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**PARLIAMENT IN PARADOX: RETHINKING INDIA'S DEMOCRATIC MACHINERY IN A COALITION AGE**

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**ABSTRACT**

*India's Parliamentary system, inspired by the British Westminster model, was designed to ensure democratic accountability, flexibility, and representation. Over the decades, it has served as the backbone of the country's governance structure. However, as Indian politics has evolved—especially with the rise of regional parties and coalition governments—a noticeable gap has emerged between the ideals enshrined in the Constitution and the realities of everyday governance.*

*This paper explores that paradox. It critically examines whether the Parliamentary system, in its current form, is capable of meeting the challenges of a fragmented political landscape. Using a blend of constitutional interpretation, historical examples, and comparative insights from other democracies, the article analyzes how coalition dynamics affect decision-making, executive authority, and legislative efficiency.*

*Ultimately, the paper argues that while India's Parliamentary model has been resilient, it now requires thoughtful reforms to restore its democratic vitality and functional effectiveness. The findings suggest that without recalibrating our democratic machinery, the system may continue to strain under the weight of its own contradictions.*

**INTRODUCTION**

India's decision to adopt the Parliamentary form of government after independence was not merely a constitutional choice—it was a reflection of its colonial experience, its cultural diversity, and the need to build a system grounded in democratic accountability. Drawing inspiration from the British Westminster model, the Indian framers envisioned a structure where the executive is answerable to the legislature, the head of state is largely ceremonial, and the real power lies with the elected representatives of the people.<sup>1</sup> Yet, more than seventy years later, this system finds itself under increasing strain.

A growing paradox has emerged: while the Indian Parliament is meant to embody the spirit of democracy, its functioning often reveals a widening gap between constitutional ideals and practical outcomes. The rise of coalition politics, frequent party defections, populist pressures, and legislative dysfunction have all contributed to this disconnect. In an era where political mandates are increasingly fragmented and regional identities assert themselves more strongly, the system originally designed to offer flexibility and accountability now often struggles with instability and indecision.

This paper sets out to explore that paradox. The aim is not to dismiss the Parliamentary system outright, but to critically examine its performance in the age of coalitions. Has the system evolved to meet India's changing political landscape? Or has it been stretched beyond its intended design?

To address these questions, the study employs a multi-pronged methodology: a close reading of constitutional provisions related to the Parliament and the executive; a study of historical case examples—such as the fall of coalition governments in the 1990s and the survival tactics of minority governments; and comparative insights from other Parliamentary democracies such as Germany, Israel, and the United Kingdom. These countries, like India, have grappled with similar questions of stability and representation in the face of electoral fragmentation.<sup>2</sup>

Preliminary findings suggest that while India's Parliamentary system retains key strengths—such as democratic accountability and minority representation—it is increasingly susceptible to executive fragility, legislative deadlock, and governance by political compromise. These outcomes often dilute the responsiveness and integrity of public institutions.

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<sup>1</sup> INDIA CONST. arts. 74–75, 79–85 (establishing the framework for the Union executive and Parliament); CONSTITUENT ASSEMBLY DEBATES, Vol. VII

<sup>2</sup> Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries* 118–25 (2d ed. Yale Univ. Press 2012); Vernon Bogdanor, *The Coalition and the Constitution*, 41–43 (Hart Publ'g 2011)

As India continues to grow as a global democracy, there is an urgent need to rethink the structure, norms, and practices that govern its political institutions. Whether through electoral reforms, strengthening internal party democracy, or revisiting the role of parliamentary committees, the country must ensure that its democratic machinery remains fit for purpose in the 21st century.

### **The Constitutional Blueprint**

When the framers of the Indian Constitution sat down to design the country's political architecture, they had an enormous task ahead: to craft institutions that could accommodate India's vast diversity, prevent concentration of power, and guarantee a democratic voice to every citizen. Among their most consequential decisions was the choice to adopt the Parliamentary form of government—a system where the executive is not separate from the legislature, but is drawn from and accountable to it.<sup>1</sup>

This model finds its expression primarily in Articles 74 and 75 and Articles 79 to 85 of the Constitution. Article 74 mandates the presence of a Council of Ministers headed by the Prime Minister to aid and advise the President, who is the constitutional head of state.<sup>2</sup> While the President formally appoints the Prime Minister, this is not a discretionary power—the appointee must command the confidence of the Lok Sabha, the lower house of Parliament.<sup>3</sup>

Article 75 further details the structure of the executive. It affirms that the Prime Minister shall be appointed by the President and the other ministers shall be appointed on the Prime Minister's advice. Crucially, it states that the Council of Ministers is collectively responsible to the House of the People (Lok Sabha).<sup>4</sup> This principle of collective responsibility is central to India's Parliamentary democracy—it ensures that the executive remains answerable to the legislature, and by extension, to the people.

Meanwhile, Articles 79 to 85 establish the structure of Parliament itself. India's bicameral legislature consists of the Rajya Sabha (Council of States) and the Lok Sabha (House of the People), along with the President of India who is an integral part of Parliament.<sup>5</sup> The Rajya Sabha represents the interests of the states, while the Lok Sabha is the directly elected house that reflects the popular will.

Parliament holds significant powers: it makes laws, scrutinizes the executive, controls public finance, and provides a forum for national debate. The requirement that the executive must enjoy the confidence of the Lok Sabha means that the government's survival depends on legislative support—a feature that allows for flexibility in leadership transitions without triggering general elections, unlike in a presidential system.<sup>6</sup>

The framers intended this model to promote responsibility, flexibility, and representativeness. The system was meant to ensure that the government remains responsive to the legislature, that leadership could adapt to political changes without constitutional upheaval, and that diverse voices—including minorities and regional interests—could find a place in national decision-making.

But over time, as coalition politics became the norm and party loyalties grew more complex, this constitutional blueprint has faced significant stress. While the structure remains intact, the day-to-day working of these institutions often reveals a disconnect between the ideals of the Constitution and the practical functioning of governance.

### **Rise of Coalition Politics: Causes and Consequences**

India's early decades after independence were marked by political stability under the Congress Party, which maintained a dominant position both at the Centre and in most states. However, by the late 1980s, this one-party

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<sup>1</sup> M.P. Jain, *Indian Constitutional Law* 617–19 (8th ed. LexisNexis 2018) (explaining the Parliamentary executive under the Indian Constitution).

<sup>2</sup> INDIA CONST. art. 74(1) ("There shall be a Council of Ministers with the Prime Minister at the head to aid and advise the President...").

<sup>3</sup> INDIA CONST. art. 75(1); S.R. Bommai v. Union of India, (1994) 3 S.C.R. 1 (India) (affirming that the President must appoint as Prime Minister a person who commands majority support in the Lok Sabha).

<sup>4</sup> INDIA CONST. art. 75(3) ("The Council of Ministers shall be collectively responsible to the House of the People.").

<sup>5</sup> INDIA CONST. art. 79 ("There shall be a Parliament for the Union which shall consist of the President and two Houses to be known respectively as the Council of States and the House of the People.").

<sup>6</sup> Constituent Assembly Debates, Vol. VII (Dec. 23, 1948) (Dr. B.R. Ambedkar explaining that the Parliamentary system offers the benefit of continuity and accountability without the rigidity of fixed terms).

dominance began to wane. The general elections of 1989 marked a turning point in Indian politics—a shift from centralized leadership to fragmented mandates, from a single-party rule to an era of coalition politics.

This transformation did not happen overnight. It was driven by a combination of growing regional aspirations, the rise of identity-based politics, and the decline in ideological cohesion among national parties. Regional parties began asserting themselves, championing state-specific concerns that were often overlooked by Delhi-centric narratives.<sup>1</sup> The result was a fractured electoral verdict where no single party could secure a clear majority, making coalitions not just a political choice, but a necessity.

### **From Majority to Multiplicity: A Brief Chronology (1990s–2020s)**

The period between 1990 and 2014 witnessed a succession of coalition governments at the national level. The fall of the V.P. Singh government in 1990 and the brief tenure of Chandrashekhar thereafter set the tone for a turbulent political decade. In 1996, Atal Bihari Vajpayee's first stint as Prime Minister lasted only 13 days due to lack of support. It was followed by the United Front governments under H.D. Deve Gowda and I.K. Gujral, both of which were short-lived.<sup>2</sup>

A relatively stable coalition emerged with the National Democratic Alliance (NDA) led by Vajpayee from 1998 to 2004. This period showed that coalitions, when built on pragmatic consensus and mutual respect among partners, could govern effectively. This was followed by the United Progressive Alliance (UPA) under Dr. Manmohan Singh, which held power from 2004 to 2014, also as a coalition. Both alliances showcased the potential and pitfalls of managing a government with multiple stakeholders.<sup>3</sup>

While the 2014 and 2019 elections brought back majority governments under the Bharatiya Janata Party (BJP), regional parties remain powerful players in state politics, and coalitions still dominate many state assemblies. Thus, coalition dynamics continue to shape Indian democracy in significant ways.

### **Consequences of Coalition Politics**

The rise of coalition governments brought both opportunities and challenges.

On one hand, coalitions allowed for greater representation of regional voices, making the Union government more inclusive and reflective of India's federal character. This was important in a country as socially and linguistically diverse as India, where national integration depends on ensuring that no group feels left out.

On the other hand, coalitions often brought political instability. Governments were sometimes formed through opportunistic alliances with little ideological commonality, leading to frequent policy reversals or delays. The need to keep multiple parties satisfied also diluted bold decision-making. For example, economic reforms during the UPA years were significantly slowed down due to resistance from coalition partners.<sup>4</sup>

Moreover, the over-reliance on coalition arithmetic sometimes led to governance being held hostage to political bargaining. Key ministries were allocated based on coalition compulsions rather than administrative expertise, affecting the quality of governance. The anti-defection law, meant to prevent political horse-trading, was often circumvented or weaponized, further undermining parliamentary integrity.<sup>5</sup>

In summary, while coalition politics has enabled broader participation in governance, it has also tested the limits of the Parliamentary system as originally envisioned. The constant balancing act between political survival and policy leadership has at times weakened the effectiveness of governance.

<sup>1</sup> Yogendra Yadav, Understanding the Second Democratic Upsurge: Trends of Bahujan Participation in Electoral Politics in the 1990s, in *TRANSFORMING INDIA: SOCIAL AND POLITICAL DYNAMICS OF DEMOCRACY* 120–23 (Francine Frankel et al. eds., Oxford Univ. Press 2000).

<sup>2</sup> Christophe Jaffrelot, *India's Silent Revolution: The Rise of the Lower Castes in North India* 315–18 (Columbia Univ. Press 2003); Granville Austin, *Working a Democratic Constitution: The Indian Experience* 360–65 (Oxford Univ. Press 1999).

<sup>3</sup> Atul Kohli, *Democracy and Discontent: India's Growing Crisis of Governability* 89–92 (Cambridge Univ. Press 1990); Zoya Hasan, Coalition Politics in India: Problems and Prospects, 36(1) *Economic and Political Weekly* 350–52 (2001).

<sup>4</sup> T.T. Ram Mohan, Reforms in a Coalition Era, 39(20) *Economic and Political Weekly* 2022–24 (2004); Bibek Debroy, *Reforming India's Governance: An Institutional Perspective*, 59–64 (Academic Foundation 2004).

<sup>5</sup> Kihoto Hollohan v. Zachillhu, (1992) Supp. (2) S.C.R. 756 (India) (upholding the constitutionality of the anti-defection law but acknowledging concerns of Speaker's neutrality); Rajeev Dhavan, Defection and Democracy, 21(31) *Economic and Political Weekly* 1349–1353 (1986).

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## The Paradox Unfolds

### Strengths Retained

The Indian Parliamentary system, despite facing considerable criticism in the coalition era, continues to demonstrate core constitutional strengths that reaffirm its viability as a democratic framework. While coalition politics has introduced volatility and procedural inefficiencies, the system retains institutional features that safeguard democratic inclusivity, decentralization, and a structural check on authoritarian tendencies. These enduring characteristics are not incidental but are integral to the constitutional design envisioned by the framers.

#### A. Representation of Plural and Marginalized Groups

A notable strength of the Parliamentary form of government lies in its facilitation of broad-based representation, especially within the context of India's deeply pluralistic society. The electoral structure—centered on multiparty competition and first-past-the-post voting—has allowed regional parties and caste-based political movements to gain formal entry into legislative spaces. This inclusion has been pivotal in ensuring the representation of historically marginalized groups including Scheduled Castes, Scheduled Tribes, and Other Backward Classes, as well as religious and linguistic minorities.<sup>1</sup>

The emergence of parties such as the Bahujan Samaj Party (BSP), the Samajwadi Party (SP), the Dravida Munnetra Kazhagam (DMK), and the All India Trinamool Congress (TMC) illustrates the extent to which the Parliamentary system has accommodated sub-national and identity-based aspirations within the federal structure.<sup>2</sup> Moreover, bicameralism—embodied in the Rajya Sabha—acts as a further mechanism for regional representation, ensuring that state interests are not subsumed by majoritarian impulses in the Lok Sabha.<sup>3</sup>

#### B. Decentralization and Institutional Pluralism

Another critical strength of the Indian Parliamentary system is its capacity to promote decentralized governance, both horizontally and vertically. Horizontally, the system disperses power between the executive and the legislature, ensuring mutual oversight. The requirement under Article 75(3) of the Constitution that the Council of Ministers be collectively responsible to the House of the People establishes a robust mechanism of executive accountability.<sup>4</sup> Ministers must be either members of the legislature or secure membership within six months of their appointment, thereby reinforcing democratic legitimacy.<sup>5</sup>

Vertically, the constitutional scheme promotes a layered structure of governance that includes state legislatures and constitutionally mandated local bodies. The 73rd and 74th Constitutional Amendments institutionalized local self-government, thereby extending the Parliamentary ethos to the grassroots level.<sup>6</sup> These provisions democratize policy implementation and foster participatory governance, reinforcing the inclusive spirit of the Constitution.

#### C. Structural Barriers to Authoritarianism

Perhaps the most foundational advantage of the Parliamentary system is its inbuilt mechanism to prevent executive authoritarianism. In contrast to presidential systems where the executive holds office for a fixed term regardless of legislative support, the Indian Prime Minister remains in power only so long as he or she enjoys

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<sup>1</sup> Christophe Jaffrelot, *India's Silent Revolution: The Rise of the Lower Castes in North India* 312–17 (Columbia Univ. Press 2003).

<sup>2</sup> Yogendra Yadav, Electoral Politics in the Time of Change: India's Third Electoral System, 43(39) *Econ. & Pol. Wkly.* 34, 36–38 (2008); Rajni Kothari, *Politics in India* 146–49 (Orient BlackSwan 1970).

<sup>3</sup> INDIA CONST. art. 80 (providing for representation of states in the Council of States); Granville Austin, *The Indian Constitution: Cornerstone of a Nation* 210–14 (Oxford Univ. Press 1966).

<sup>4</sup> INDIA CONST. art. 75(3) (“The Council of Ministers shall be collectively responsible to the House of the People.”).

<sup>5</sup> INDIA CONST. art. 75(5) (“A Minister who for any period of six consecutive months is not a member of either House of Parliament shall at the expiration of that period cease to be a Minister.”).

<sup>6</sup> INDIA CONST. arts. 243–243ZG (detailing the structure, powers, and functions of Panchayati Raj institutions and municipal bodies); Niraja Gopal Jayal, *Democracy and the State: Welfare, Secularism and Development in Contemporary India* 98–103 (Oxford Univ. Press 1999).

the confidence of the Lok Sabha. This continuing accountability requirement creates a deterrent against unilateralism and strengthens deliberative decision-making processes.<sup>1</sup>

In addition, tools such as motions of no confidence, question hours, parliamentary committees, **and** budgetary control further constrain executive overreach. Judicial review—most notably articulated in *S.R. Bommai v. Union of India*—has fortified the role of constitutional checks by asserting that federalism and secularism are part of the basic structure and cannot be violated by executive discretion.<sup>2</sup> These constitutional doctrines act as a bulwark against the erosion of democratic norms.

### Emerging Faultlines

While India's Parliamentary system retains many of its original virtues, it is increasingly beset by structural and functional challenges that compromise its efficacy in the modern political landscape. Particularly in the coalition era, recurring electoral instability, executive dilution, and partisan maneuvering have created deep fissures in the constitutional framework. These emerging faultlines do not stem from the text of the Constitution itself, but rather from evolving political practices that strain the system's intended balance.

#### A. Electoral Volatility and Policy Paralysis

One of the most prominent challenges in recent decades has been the frequency of elections and the accompanying cycles of political uncertainty. The decline of single-party majorities since the 1989 general election has led to the rise of coalition governments that often lack long-term legislative cohesion. As a result, governments frequently focus on short-term survival strategies rather than comprehensive policy reforms.<sup>3</sup>

The political compulsions of managing a multi-party coalition often result in policy paralysis, where contentious or structural reforms are indefinitely delayed. This was particularly evident during the second term of the United Progressive Alliance (UPA) government (2009–2014), where economic liberalization and labor reform proposals were routinely stalled due to resistance from coalition partners.<sup>4</sup> Governance in such contexts becomes reactionary, with political capital expended on keeping the alliance intact rather than on fulfilling the democratic mandate.

Moreover, the continuous electoral cycle across the Centre and states often leads to populist policymaking during campaign seasons, disrupting fiscal planning and administrative continuity. The Election Commission's Model Code of Conduct, though essential for fair elections, also tends to temporarily freeze major policy decisions, further exacerbating inertia in governance.<sup>5</sup>

#### B. Executive Dilution and Populist Concessions

The second major faultline is the increasing institutional weakening of the executive, particularly under coalition arrangements. While the Prime Minister is constitutionally the head of the government, his or her authority is often constrained by the demands of coalition allies and intra-party factions. The allocation of ministerial portfolios based on political bargaining, rather than administrative competence, further dilutes executive effectiveness.<sup>6</sup>

This structural dilution fosters governance by compromise, where long-term national interests are frequently subordinated to the exigencies of coalition dynamics. Policies such as farm loan waivers, retrospective taxation, or ad hoc subsidy schemes are often announced to appease specific electoral constituencies, rather than to fulfill

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<sup>1</sup> Constituent Assembly Debates, Vol. VII (Dec. 23, 1948) (remarks by Dr. B.R. Ambedkar on Parliamentary responsibility and flexibility).

<sup>2</sup> *S.R. Bommai v. Union of India*, (1994) 3 S.C.R. 1 (India) (emphasizing the limitations on the exercise of Article 356 and reaffirming the principle of federalism as part of the basic structure).

<sup>3</sup> Suhas Palshikar, India's Second Dominant Party System, 50(5) *Econ. & Pol. Wkly.* 50–58 (2015); Yogendra Yadav, Understanding the Third Electoral System, 43(39) *Econ. & Pol. Wkly.* 33–44 (2008).

<sup>4</sup> Bibek Debroy, *Reforming India's Governance: An Institutional Perspective* 72–76 (Academic Foundation 2004); Arvind Panagariya, *India: The Emerging Giant* 283–287 (Oxford Univ. Press 2008).

<sup>5</sup> Model Code of Conduct for the Guidance of Political Parties and Candidates, Election Commission of India (2024), <https://eci.gov.in/mcc> (last visited June 21, 2025).

<sup>6</sup> Atul Kohli, *Democracy and Discontent: India's Growing Crisis of Governability* 87–93 (Cambridge Univ. Press 1990).

coherent economic objectives.<sup>1</sup> Such measures, while politically expedient, strain public finances and institutional rationality.

Moreover, the need to maintain coalition stability sometimes results in under-enforcement of constitutional checks, such as failing to take disciplinary action against non-performing ministers or overlooking conflict-of-interest concerns to avoid political fallout. These trends undermine the principles of transparency, meritocracy, and institutional accountability that form the foundation of the Parliamentary model.

### C. Defections, Horse-Trading, and the Undermining of Legislative Morality

Perhaps the most corrosive of the emerging faultlines is the resurgence of political defections and legislative horse-trading, despite the constitutional safeguard introduced through the Tenth Schedule of the Constitution in 1985. While the anti-defection law was designed to uphold the integrity of legislative mandates, political actors have found mechanisms to circumvent it, including engineered resignations, mergers, or ambiguous interpretations of "voluntarily giving up membership" under judicial scrutiny.<sup>2</sup>

Recent state-level political developments—such as those in Karnataka (2019), Madhya Pradesh (2020), and Maharashtra (2022)—demonstrate the increasing frequency of defections orchestrated to alter government majorities without electoral validation.<sup>3</sup> These practices severely undermine the ethical foundations of representative democracy, transforming the legislature into a site of opportunistic bargaining rather than a deliberative institution.

The Speaker's role in disqualification proceedings, although constitutionally empowered, has also come under question due to allegations of partisanship and procedural delay. Although the Supreme Court in *Kihoto Hollohan v. Zachillhu* upheld the Speaker's discretion under the Tenth Schedule, subsequent decisions have highlighted the need for neutral adjudication mechanisms, perhaps even vesting disqualification powers in an independent tribunal to safeguard legislative morality.<sup>4</sup>

### Institutional Challenges in a Coalition Age

The coalition era in Indian politics has brought about a significant transformation in the functioning of constitutional institutions. While coalition governments have arguably deepened democratic participation, they have also complicated the operational efficacy of institutions such as the Parliament, political parties, and even the judiciary. The resulting institutional friction is not merely political—it has serious implications for legislative productivity, party discipline, and constitutional interpretation. As governance becomes increasingly dependent on negotiated consensus, India's institutional framework faces new and evolving challenges.

### A. Bicameral Tensions and Legislative Deadlock

One of the key institutional bottlenecks in the coalition era is the recurrent legislative deadlock between the two Houses of Parliament—Lok Sabha and Rajya Sabha. While the Lok Sabha represents the popular mandate, the Rajya Sabha functions as the Council of States, with an essential federal role. However, coalition politics often leads to mismatched majorities in the two Houses, particularly when regional parties gain prominence in state legislatures and subsequently influence Rajya Sabha composition.<sup>5</sup>

This divergence in political control has, in many instances, obstructed the passage of crucial legislation. For example, the delay in passing the Goods and Services Tax (GST) Bill was attributed in part to opposition dominance in the Rajya Sabha, despite majority support in the Lok Sabha.<sup>6</sup> While such checks are constitutionally valid, they often devolve into procedural logjams rather than deliberative improvements.

<sup>1</sup> T.T. Ram Mohan, Fiscal Populism and Its Discontents, 45(4) *Econ. & Pol. Wkly.* 10–12 (2010).

<sup>2</sup> INDIA CONST. sched. X; *Kihoto Hollohan v. Zachillhu*, 1992 Supp. (2) S.C.R. 756 (India).

<sup>3</sup> Rajeev Dhavan, Defections and Parliamentary Democracy, 55(30) *Econ. & Pol. Wkly.* 18–22 (2020); Ujjwal Kumar Singh, Anti-Defection Law and the Crisis of Political Ethics, 42(7) *Econ. & Pol. Wkly.* 603–610 (2007).

<sup>4</sup> *Kihoto Hollohan v. Zachillhu*, 1992 Supp. (2) S.C.R. 756 (India); *Keisham Meghachandra Singh v. Hon'ble Speaker Manipur Legislative Assembly*, (2020) 2 S.C.C. 617 (India) (directing time-bound adjudication by the Speaker under the Tenth Schedule).

<sup>5</sup> Suhas Palshikar & Sanjay Kumar, Towards Hegemony: BJP beyond Modi in the 2019 Elections, 54(39) *Econ. & Pol. Wkly.* 50–57 (2019); M.P. Singh, Federalism in India: Theory and Practice, 25(1) *Publius: The Journal of Federalism* 55–73 (1995).

<sup>6</sup> M. Govinda Rao & R. Kavita Rao, GST in India: A Review of the Structure, 51(10) *Econ. & Pol. Wkly.* 60–68 (2016).

Moreover, the limited powers of the Rajya Sabha in financial matters create a perception of imbalance and redundancy, leading to criticisms about its effectiveness in coalition-era governance. Though the Rajya Sabha plays an important federal role, its lack of accountability to the electorate and increasing politicization have led some scholars to call for institutional reforms, such as redefining its legislative veto powers or revisiting its method of election.<sup>1</sup>

#### B. Party Discipline and the Erosion of Intra-Party Democracy

Another pressing challenge in the coalition age is the tension between party discipline and intra-party democracy. The anti-defection law under the Tenth Schedule mandates that members vote according to party directives or risk disqualification.<sup>2</sup> While intended to maintain political stability, this provision has had the unintended effect of stifling dissent and debate within parties, undermining the deliberative function of Parliament.

The whip system, though essential in maintaining coherence in coalition governments, often converts legislators into passive agents of party leadership. As a result, MPs may prioritize party loyalty over constituency interests or personal conscience. This has created a scenario in which Parliamentarians are constrained from acting as independent lawmakers, raising concerns about the democratic legitimacy of legislative processes.<sup>3</sup>

In coalition settings, these tensions are exacerbated. Parties frequently lack cohesive ideological foundations and rely on opportunistic alliances, resulting in internal contradictions and factionalism. In such an environment, genuine deliberation is often replaced by executive-dominated legislation, pushed through party mechanisms without adequate parliamentary scrutiny.

#### C. The Judiciary and the Question of Parliamentary Accountability

The rise of coalition politics has also prompted a more assertive judiciary in the realm of parliamentary governance. As political actors increasingly operate in gray areas of constitutional morality, the courts have stepped in to interpret and enforce accountability norms, often blurring the lines between judicial review and parliamentary privilege.

The Supreme Court's intervention in cases like *Raja Ram Pal v. Lok Sabha*<sup>4</sup> and *Keisham Meghachandra Singh v. Hon'ble Speaker, Manipur Legislative Assembly*<sup>5</sup> demonstrates its growing role in adjudicating matters traditionally considered within the legislative domain. While this judicial oversight is critical in checking procedural abuse—such as delayed disqualification or misuse of legislative privileges—it also raises concerns about judicial overreach.

Critics argue that excessive judicial intervention may undermine the autonomy of Parliament, particularly in the interpretation of conventions and privileges that are inherently political. On the other hand, given the systemic delays, partisanship, and institutional inertia within legislatures, the judiciary is increasingly viewed as a necessary arbiter of constitutional governance in a fragmented polity.<sup>6</sup>

This evolving dynamic between the courts and Parliament calls for a recalibration of institutional boundaries—not through confrontation, but via clarity in constitutional conventions and procedural reforms. The solution lies not in diminishing the judiciary's role but in enhancing institutional performance so that judicial correction becomes an exception rather than a necessity.

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<sup>1</sup> Rekha Saxena, Can the Rajya Sabha Be an Effective Federal Chamber, 41(25) *Econ. & Pol. Wkly.* 2417–2422 (2006).

<sup>2</sup> INDIA CONST. sched. X (disqualifying members who defy party whips or voluntarily give up party membership).

<sup>3</sup> Shubhankar Dam, Parliamentary Sovereignty and Anti-Defection: The Indian Experience, 10(1) *Int'l J. Const. L.* 246–271 (2012).

<sup>4</sup> *Raja Ram Pal v. Lok Sabha*, (2007) 3 S.C.C. 184 (India) (upholding judicial review over parliamentary privileges in cases involving constitutional violations).

<sup>5</sup> *Keisham Meghachandra Singh v. Hon'ble Speaker, Manipur Legislative Assembly*, (2020) 2 S.C.C. 617 (India) (requiring time-bound adjudication of disqualification petitions by Speakers under the Tenth Schedule).

<sup>6</sup> Arun K. Thiruvengadam, The Judicialization of Politics in India: The Interplay of Formal and Informal Rules, in *Comparative Constitutional Law in South Asia* 136–162 (Sunil Khilnani et al. eds., Oxford Univ. Press 2013).

## Comparative Perspectives

The challenges India faces under its Parliamentary system—particularly in the age of coalition politics—are not unique. Several democracies with Parliamentary frameworks, such as Germany, Israel, and Japan, have grappled with similar institutional dilemmas: unstable coalitions, fragmented legislatures, and executive accountability in multi-party settings. While these countries differ in culture, history, and constitutional structure, their approaches to coalition management offer instructive insights for India's evolving democratic design.

### A. Germany: Stability Through Proportionality and Constructive Confidence

Germany operates under a mixed-member proportional representation (MMPR) electoral system that blends direct constituency elections with proportional party-list allocations. This system has facilitated fairer representation of political preferences while still ensuring a strong linkage between voters and their representatives.<sup>1</sup>

Germany's model also includes a key innovation: the constructive vote of no confidence. Under Article 67 of the Basic Law (Grundgesetz), the Bundestag (Lower House) cannot dismiss the Chancellor unless it simultaneously elects a successor by absolute majority.<sup>2</sup> This ensures that governmental transitions are orderly and not merely obstructive, preventing the kind of executive vacuum often experienced in India following no-confidence motions.

Germany's coalition governments, while frequent, are generally formed through transparent and formalized coalition agreements that outline shared legislative priorities and ministerial distributions. These documents, made public, foster accountability and coherence in governance even in ideologically diverse alliances.<sup>3</sup> The German model thereby demonstrates how procedural design and institutional culture can reduce the disruptive potential of coalition politics.

### B. Israel: Extreme Fragmentation and the Perils of Unrestrained Proportionality

In contrast, Israel's experience with coalition governance presents a cautionary tale. Operating under a system of pure proportional representation without any majoritarian element, Israel's Knesset (Parliament) has historically suffered from extreme party fragmentation, resulting in fragile coalitions and frequent elections. Between 2019 and 2022 alone, Israel conducted five national elections due to repeated coalition breakdowns.<sup>4</sup>

The Israeli system enables even small parties to wield disproportionate bargaining power, often extracting significant policy or ministerial concessions in exchange for support. This creates a scenario of governance by negotiation, where national interest may be compromised to appease fringe coalition partners. While the system ensures inclusivity, it simultaneously fosters instability and short-termism in policymaking.

Nevertheless, Israel has innovated mechanisms such as rotation agreements for the Prime Minister's office, as seen in the power-sharing arrangement between Benjamin Netanyahu and Benny Gantz. While this experiment had limited success, it reflects ongoing efforts to reconcile coalition realities with executive functionality.<sup>5</sup>

### C. Japan: Internal Stability within Dominant Party Coalitions

Japan's Parliamentary system is another instructive model. Though it operates under a mixed electoral system (post-1994 reforms), the Liberal Democratic Party (LDP) has maintained dominance through effective coalition-building and strong internal party structures. Japan demonstrates how internal party cohesion and institutional respect for legislative processes can enhance political stability even in coalition contexts.<sup>6</sup>

<sup>1</sup> David P. Conradt & Eric Langenbacher, *The German Polity* 98–102 (11th ed. Rowman & Littlefield 2013).

<sup>2</sup> GRUNDGESETZ [GG] [Basic Law], art. 67, translation at [https://www.gesetze-im-internet.de/englisch\\_gg/](https://www.gesetze-im-internet.de/englisch_gg/) (Ger.) ("The Bundestag may express its lack of confidence... only by electing a successor with the majority of its members.").

<sup>3</sup> Nicholas Aylott, Comparative Politics and Coalition Governance, 18(3) *J. Legis. Stud.* 205–223 (2012).

<sup>4</sup> Gideon Rahat & Ofer Kenig, Political Fragmentation in Israel: A Comparative Perspective, 23(2) *Israel Affairs* 313–330 (2022).

<sup>5</sup> Isabel Kershner, Israel's Unity Government Collapses as Netanyahu-Gantz Deal Unravels, *N.Y. Times* (Dec. 22, 2020), <https://www.nytimes.com/2020/12/22/world/middleeast/israel-government-netanyahu-gantz.html>.

<sup>6</sup> Steven R. Reed, *Japanese Electoral Politics: Creating a New Party System* 42–47 (Routledge 2003); Junichiro Wada, Political Stability in Japan, 7(2) *Asian Survey* 85–92 (2007).



Japan's cabinets are typically less volatile, and Prime Ministers are rarely subjected to abrupt dismissals. The electoral system provides incentives for both party discipline and candidate responsiveness, balancing collective leadership with individual accountability. Moreover, policy continuity is achieved through robust bureaucratic support and institutionalized policy committees that insulate governance from transient coalition pressures.

#### D. Lessons for India: Reform, Not Replacement

From these comparative cases, several normative lessons emerge for India:

1. **Proportional Representation?** While full proportional representation (as in Israel) may not suit India's scale or diversity, a mixed system—like Germany or Japan—could balance regional inclusivity with national stability. Such a model might better reflect India's political heterogeneity without surrendering the coherence of governance.
2. **Constructive Vote of No Confidence?** Adopting a constitutional mechanism akin to Germany's constructive vote of no confidence could curb opportunistic government collapses, ensuring that the removal of a government is accompanied by the emergence of a viable alternative.
3. **Institutionalizing Coalition Agreements.** Mandating written coalition charters, enforceable by convention or law, could enhance transparency and reduce policy drift in coalition arrangements.
4. **Strengthening Internal Party Democracy.** Encouraging intra-party elections, deliberation, and leadership transitions would promote responsive and resilient political organizations, reducing dependency on charismatic leaders or dynastic control.

India's context—marked by size, diversity, and federal asymmetry—necessitates caution in transplanting foreign models. However, these comparative experiences illustrate that coalition governance need not be synonymous with dysfunction, provided institutional arrangements are recalibrated to balance accountability with stability.

#### The Way Forward: Rethinking Democratic Machinery

India's Parliamentary democracy, while resilient in spirit, is under strain. As previous chapters have shown, coalition politics, legislative deadlock, executive dilution, and defections have cumulatively eroded public trust in the system. Yet the answer is not to abandon the Parliamentary model, but to reform and recalibrate its internal mechanisms to better serve the aspirations of a dynamic democracy. A renewed emphasis on institutional strengthening, electoral integrity, and legislative effectiveness is necessary to revive democratic functionality.

##### A. Institutional Reforms: Reviving Accountability Within

One of the most pressing areas for reform is the anti-defection law, introduced via the Tenth Schedule of the Constitution in 1985. While it was enacted to ensure stability by curbing opportunistic floor-crossing, it has over time stifled intra-party dissent and concentrated excessive power in the hands of party leadership.<sup>1</sup> Legislators are now compelled to follow the party whip on most matters, even at the cost of personal or constituency interests. Furthermore, delays in adjudicating disqualification petitions—often influenced by the partisanship of the Speaker—have weakened the credibility of the law.<sup>2</sup>

Reforms could include limiting the application of the whip to confidence motions and budgetary matters, thereby restoring deliberative autonomy to lawmakers. Additionally, the judiciary in *Keisham Meghachandra Singh v. Hon'ble Speaker, Manipur Legislative Assembly* rightly emphasized the need for time-bound disqualification proceedings. The creation of an independent adjudicatory body—possibly a tribunal under the Election Commission—would ensure neutrality and timeliness in enforcing the law.<sup>3</sup>

Equally important is the need to strengthen internal party democracy. At present, political parties operate as opaque, leader-centric entities with minimal accountability. Instituting mandatory internal elections, transparent

<sup>1</sup> INDIA CONST. sched. X; Shubhankar Dam, Parliamentary Sovereignty and Anti-Defection: The Indian Experience, 10(1) *Int'l J. Const. L.* 246–271 (2012).

<sup>2</sup> Jagdeep S. Chhokar, Anti-Defection Law: Intent and Impact, 51(7) *Econ. & Pol. Wkly.* 17–20 (2016); M. Sridhar Acharyulu, Speaker's Discretion Under the Tenth Schedule, 55(40) *Econ. & Pol. Wkly.* 12–14 (2020).

<sup>3</sup> *Keisham Meghachandra Singh v. Hon'ble Speaker, Manipur Legislative Assembly*, (2020) 2 S.C.C. 617 (India).

candidate selection processes, and democratic decision-making within parties would foster genuine political competition and ideological coherence.<sup>1</sup>

#### B. Electoral Reforms: Restoring Public Confidence

A robust democracy also depends on credible and fair electoral processes. India must revisit certain structural aspects of its electoral system to restore faith in its democratic machinery. The idea of simultaneous elections for the Lok Sabha and State Assemblies—currently under debate—could reduce the disruptive cycle of perpetual elections and allow governments to focus on governance rather than campaigning.<sup>2</sup> While such a reform requires constitutional and logistical adjustments, its long-term benefits for policy stability and administrative efficiency merit serious consideration.

Another critical area is political party funding, which remains largely opaque. Although reforms such as electoral bonds have been introduced, they have been criticized for undermining transparency and favoring the ruling party due to donor anonymity.<sup>3</sup> Strengthening disclosure norms, capping donations, and enforcing public audit mechanisms can ensure a level playing field and reduce corporate capture of politics.

The Election Commission's autonomy must also be reaffirmed through statutory guarantees and financial independence. Only a fully empowered electoral body can resist political pressures and uphold the constitutional promise of free and fair elections.

#### C. Enhancing Parliamentary Effectiveness: Back to Basics

Parliamentary democracy ultimately thrives on deliberation, debate, and scrutiny. However, data from recent sessions of Parliament reveals declining productivity, shortened debates, and increasing instances of bills being passed without committee review.<sup>4</sup> This trend erodes legislative quality and reduces Parliament to a rubber stamp for executive will.

Reviving the standing committee system is essential. Committees provide bipartisan forums for informed discussion, expert consultation, and policy refinement. Making it mandatory for all bills to pass through committees, barring emergencies, would enhance both transparency and legislative craftsmanship.<sup>5</sup>

Attendance and participation of Members of Parliament (MPs) in debates must also be incentivized. Mechanisms such as real-time attendance tracking, public dashboards, and penal deductions for non-attendance without cause could enhance accountability and performance.

Finally, measures must be introduced to promote constructive debate over partisan confrontation. The Speaker's office, as the guardian of parliamentary decorum, must be protected from political interference to serve its role impartially. Investing in parliamentary research services, professional staffing, and digital access to legislative data will also help legislators fulfill their duties with diligence and independence.

#### Conclusion

India's adoption of the Parliamentary system was a conscious choice rooted in constitutional philosophy and historical experience. The framers of the Constitution envisioned a form of governance that would ensure accountability, reflect the diversity of the Indian polity, and prevent the concentration of power in any one branch or person. This vision was embedded in the structures of collective responsibility, cabinet-led executive authority, bicameralism, and legislative oversight. However, the working of Indian democracy in the coalition age reveals a widening gap between constitutional ideals and contemporary political realities.

As this study has shown, India's Parliamentary system continues to offer vital strengths: representation of diverse groups, decentralization of authority, and systemic checks against authoritarianism. Yet these strengths have been compromised by emerging faultlines such as frequent political instability, executive fragility, horse-trading, and the weakening of deliberative mechanisms. While coalitions have allowed for a more inclusive

<sup>1</sup> Vora & Palshikar, *Democracy Within Parties: Can We Reform Our Political System*, 57(4) *Econ. & Pol. Wkly.* 13–16 (2022).

<sup>2</sup> Law Commission of India, *Simultaneous Elections: Constitutional and Legal Perspectives*, Report No. 255 (2015).

<sup>3</sup> Association for Democratic Reforms v. Union of India, W.P. (C) No. 880 of 2017 (pending); S.Y. Quraishi, *An Undocumented Wonder: The Making of the Great Indian Election* 238–242 (Rupa Publications 2014).

<sup>4</sup> PRS Legislative Research, *Vital Stats: Functioning of the 17th Lok Sabha*, <https://prsindia.org> (last visited June 21, 2025).

<sup>5</sup> Rajya Sabha Secretariat, *Role and Relevance of Department-related Standing Committees*, 3rd ed. (2022).

polity, they have also led to governance compromises, institutional friction, and the dilution of legislative accountability.

This disjunction between structure and practice calls for a three-pronged renewal—structural, political, and ethical.

Structurally, India must consider reforms to the anti-defection law, parliamentary procedures, and electoral frameworks to reduce opportunistic disruptions and enhance policy continuity. Instruments like the constructive vote of no confidence, as used in Germany, and mandatory pre-legislative scrutiny through committees can be adapted to the Indian context to make governance more stable and transparent.<sup>1</sup>

Politically, the onus lies on political parties to democratize internally, allow space for dissent, and move beyond populist strategies that undermine long-term institutional integrity. The centralization of power within parties and personality-centric politics must give way to programmatic, cadre-based, and accountable leadership structures.<sup>2</sup>

Ethically, the health of any Parliamentary democracy depends on the commitment of its actors to uphold constitutional morality. This includes respect for parliamentary decorum, judicial independence, and the spirit of cooperative federalism. A legal framework is only as strong as the values it is infused with. As B.R. Ambedkar reminded the Constituent Assembly, a good Constitution can fail if those tasked with working it act in bad faith.<sup>3</sup>

It must be emphasized, however, that India's Parliament is not obsolete. Its democratic architecture remains fundamentally sound. What is required is not abandonment but evolution—a deliberate recalibration of institutions to better reflect the complexities of a modern, pluralistic society.

India's Parliamentary system has withstood wars, emergency, fragmentation, and transformation. In its ability to adapt, absorb and reconstitute, it has shown remarkable resilience. Yet resilience must not be confused with immunity. To sustain the republic's democratic vitality, India must now invest in strengthening its Parliamentary machinery—through law, practice, and a renewed political ethic.

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<sup>1</sup> GRUNDGESETZ [GG] [Basic Law], art. 67 (Ger.); Nicholas Aylott, Comparative Politics and Coalition Governance, 18(3) *J. Legis. Stud.* 205–223 (2012); Rajya Sabha Secretariat, *Role and Relevance of Department-related Standing Committees*, 3rd ed. (2022).

<sup>2</sup> Vora & Palshikar, Democracy Within Parties: Can We Reform Our Political System, 57(4) *Econ. & Pol. Wkly.* 13–16 (2022); Milan Vaishnav, *When Crime Pays: Money and Muscle in Indian Politics* 183–189 (Yale Univ. Press 2017).

<sup>3</sup> Constituent Assembly Debates, Vol. XI (Nov. 25, 1949) (statement by Dr. B.R. Ambedkar: “However good a constitution may be, it is sure to turn out bad because those who are called to work it, happen to be a bad lot.”).