



PARLIAMENT IN RETREAT? LEGISLATIVE AUTHORITY AND DEMOCRATIC ACCOUNTABILITY IN INDIA

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Abstract:

Parliament occupies a central position in India's constitutional democracy as the primary forum for legislation, representation, and executive accountability. However, in recent years concerns have been raised about the declining authority of Parliament and the growing imbalance between the executive and the legislature. This paper examines the nature and extent of this shift, focusing on the increasing dominance of the executive in law-making and governance. Using an institutional and analytical approach, the study analyzes parliamentary practices such as reduced sittings, frequent use of ordinances, limited deliberation on legislation, and the weakening role of parliamentary committees. It argues that these trends have constrained Parliament's capacity to effectively scrutinize executive action and hold the government accountable. The paper contends that the erosion of legislative authority undermines the principle of responsible government and weakens democratic accountability by reducing transparency, debate, and representative deliberation. While efficiency and political stability are often cited to justify executive assertiveness, the paper emphasizes that democratic governance depends on a strong and deliberative Parliament. The study concludes that the retreat of Parliament has significant implications for the quality of democracy in India, calling for renewed efforts to restore legislative oversight and institutional balance.

Introduction

The Parliament of India occupies a foundational position in India's constitutional and democratic framework. Conceived as the supreme representative institution, Parliament lies at the heart of the system of

responsible government envisaged by the Constitution. It embodies the will of the people, serves as the principal forum for public deliberation, and acts as the primary mechanism through which executive power is legitimized and held accountable. In a diverse and plural society like India, Parliament is not merely a law-making body but a vital arena where competing interests, social demands, and political ideologies are debated and reconciled within constitutional limits.

Constitutionally, Parliament performs three interrelated roles that are central to democratic governance. First, it functions as the law-making authority, empowered to enact legislation on matters of national importance. Through detailed debates, committee scrutiny, and voting procedures, Parliament is expected to ensure that laws reflect constitutional values, protect rights, and respond to public needs. Second, Parliament performs a representative role, giving voice to India's vast social, regional, and political diversity. Members of Parliament act as intermediaries between citizens and the state, articulating grievances, aspirations, and policy concerns within a formal institutional setting. Third, and most crucially, Parliament serves as the primary site of executive accountability. Instruments such as Question Hour, debates, motions, budgetary scrutiny, and parliamentary committees enable legislators to examine government actions, demand explanations, and ensure transparency in decision-making.

These roles are integral to the principle of parliamentary democracy, where the executive is collectively responsible to the legislature. The legitimacy of executive authority depends not only on electoral mandate but also on continuous scrutiny by Parliament. A strong and deliberative Parliament thus acts as a check on the concentration of power, prevents arbitrariness, and sustains democratic accountability. In normative terms, the vitality of Parliament is closely linked to the quality of democracy itself. Any weakening of its authority or functioning raises serious concerns about the balance of power within the constitutional system.

Despite its constitutional centrality, recent years have witnessed growing concern over the declining role and authority of Parliament in India. Scholars, commentators, and civil society actors increasingly argue that Parliament is losing its capacity to effectively perform its core functions, particularly in relation to executive oversight. One of the most prominent indicators of this shift is the frequent use of ordinances by the executive. Ordinance-making, constitutionally intended as an exceptional power to address urgent situations when Parliament is not in session, has increasingly been used as a routine legislative tool. This practice bypasses parliamentary debate and deliberation, raising questions about the marginalization of the legislature in the law-making process.

Another significant concern relates to the reduction in the number of parliamentary sitting days. Compared to earlier decades, Parliament now meets for fewer days each year, limiting the time available for discussion,

scrutiny, and legislative oversight. Shorter sessions often result in hurried legislative processes, with multiple bills introduced and passed within compressed timeframes. This trend undermines Parliament's deliberative function and restricts opportunities for meaningful participation by legislators, particularly those outside the ruling party.

Closely linked to reduced sittings is the issue of limited debate on major bills. Several significant pieces of legislation have been passed with minimal discussion, sometimes without being referred to parliamentary standing committees. Committees have traditionally played a crucial role in examining bills in detail, consulting experts, and incorporating diverse perspectives. The declining use of committees weakens legislative scrutiny and shifts power further toward the executive. When Parliament functions primarily as a forum for ratifying executive decisions rather than shaping them, its institutional authority is diminished.

Additionally, frequent disruptions and adjournments have become a recurring feature of parliamentary functioning. While disruptions are often attributed to political polarization and adversarial party politics, their cumulative effect has been a loss of valuable legislative time. Repeated adjournments erode public confidence in Parliament and provide justification for executive-led decision-making on grounds of efficiency. However, disruptions also reflect deeper issues related to reduced space for opposition voices and the weakening of parliamentary conventions that facilitate dialogue and compromise.

Taken together, these developments suggest a growing executive–legislative imbalance in Indian democracy. The concentration of decision-making power within the executive, coupled with the reduced effectiveness of parliamentary mechanisms, raises fundamental questions about democratic accountability. If Parliament is unable to adequately scrutinize executive actions, represent diverse interests, or deliberate on public policy, the principle of responsible government is weakened. This has serious implications for transparency, checks and balances, and the representative character of the political system.

Against this backdrop, the central question this paper addresses is whether Parliament is indeed in retreat and, if so, what this retreat means for legislative authority and democratic accountability in India. By examining contemporary parliamentary practices and institutional trends, the paper seeks to assess whether the erosion of parliamentary functioning represents a temporary dysfunction or a deeper structural shift in India's democratic governance.

Constitutional Role of Parliament

The Parliament of India occupies a constitutionally central position in India's democratic framework and serves as the cornerstone of parliamentary government. The Constitution envisages Parliament not merely as a legislative body but as the primary institution through which popular sovereignty is expressed and executive authority is regulated. Its constitutional functions—law-making, control over the executive, budgetary oversight, and political

representation—together establish Parliament as the key guarantor of democratic accountability and constitutional governance.

- **Law-Making**

The foremost constitutional function of Parliament is law-making. Parliament is empowered to enact legislation on subjects of national importance, amend existing laws, and shape public policy in accordance with constitutional values. The legislative process is designed to be deliberative, involving multiple stages such as introduction, debate, committee scrutiny, and voting. Through these procedures, Parliament is expected to ensure that laws are carefully examined, inclusive in spirit, and responsive to societal needs. Law-making in Parliament also serves a symbolic democratic function, as it allows elected representatives to participate in shaping the legal framework that governs citizens' lives. This deliberative character distinguishes parliamentary legislation from executive rule-making and reinforces the legitimacy of laws in a democratic polity.

- **Control over the Executive**

A defining feature of parliamentary democracy is the accountability of the executive to the legislature, and Parliament exercises this control through a range of constitutional mechanisms. Instruments such as Question Hour, Zero Hour, debates, motions of censure or no-confidence, and discussions on public issues enable legislators to seek explanations, criticize government policies, and demand transparency. Parliamentary committees—particularly standing and select committees—play a crucial role in scrutinizing legislation and executive actions in detail. These mechanisms collectively ensure that executive power remains subject to continuous oversight and public justification. Effective legislative control over the executive is essential to prevent arbitrary governance and to uphold the principle of responsible government.

- **Budgetary Powers**

Parliament's budgetary authority constitutes another vital aspect of its constitutional role. The executive cannot levy taxes or spend public money without parliamentary approval. Through discussions on the annual budget, demands for grants, and financial bills, Parliament exercises control over public expenditure and resource allocation. Budgetary scrutiny allows legislators to assess government priorities, evaluate policy outcomes, and ensure fiscal accountability. This "power of the purse" reinforces Parliament's role as the guardian of public interest and underscores its importance in maintaining financial transparency and democratic control over state resources.

- **Representation**

Beyond its formal powers, Parliament performs a crucial representative function in Indian democracy. It provides a platform where diverse social, regional, and political voices are articulated and debated. Members of Parliament represent not only their constituencies but also broader public concerns, acting as intermediaries between citizens and the state. Through

parliamentary debates and discussions, societal conflicts and aspirations are brought into the institutional arena, contributing to democratic inclusion and legitimacy. Representation within Parliament thus ensures that governance remains responsive to the needs and demands of a plural society.

- **Importance of Parliament**

Taken together, these constitutional functions establish the normative importance of Parliament in India's democratic order. Parliament embodies the ideals of popular sovereignty, deliberation, accountability, and representation. It acts as a check on executive power, a forum for public reasoning, and a symbol of democratic legitimacy. A strong and effective Parliament is therefore indispensable for sustaining constitutional democracy. Any erosion of its authority or functioning not only weakens legislative oversight but also undermines the foundational principles of democratic governance itself.

Indicators of Parliamentary Retreat

An examination of recent parliamentary practices reveals a set of institutional and procedural trends that collectively indicate a retreat of Parliament from its constitutionally mandated role. These trends do not imply the irrelevance of Parliament as a formal institution, but rather point to a gradual erosion of its authority as a deliberative, legislative, and accountability-enforcing body. The cumulative effect of these developments has been a growing imbalance in executive–legislative relations, with important implications for democratic governance in India.

1. Decline in Parliamentary Sittings

One of the most significant indicators of parliamentary retreat is the decline in the number of parliamentary sitting days. Historically, Parliament met for longer durations, allowing sufficient time for legislative debate, executive scrutiny, and discussion of public concerns. In recent years, however, both the frequency and length of parliamentary sessions have diminished. Fewer working days and shorter sessions constrain the legislature's capacity to discharge its core functions effectively.

The reduction in sittings has several consequences. Limited time often results in hurried legislative processes, with multiple bills introduced and passed within short periods. This restricts detailed discussion and reduces opportunities for Members of Parliament to engage substantively with proposed legislation. Moreover, curtailed sessions weaken Parliament's oversight role by reducing time allocated to Question Hour, debates, and other accountability mechanisms. A legislature that convenes infrequently risks becoming reactive rather than proactive in shaping public policy.

2. Executive Law-Making and Ordinance Raj

A second indicator of parliamentary retreat is the growing reliance on executive law-making, particularly through the frequent use of ordinances. Constitutionally, the ordinance-making power is intended as an exceptional mechanism to address urgent situations when Parliament is not in session. Its

increasing use, however, reflects a shift of legislative initiative away from Parliament toward the executive.

In addition to ordinances, several significant bills have been enacted with limited parliamentary scrutiny. In some instances, legislation has been passed through expedited procedures, with minimal debate and restricted opposition participation. Such practices undermine Parliament's role as the primary law-making body and reduce legislative deliberation to a procedural formality. Executive dominance in law-making not only weakens parliamentary authority but also raises concerns about transparency and democratic legitimacy.

3. Weakening of Parliamentary Committees

Parliamentary committees constitute a vital component of the legislative process, providing a forum for detailed scrutiny, expert consultation, and cross-party deliberation. Traditionally, standing and select committees have examined bills in depth, suggested amendments, and enhanced the quality of legislation. However, recent trends indicate a weakening of this committee system.

An increasing number of bills have been passed without being referred to parliamentary committees, limiting opportunities for informed discussion and evidence-based evaluation. The marginalization of committees diminishes Parliament's capacity for reasoned deliberation and weakens legislative oversight of the executive. Given that committees operate away from the partisan pressures of the floor, their reduced role signifies a loss of an important institutional space for democratic engagement.

4. Disruptions and Erosion of Deliberative Function

Frequent disruptions and adjournments further contribute to the retreat of Parliament by eroding its deliberative capacity. Persistent interruptions lead to substantial loss of productive time, preventing sustained debate on legislation and policy matters. While disruptions are often attributed to political polarization and adversarial party politics, their impact extends beyond immediate procedural inconvenience.

Disruptions undermine Parliament's accountability function by limiting opportunities for questioning the executive and engaging in meaningful discussion. Over time, repeated adjournments weaken public confidence in parliamentary institutions and provide justification for executive decision-making on grounds of efficiency. However, efficiency achieved at the cost of deliberation risks hollowing out the democratic process.

Taken together, these indicators suggest that parliamentary retreat in India is structural rather than episodic. The decline in sittings, increasing executive control over law-making, marginalization of committees, and persistent disruptions collectively weaken Parliament's legislative authority and oversight capacity. This erosion has significant implications for democratic accountability, as the legislature's ability to scrutinize executive action and represent diverse interests is progressively constrained. Addressing this retreat is therefore essential not only for strengthening Parliament as an institution but

also for preserving the normative foundations of India's parliamentary democracy.

Rise of Executive Dominance

A key factor contributing to the retreat of Parliament in India is the growing dominance of the executive, marked by the centralization of power and decision-making within the executive branch. While executive leadership is an essential component of effective governance, recent trends indicate a shift toward excessive concentration of authority, which has altered the balance between the executive and the legislature. This transformation has significant implications for parliamentary functioning and democratic accountability.

- **Centralization of Power around the Prime Minister**

One of the most prominent features of executive dominance is the centralization of authority around the Prime Minister. Decision-making has increasingly moved away from collective cabinet deliberation toward a prime minister-centric model of governance. The Prime Minister's Office has emerged as the most powerful institution within the executive, coordinating policy, overseeing ministries, and shaping legislative priorities.

The expanding role of the PMO has often come at the expense of traditional cabinet processes and parliamentary engagement. Policy initiatives are frequently finalized within the executive before being presented to Parliament, limiting opportunities for legislative input or modification. This concentration of authority strengthens executive efficiency but weakens the deliberative and consultative role that Parliament is constitutionally expected to perform.

In recent decades, the growing influence of the Prime Minister's Office has reinforced this centralization. As decision-making increasingly shifts toward the executive core, Parliament's role is reduced to ratifying executive initiatives rather than shaping them. PratapBhanu Mehta has argued that such executive dominance weakens the institutional culture of accountability by reducing the legislature's capacity to question and constrain executive authority. This shift reflects a structural transformation in executive-legislative relations rather than a temporary political trend.

- **Strong Party Discipline and Legislative Subordination**

Another critical factor reinforcing executive dominance is strong party discipline within the parliamentary system. The anti-defection law and centralized party leadership structures have significantly constrained the autonomy of Members of Parliament. MPs are often required to adhere strictly to party positions, particularly on major legislative issues, reducing the scope for independent judgment or constituency-based representation.

The rise of executive dominance in India must be understood in relation to the evolving nature of party leadership and institutional centralization. Rajni Kothari earlier observed that the personalization of political power and the dominance of centralized party leadership tend to marginalize representative institutions. While Kothari's analysis was situated in a different political

context, his insights remain relevant in understanding contemporary executive centralization.

As a result, parliamentary debates frequently reflect predetermined party positions rather than substantive deliberation. Voting in the legislature becomes largely symbolic, as outcomes are decided by party majorities aligned with the executive leadership. This subordination of the legislature to party control further consolidates executive authority and diminishes Parliament's role as an arena for democratic debate.

- **Marginalization of Members of Parliament**

The combined effect of executive centralization and strong party discipline has led to the marginalization of Members of Parliament in the legislative process. MPs increasingly function as endorsers of executive decisions rather than as active participants in law-making and oversight. Opportunities for meaningful intervention—through debates, committee work, or policy scrutiny—have narrowed as executive control over legislative agendas has expanded.

This marginalization undermines Parliament's representative function by weakening the link between legislators and their constituents. When MPs are unable to influence policy outcomes or hold the executive accountable, the representative character of parliamentary democracy is compromised. The legislature risks being reduced to a formal institution that legitimizes executive authority rather than constrains it.

The rise of executive dominance, characterized by centralization around the Prime Minister, strong party discipline, and the marginalization of MPs, has fundamentally reshaped executive–legislative relations in India. The growing influence of the Prime Minister's Office reflects a shift toward a more centralized and executive-driven model of governance. While such a model may enhance decisional efficiency, it raises serious concerns about the erosion of parliamentary authority and democratic accountability within India's constitutional framework.

Democratic Accountability Under Strain

Democratic accountability lies at the normative core of parliamentary democracy and constitutes the principal justification for the existence of a legislature in a representative political system. In the Indian constitutional framework, accountability is not conceived merely as an electoral mechanism operating once every five years, but as a continuous and institutionalized process through which executive authority is questioned, debated, and scrutinized. Parliament is the primary arena where this process unfolds. When Parliament's capacity to perform this role is weakened, the foundations of democratic accountability are placed under serious strain.

At its most fundamental level, accountability requires questioning, debate, and scrutiny. Parliamentary devices such as Question Hour, Zero Hour, short-duration discussions, motions, and committee oversight are designed to compel the executive to justify its actions in public. Through questioning, legislators seek information and clarification; through debate, policies are

subjected to critical examination and alternative viewpoints; and through scrutiny, legislative and administrative actions are evaluated for legality, efficiency, and social impact. These mechanisms transform political power into a reason-giving exercise, ensuring that authority is exercised transparently and responsibly. Accountability, therefore, is not incidental to parliamentary functioning but constitutive of democratic governance itself.

The erosion of parliamentary oversight directly undermines this accountability framework. As legislative time decreases, debates are curtailed, and committee scrutiny is bypassed, Parliament's capacity to systematically examine executive action diminishes. Oversight becomes fragmented and selective rather than comprehensive and continuous. This shift has significant normative implications. Without sustained parliamentary engagement, executive decisions increasingly escape collective scrutiny, and policy-making becomes insulated from representative deliberation. Accountability, in such circumstances, is weakened not because institutions formally disappear, but because their substantive functioning is hollowed out.

The principle of responsible government provides the constitutional and normative foundation for parliamentary accountability in India. Under this principle, the executive derives its authority from the legislature and remains collectively responsible to it. Ministers are expected to explain and defend their decisions before Parliament, and the government must retain the confidence of the lower house to continue in office. Responsible government presupposes an active legislature capable of monitoring executive conduct on a regular basis. When parliamentary mechanisms are weakened, responsibility risks becoming symbolic rather than real. The executive may remain formally accountable to Parliament while operating with considerable autonomy in practice, thereby diluting the substance of responsibility.

Closely linked to responsible government is the doctrine of checks and balances, which seeks to prevent the concentration of power within any single institution. Parliament functions as the most direct and representative check on the executive by subjecting its actions to legislative approval, financial control, and public debate. The retreat of Parliament disturbs this constitutional balance by shifting authority decisively toward the executive. As legislative oversight weakens, constraints on executive power increasingly rely on internal executive norms or external institutions such as courts and the media. While these actors play important roles, they cannot substitute for parliamentary scrutiny, which is uniquely democratic, collective, and representative in character.

Democratic accountability is also inseparable from representative deliberation. Parliament provides a forum in which diverse social, regional, and political perspectives are articulated and contested. Deliberation enables policies to be examined not only for their technical efficiency but also for their social consequences and normative justification. When debate is curtailed or marginalized, governance becomes less inclusive and more centralized. The

decline of deliberation weakens Parliament's role as a mediator between state power and societal interests, thereby eroding the representative quality of democracy. Drawing on democratic theory, Giovanni Sartori emphasizes that accountability in parliamentary systems is institutional rather than discretionary. When accountability mechanisms are weakened, executive power becomes self-regulating rather than externally constrained. In the Indian context, reduced parliamentary oversight has shifted accountability away from legislative institutions toward executive discretion, fundamentally altering the balance envisaged under responsible government.

The erosion of parliamentary oversight directly undermines the principle of responsible government, a concept central to parliamentary democracy. B R Ambedkar warned that constitutional forms could not sustain democracy in the absence of democratic practices. Parliamentary accountability, therefore, must operate continuously through questioning, debate, and scrutiny, rather than being reduced to periodic electoral validation.

Taken together, these developments point to a critical normative shift in the nature of accountability. When Parliament retreats, accountability shifts from institutional mechanisms to executive discretion. Instead of being compelled through regular legislative scrutiny, accountability increasingly depends on the willingness of the executive to explain or justify its actions. Such a shift is normatively problematic, as it replaces institutionalized checks with discretionary practices. While executive discretion is unavoidable in governance, its expansion at the expense of parliamentary oversight undermines the principles of responsible government, checks and balances, and representative deliberation. In the absence of a strong and functioning Parliament, democratic accountability risks becoming personalized and episodic rather than institutional, continuous, and democratic.

Counter-Arguments and Alternative Perspectives

A balanced assessment of parliamentary retreat requires engagement with counter-arguments that challenge the claim of declining legislative authority. Supporters of executive assertiveness and critics of parliamentary functioning advance several explanations to justify the reduced role of Parliament in contemporary governance. While these arguments highlight genuine concerns, they remain insufficient to dismiss the normative significance of parliamentary oversight in a democratic system.

One commonly cited argument attributes the weakening of Parliament to persistent disruptions caused by the opposition. Frequent adjournments, walkouts, and procedural interruptions are said to obstruct legislative business and erode Parliament's effectiveness. From this perspective, executive reliance on expedited legislative processes or ordinances is portrayed as a pragmatic response to legislative dysfunction rather than an assertion of dominance. Disruptions undeniably undermine parliamentary productivity; however, attributing institutional decline solely to opposition behavior risks oversimplifying the issue. Disruptions themselves often reflect deeper

problems such as reduced space for deliberation, marginalization of dissent, and the concentration of agenda-setting power within the executive. Treating disruptions as the primary cause rather than a symptom obscures structural imbalances in executive–legislative relations.

A second argument emphasizes efficiency and decisiveness in governance. Proponents of strong executive leadership contend that complex and fast-changing policy challenges require swift decision-making, which prolonged parliamentary debate may hinder. According to this view, executive-led governance enhances administrative efficiency and policy coherence, particularly in times of crisis. While efficiency is undoubtedly an important administrative value, it cannot serve as a substitute for democratic legitimacy. Efficiency does not equate to democracy. Parliamentary debate, scrutiny, and delay are not procedural obstacles but democratic safeguards designed to ensure accountability, inclusiveness, and reasoned decision-making.

A third counter-argument suggests that media scrutiny and judicial oversight can compensate for the weakening of parliamentary accountability. An active judiciary and an increasingly vigilant media are seen as alternative checks on executive power. Although both institutions play significant roles in exposing executive excesses and protecting constitutional norms, they cannot replace Parliament. Judicial oversight is necessarily reactive and limited to questions of legality, while media scrutiny lacks formal authority and representative legitimacy. Neither provides the structured, continuous, and representative scrutiny that Parliament uniquely offers.

In critically responding to these arguments, it becomes evident that Parliament remains irreplaceable in a democratic system. No alternative institution combines representation, deliberation, and accountability in the manner that Parliament does. Executive efficiency, judicial intervention, and media vigilance may complement parliamentary oversight, but they cannot substitute for it. A democracy that sidelines Parliament in the name of efficiency risks undermining its own normative foundations. The preservation of democratic accountability therefore depends not on bypassing Parliament but on strengthening its capacity to function as the central institution of representative governance.

Conclusion

This paper has examined the contemporary functioning of the Indian Parliament to assess whether it is experiencing a retreat in its legislative authority and democratic role. The analysis has demonstrated that parliamentary retreat is not the result of a single institutional failure but the outcome of multiple, interrelated developments. Declining numbers of parliamentary sittings, shortened sessions, and frequent disruptions have reduced the time available for debate and scrutiny. The increasing reliance on executive law-making through ordinances and expedited legislative procedures has further marginalized Parliament's role in shaping policy. Additionally, the weakening of parliamentary committees and the centralization of decision-making within the executive have constrained

opportunities for informed deliberation and legislative oversight. Taken together, these trends provide substantial evidence of a structural weakening of Parliament as a deliberative and accountability-enforcing institution.

The retreat of Parliament has significant implications for democratic accountability. Parliamentary democracy rests on the principle that executive power must be continuously answerable to the legislature through questioning, debate, and scrutiny. As Granville Austin reminds us, India's constitutional democracy rests on the assumption that Parliament would function as the primary site of democratic deliberation and accountability. The weakening of this institution risks hollowing out the democratic process by concentrating authority within the executive. Reaffirming Parliament's centrality is essential not only for restoring legislative balance but for preserving the democratic character of governance itself. As parliamentary oversight diminishes, accountability shifts away from institutional mechanisms toward executive discretion. The weakening of legislative scrutiny undermines the principle of responsible government and disturbs the balance of power envisaged by the Constitution. While alternative forms of oversight such as judicial intervention and media scrutiny remain important, they cannot substitute for parliamentary accountability, which is uniquely representative, public, and continuous in nature.

The findings of this paper underscore the urgent need to strengthen Parliament as the central institution of India's democratic system. Restoring adequate sitting days, ensuring meaningful debate on legislation, reinforcing the role of parliamentary committees, and protecting the space for opposition scrutiny are essential steps toward revitalizing parliamentary democracy. Strengthening Parliament is not merely an institutional reform but a democratic imperative, as it directly affects the quality of representation, deliberation, and accountability in governance.

Ultimately, the health of Indian democracy depends on the vitality of its legislature. Executive efficiency and centralized decision-making may offer short-term administrative advantages, but they cannot replace the normative and institutional functions performed by Parliament. A democracy without a deliberative Parliament risks becoming executive-centric rather than people-centric.

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