution of political pluralism and the establishment of a single party dominated existence - the Communist Party.

The normative acts adopted after 1989 brought in Romanian the political life also reaffirming the principle of political pluralism. Following the Decree-Law No. 8 of 31 December 1989 on the registration and operation of political parties and public organizations have been set up numerous formations and political parties, but few are those who resisted and were imposed in politics. This contributed to the Political Parties Law No. 27 of 29 April 1996 through which were established more stringent legal conditions for the establishment and organization of political parties.

Currently, the regulation of the political parties field in the internal order is given by the several articles of the Constitution - namely article 8 on party pluralism and the establishment the political parties, Article 40 on freedom of association, Article 73, paragraph 3 b) organization , operation and financing of political parties; are governed by organic laws, and 146 lett.k) The Constitutional Court decides on complaints that have as object the constitutionality of a political party. and political parties law no.14/2003 respectively no.334/2006 Law on financing of political parties and electoral campaigns<sup>2</sup>.

Law, no.14/2003 defines political parties as political associations of the citizens with voting rights, participating freely to training and exercising their political will, fulfilling a public mission guaranteed by the Constitution. They are legal entities of public law.

Currently the political life of the world is driven by political parties. Currently is no longer on one side of the barricade the Government and the Parliament on the other side of the barricade, but political parties have great weight in social life, becoming true major states. So in organizing contemporary branches of state power, the problems are put in another way: traditional structures remain, while their functions evolve and transform rapidly.

A modern society is unconceivable without political parties. Today, more than ever, political parties deserve their characterizations of "motor of political life", "why the aging

<sup>1</sup> In feudalism, religious affinities were reasons, of passions and political battles, given the overwhelming influence of religion in that periodas well as the major differences between the major theological doctrine: Christianity, Buddhism, Islam, etc.. Battles were present even within the same confession; for example, there were parties who claimed supremacy of the Pope and parties supporting the fight against the papacy.

<sup>2</sup> Law no.14/2003 the political parties' law, published in the official Gazette.no.25/17.01.2003.

Law no.334/2006 regarding the financing of the activity of the political parties and the election campaigns , republished in the official Gazette .no.510/22.07.2010.

of the classic theory of separation of powers", while they have to work legally, that is to recognize the rule of law and constitutional order<sup>1</sup>.

In valuing the theory of separation of powers must be taken into account to a large extent by the fact that it was developed in a time when political parties were not yet existing or not in their modern form. The main problems were institutional matters and regard the various organs, their powers and relations between them.

Unfortunately, in societies in transition, where democracy has not yet been affirmed authentic political parties in some countries, see the purpose of government, to obtain at any price ministerial portfolios, regardless if they have staff trained in this area or not. They often creates the government crisis in order to change the government to get more seats in the new one.

In this context, some parties that have come to power, set up all kinds of barriers to limit the number of parties, and if you fail this limitation, the law creates discrimination between parties in Parliament and local elections in both non-parliamentary and parliamentary elections . But this is an error that comes from misunderstanding the role of the political parties in a democratic state of law, ignoring such values as political pluralism and multipartism. Thus nr.67/2004 31 paragraph 2 of the Law provides that "Within 24 hours of the establishment of electoral of the County, it is supplemented by a representative of the political parties. And, article 34, paragraph 4. The electoral precinct shall be filled with representatives nominated by organizations of the county or Bucharest organization, of the political parties that submitted the candidate for mayor, general mayor respectively. Completion is done by the chairman of the electoral precinct within 24 hours of his appointment in descending order of cumulative number of MPs of each party.

The provisions of Law 55 para.8 no.67/2004 provides that, in determining the number of order on the ballot containing the lists of candidates or independent candidates for counselors, mayors as well as presidents of county councils it is proceeded as follows:

a) in the first stage the lists submitted by the parliamentary political parties, political alliances and electoral alliances with at least one parliamentary political party, fall in the quadrilaterals of the ballot in the order resulting from the draw conducted by the chairman of the county electoral district , respectively Bucharest, in the presence of a majority of its members;

b) in the second stage, the lists submitted by the political parties not represented in Parliament, the political alliances and their electoral alliances, shall be printed in the following quadrilaterals of the ballot in the order resulting from the draw conducted by the chairman of the municipal electoral district, town, municipality and sector of Bucharest respectively the chairman of the county electoral district and of Bucharest.

The order established under letter a) is valid for all county electoral districts respectively in Bucharest, including county electoral district, respectively Bucharest. The order established under letter a) and b) is valid in the case of the ballot for the election of the mayor and county council president.

For each independent candidate, including independent candidates for mayor and the president of the county council, shall be printed a distinct quadrilateral in the final part of the ballot in which they are enrolled in the order of the registration of the applications.

Also in this regard, we exemplify the provisions of Article 34 paragraph 2 of Law no.35/2008 which states that the order in which candidates' names are printed on the ballot shall be determined by the electoral district by drawing lots successively: first for parliamentary political parties and the organizations of national minorities with their own parliamentary group in both houses of Parliament and the political or electoral alliances that include at least one parliamentary political party, then for the non-parliamentary

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<sup>1</sup> Ciobanu D., Duculescu V.– Romanian constitutional law.– Bucharest: "Hyperion XXI" Publishing House, 1993.

political parties and electoral or political alliances , of these, then organizations of national minorities. Independent candidates will enroll on the ballot in the final part of this, in the order of the registration of the applications.

This creates discrimination between the parties that have come in Parliament and those that are not parliamentary parties in the parliamentary elections, presidential and local elections even - at the local level there must be greater autonomy and do not think it is constitutional that elections for the mayor and city councilors to have delegates in district offices or polling stations only parliamentary parties.

The political party can be defined as an organized group of people, united by an ideology, group playing the role of intermediary between the state and civil society aimed at conquering and exercising political power.<sup>1</sup>

In the specialized literature addressing the concept of political party is done from several points of view. Thus, legally, a political party is a legal entity of public law<sup>2</sup>, with an self-contained organization, its heritage and which pursues a legitimate aim<sup>3</sup>. *As a sociological phenomenon, the political party is an expression of the exercise by citizens of their right to free association*<sup>4</sup>; these free associations brings together people who share the same views or how Benjamin Constant expresses, "profess the same political doctrine".<sup>5</sup> *From the political point of view, creating a party aims participation in political life by conquering the power or influence it effectively to give gain to ideas or interests of its members.*

Understanding the concept of political party also means delimiting it from other intermediary bodies that play an important role in the democratic life of a state - pressure groups and interest groups. These social forces do not seek the appropriation of political power, although their work is conducted in close connection with the development of the political scene; by influencing or manipulating the power, pressure groups and interest groups seek most often to obtain material benefits. they do not have permanent structures, their existence is often conjectural<sup>6</sup>, determined by the claim and satisfying an interest or achieving a goal. There were also cases in which the pressure groups have turned into political parties by taking power.<sup>7</sup>

### **Features of the political parties**

Political parties have as main features:

- the political party is an expression of the citizens' right to free association as it is regulated in article 40 paragraph 1 of the Constitution;
- Political parties are associations that have political character, because their primary purpose is the conquering and exercise of state power and party activities are conducted in

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<sup>1</sup> According to article 1 of Law no.14/2003 political parties are defined as "political associations of the Romanian citizens with voting rights, participating freely to the formation and exercise of their political will, fulfilling a public mission guaranteed by the Constitution".

<sup>2</sup> According to the last sentence of Article 1 of Law no.14/2003 political parties "are legal entities of public law."

<sup>3</sup> According to Article 40 paragraph 2 of the Constitution, political parties "which, by their aims or activity, militate against political pluralism, of the rule of law or the sovereignty, integrity or independence of Romania shall be unconstitutional."

<sup>4</sup> "Citizens may freely associate into political parties, trade unions, in employers and other forms of association", article 40 paragraph 1 of the Constitution.

<sup>5</sup> Benjamin Constant (October 25, 1767 - December 8, 1830) was a thinker, writer and French politician, one of the first political thinkers, who called themselves liberal and also an important doctrinaire of liberalism in the nineteenth century."Principes de politique applicables à tous les gouvernements représentatifs" (*Policy principles applicable to all representative governments*)

<sup>6</sup> U.S. pressure groups called "lobbies" go out of print because they are characterized by permanent structures, stable and through organized activity.

<sup>7</sup> This is the case of environmentalists in many European countries, having their representatives in the Parliament and associating to the government.

close connection with the work of the Board of the State;

- political parties act as an intermediary body between the state bodies and the electorate, contributing to the definition and expression of the political will of the citizens;

- as permanent and stable organizations, political parties benefit from specific management structures with clearly defined duties by the statutes and rules of the party;

- political parties are "organizations at the service of an idea" (Maurice Hauriou)<sup>1</sup> and the action lines of the party's activities are included in the political program, based on the doctrine of the party. Currently, a pragmatic political program, anchored into social and economic realities of a state, can provide that party success through broad support of the electorate;

- the framework of the establishment, conduct of business and dissolution of the political parties is regulated in our order of law, by the Constitution and organic law;<sup>2</sup>

- political parties are characterized by a diversity of ideologies and political programs, in accordance with the diversity of groups in society whose interests they represent, and also are presented as various names. Not always, however, the party ideology is reflected in its name;

- the totality of supporters of a party - the electorate - implies the existence of the following categories: *the party members - a notion with different meanings depending on the type of party. In the case of mainstream parties, the concept of membership coincides with the one of adherent respectively the person is actively involved into the activities of the party, signed a bulletin of subscription and pays his dues regularly.* Another category is the militant supporters, "diehard fans" of the doctrine of the party that is actively supporting it (not necessarily members of the party), trying to convince others to join the ideas and political program of the party. Supporters are people who publicly support a party but without the intention to persuade others to vote for their candidates of that political party. And last but not least - the voters are people who without being party members, activists or sympathizers grant their vote for a particular party.

Through their work, political parties promote national interests and values, political pluralism, contributes to the formation of public opinion participates, with the candidates in the elections and the establishment of public authorities and stimulate the participation of citizens in the polls, according to the law.

A true democracy must include in itself the possibility of wider options, free between different views and orientations open to debate. In other words, the plurality shall mean a multiplicity of equivalent factors, which can not be reduced to unanimity<sup>3</sup>.

Constitution in Article 8 provides that pluralism in the Romanian society is a condition and a guarantee of constitutional democracy.

Pluralism has several definitions: it allows the expression of a diversity of views, embracing any philosophical doctrine, any ideal setting, with the respect, of course, of the fundamental values of the given society, of political and legal order that requires the rule of law<sup>4</sup>; by political pluralism we understand possibility for citizens of a state to realize the right to freedom of political opinion through political parties in which they can be associated<sup>5</sup>.

Multi-party system is an integral part and essential to political pluralism, without which it can not exist and which involves several strong political parties.

At the same time, recognizing that the multi-party system is a condition of constitutional democracy, we should point out some shortcomings of this principle:

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<sup>1</sup> Maurice Hauriou - *Precis de droit constitutionnel*, 2-eme, Sirey Publishing House, 1929. p.347, Université de Toulouse.

<sup>2</sup> N.Grădinaru, I.Popescu, I.Mihalcea, E.Neagu – *Constitutional Law*, Independența Economică Publishing House, Pitești, 2011. p.329.

<sup>3</sup> Deleanu Ion -*Constitutional Law and Political Institutions*, Europa Nova Publishing House, Bucharest, 1996.

<sup>4</sup> Vrăbie Genoveva - Romania eratives political organization. - Iași: „Cugetarea” Publishing House, 1999, p.19.

<sup>5</sup> Popa Victor – *Public Law*. - Chișinău, 1998, p.117.

- a) can lead to too much diversity can jeopardize the proper release of the general will and its reflection in the decisions taken at national or local level;
- b) determines the voting list, often criticized for the adverse consequences in terms of real representation of the people, "national will" expressing itself in a process of coalition of parties regardless of election results;
- c) often causes the formation of coalitions which result instability and political government crisis<sup>1</sup>.

### **The role of political parties in ensuring the supremacy of the Constitution**

According to article 3 of Law no.14/2003 can function as political parties, only the associations, with political character, constituted according to the law and which fights for national sovereignty, independence and unity of the State, territorial integrity, public order of the law and of the principles of constitutional democracy.

A democratic society necessarily implies the presence in the political arena of social and political forces to ensure the existence and functionality of the connecting channel between the government and citizens. Among these forces, political parties have proven indispensable by the political role that they meet - electoral , parliamentary or governmental - but without leaving aside the social role, parties being able to train and animate the force of a significant social mass in some cases.

In the constitutions of the states but also in the comments of the specialized literature, opinions differ on the essential role that the parties have in a state. The majority opinion states the following roles of the political parties:

- to protect the interest and with priority the interest, of the social group represented;
- to determine and shape the political will of the citizens;
- to determine the national policy of a state;
- to contribute to the expression of suffrage;
- to pursue the party's ideology, by setting up a political program and its implementation.

All these are not actually other than different aspects, angles of which can be seen in the work of a political party one time or another; the general role that the parties fulfill, is to ensure the organization and management of social and political life of a country and is achieved by the following functions:

*- the electoral function is fulfilled by forming political opinion trends in society, by designating candidates in local and general elections and thus, by supporting the electoral "fight" against other political parties. By providing a thematic framework, doctrinaire , or ideological of the electoral campaign, for training and information, of the opinion of voters, the selection of candidates for admission to the parliamentary groups of the elected, to ensure political support for these groups and their relations with voters.*

*- the political function involves the coordination of those elected in order to achieve the party's political program but also to maintain party discipline. This happens in the case of the party - or parties if there is an electoral alliance or coalition - which won a majority in Parliament and participate in governing; Instead, the 'minority'parties from the opposition political function to oversee those who govern to criticize their errors and inefficiencies, with the ultimate goal of overthrowing the government and to regain power;*

*- the management function is achieved primarily through the accession to power, to ruling party status, and by turning his program in government programs, and participation in the governing bodies of the state but also by establishment of internal organizational structures and leadership of the party and the coordination of its members;*

*- the function of intermediary body between the people and the government, which helps*

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<sup>1</sup> Vrăbie Genoveva - Romania eratives political organization. - Iași: „Cugetarea” Publishing House, 1999, p.20-21.

*to relieve the general will and to valuing them as momentum to power, and is achieved by party representatives in parliament and in government; citizens participate through them indirectly to exercise state power. In the case of lawmakers, the function is reflected by the close links, which are kept between them and the voters in the district where they were elected. At the same time, parties can mobilize people in case of violation by state authorities of the constitutional provisions;*

*- the civic function is achieved by training and educating a responsible attitude both of party members but also of citizens in general, on the main problems of society, of agent of the information measure, and political education of citizens, their training requirements to power, harmonization and aggregation of diverse interests.*

We note that currently the Constitutional Court of Romania is facing political domination tendencies of the block "parliamentary majority - Government" which dictates the legislative and executive activity. Hence the increasing importance of the act of "constitutional review".

To prevent actions that would contravene the Constitution, in this plan, one increasingly important role, returns to the parliamentary opposition, which in such circumstances notify the Constitutional Court.

Thus from the analysis of the activity of the Constitutional Court, we note that the right of the Government to notify the Constitutional Court before promulgation is almost nonexistent.

Deputies and Senators in opposition, have spent their right to petition the Constitutional Court before the enactment of laws.

Since its establishment until January 31, 2013, the Court had to settle complaints 30.042:

#### **The activity of the Constitutional Court from establishment up to April 30, 2014**

Since its establishment until 30 April 2014, the Court had to settle complaints 31.294:

**238 complaints in the framework of the constitutionality of laws before promulgation: - According to Article 144 a) of the Constitution:**

The subject of the complaint/ year	The President of Romania	The President of parliamentary chambers	Govern ment	The supreme court of justice	Deputies or senators	No. Complaints
1992	-	-	-	3	6	9
1993	-	-	2	-	9	11
1994	-	-	-	3	14	17
1995	-	-	-	2	17	19
1996	-	-	2	-	9	11
1997	-	-	-	2	9	11
1998	-	-	-	-	7	7
1999	1	-	-	1	7	9
2000	-	-	1	1	-	2
2001	1	-	-	1	6	8
2002	-	-	-	-	5	5
2003	-	-	-	-	2	2
TOTAL						111

- according to Article 146 a) of the Constitution republished:

The subject of the complaint / anul	The President of Romania	The President of parliamentary chambers	Govern -ment	The High Court of Cassation and Justice	The Ombud-sman	Deputies or senators	No. Com-plaints
2004	1	-	-	-	1	5	7
2005	4	-	-	1	1	7	13
2006	2	-	-	-	-	7	9

The subject of the complaint / anul	The President of Romania	The President of parliamentary chambers	Govern -ment	The High Court of Cassation and Justice	The Ombudsman	Deputies or senators	No. Complaints
2007	3	-	3	-	-	10	16
2008	5	-	2	-	-	11	18
2009	-	-	-	1	-	9	10
2010	1	1	-	2	-	20	24
2011	4	-	-	1	-	15	20
2012	2	-	-	1	-	7	10
2013	6	-	-	1	-	15	22
2014	2	-	-	-	-	1	3
TOTAL							152

**6** examinări referitoare la inițiativele de revizuire a Constituției, potrivit art.144 lit.a) teza finală din Constituție, din care: 1 în anul 1996, 1 în anul 2000, 3 în anul 2003, 1 în 2011 și 1 în 2014;

**37** sesizări în cadrul controlului constituționalității regulamentelor Parlamentului:

- potrivit art.144 lit.b) din Constituție:

Subject of complaint / year	The President parliamentary chambers	Parliamentary Group	Deputees or senators	No. Complaints
1993	-	3	-	3
1994	4	-	-	4
1995	-	1	1	2
1997	-	-	1	1
1998	-	-	2	2
1999	-	1	-	1
2000	-	-	1	1
2001	-	3	-	3
TOTAL				17

- according to Article 146 c) of the Constitution republished:

Subject of complaint / year	The President parliamentary chambers	Parliamentary Group	Deputees or senators	No. Complaints
2004	-	2	-	2
2005	1	-	3	4
2007	-	1	2	3
2008	-	-	2	2
2009	-	2	3	5
2010	-	-	3	3
2012	-	-	1	1
TOTAL				20

**30.574 unconstitutionality exceptions, of which:**

**30.526 Exceptions raised in court [according to Article 144 c) of the Constitution, namely Article 146 d) first thesis of the republished Constitution];**

**48 Exceptions raised directly by the Ombudsman [according to 146 d), second thesis of the reissued Constitution]**

Year of complaint	Exceptions raised in the courts	Exceptions raised directly by the Ombudsman	No. Complaints
1992	24	-	24
1993	88	-	88
1994	116	-	116
1995	132	-	132
1996	292	-	292
1997	570	-	570
1998	179	-	179
1999	246	-	246
2000	384	-	384
2001	432	-	432
2002	539	-	539
2003	573	-	573
2004	728	-	728
2005	1037	2	1039
2006	2455	3	2458
2007	1834	4	1838
2008	2851	6	2857
2009	8819	4	8823
2010	4743	7	4750
2011	1661	2	1663
2012	1554	14	1568
2013	882	6	888
2014	387	-	387
TOTAL			30.574

**25 requests for legal settlement of a constitutional nature, between public authorities, according to Article 146 e) of the republished Constitution:**

Subject of complaint / year	The President of Romania	The President Parliamentary chamber	The prime minister	President of the Superior Council of Magistracy	No. complaints
2005	-	2	-	-	2
2006	-	-	-	1	1
2007	-	1	1	-	2
2008	2	2	2	1	7
2009	1	2	-	1	4
2010	-	1	1	-	2
2012	2	-	-	1	3
2013	-	-	-	2	2
TOTAL					25

- 336 complaints made in the procedure for electing the President of Romania [according to Article 144 d) of the Constitution, namely Article 146 f) of the Constitution reissued], of which 43 in 1992.132 in 1996, 70 in 2000, 50 in 2004 and 41 in 2009;

- 2 requests for ascertaining the circumstances which justify the interim in the position of President of Romania [according to Article 146 letter g) of the reissued Constitution], of which 1 in 2007 and 1 in 2012;

- 3 proposal of suspension from office of President of Romania [right 144 f) of the Constitution respectively 146 h) of the reissued Constitution], including one in 1994, one in 2007 and one in 2012;

- 13 complaints relating to the procedure for organizing and conducting the referendum [according to Article 144 letter g) of the Constitution respectively Article 146 a) of the reissued Constitution], of which 2 in 2003, 4 in 2007, 1 in 2009 and 6 in 2012;

- 6 notifications on the control conditions for the exercise of legislative initiative by citizens [according to 144 h) of the Constitution respectively Article 146 letter j) of the reissued Constitution], of which two in 1994, one in 1996, one in 2004, one in 2007 and one in 2009;

**- Two petitions on the constitutionality of a political party [right 144 a) of the Constitution respectively letter k 146, of the Constitution, republished, including one in 1993, returned to attach the necessary evidence and to be examined, the Chamber of Deputies and the Senate and one in 2014];**

**- 22 complaints regarding the other functions provided by the organic law of the Court according to Article 146 letter l) of the Constitution, republished, including two in 2010, three in 2011, 12 in 2012, three in 2013 and two in 2014.**

In resolving complaints, the Court issued 15 163 decisions, rulings, notices, including:

- 230 decisions under Article 144 letters a) and Article 146 a) of the Constitution republished - six in 1992, nine in 1993, 10 in 1994, 13 in 1995, 11 in 1996, seven in 1997, six in 1998, seven in 1999, three in 2000, six in 2001, four in 2002, seven in 2003, five in 2004, 10 in 2005, 8 in 2006, 17 in 2007, 15 in 2008, 13 in 2009, 18 in 2010 , 17 in 2011, 14 in 2012, 16 in 2013 and 8 in 2014;

- 35 decisions under Article 144 b) and Article 146 c) of the Constitution reissued - two in 1993, four in 1994, two in 1995, one in 1997, two in 1998, two in 2000, one in 2001, two in 2002, two in 2004, three in 2005, one in 2006, three in 2007, two in 2008, five in 2009, two in 2010 and one in 2012;

- 14,583 decisions under Article 144 c) 146 d, respectively) of the Constitution republished - 60 in 1993, 126 in 1994, 114 in 1995, 137 in 1996, 707 in 1997, 180 in 1998, 232 in 1999 268 in 2000, 347 in 2001, 357 in 2002, 484 in 2003, 560 in 2004, 687 in 2005, 943 in 2006, 1,215 in 2007, 1,394 in 2008, 1,686 in 2009, 1,636 in 2010, 1610 in 2011 in 1065 in 2012, 537 in 2013 and 238 in 2014;

- 22 decisions under Article 146 e) of the Constitution republished - one in 2005, one in 2006, two in 2007, five in 2008, four in 2009, two in 2010, three in 2012, two in 2013 and two in 2014

- 248 decisions on the procedure for electing the President of Romania - 43 in 1992, 77 in 1996, 53 in 2000, 34 in 2004, 40 in 2009 and 1 in 2010;

- 2 decisions under Article 146 letter g) of the Constitution republished - one in 2007 and one in 2012;

- 3 opinions (negative) for the proposal of suspension from office of President of Romania - one in 1994, one in 2007 and one in 2012;

- 9 ruling on appeals concerning the procedure for the organization and the referendum - two in 2003, four in 2007, one in 2009 and two in 2012;

- 5 decision confirming the results of the national referendum - one in 2003 and two in 2009 and one in 2007.1 2012;

- 6 decision on the control conditions for the exercise of legislative initiative by citizens, including two in 1995, one in 1997 and one in 2004, one in 2007 and one in 2009;

- 20 decisions under Article 146 letter l) of the Constitution republished - 5 in 2011 and 10 in 2012, two in 2013 and three in 2014.

There have also been issued:

- 6 decisions of interpretation of which 1 in 1993, 2 in 1994, and 3 in 1995;

- 12 decisions for approval or, if appropriate, amending the Regulation on the organization and functioning of the Constitutional Court, including one in 1992, one in 1993, one in 1995, one in 1996 and one in 1997, one in the year 1999, two in 2000, one in 2001 and one in 2002, one in 2005 and one in 2012.

From citizens and some organisations there have been received 10.284 **letters and petitions**.

**Bibliography:**

1. Ciobanu D., Duculescu V. – Romanian Constitutional Law. – Bucharest: "Hyperion XXI" Publishing house, 1993.
2. Deleanu Ion – Constitutional Law and political institutions, Europa Nova Publishing House, Bucharest. 1996.
3. N.Grădinaru, I.Popescu, I.Mihalcea, E.Neagu – Constitutional Law, Independența Economică Publishing House. Pitești. 2011.
4. Popa Victor – The public Law. Chișinău, 1998.
5. Vrabie Genoveva - Politico-etic organising of Romania. - Iași: „Cugetarea” Publishing House, 1999.