

1. The Deteriorating Role of Parliament in Indian society

Mohini Sharma

As civilization progressed, new cultures developed and new institutions came to force. However with democracy, various other institutions and organizations came in light. As time passed, the world population grew up and a new way to represent ourselves came, here lies the transition from representative democracy to parliamentary democracy. It was then executives and judiciary also took birth. India's parliamentary democracy working over all these years since our constitution came into form on 26.01.1950 has stood the test of time and has come to stay as a functioning democracy. Indian Parliament is a creation of the constitution and not a development over centuries as in Britain. A number of changes in the overall performance of parliament can be perceived that reflect changes in the political climate in the country. Parliament is there reflection of society and a replica of the political culture prevailing in the nation.

India, a nation in making, after independence adopted the system from her colonial master i.e. British. Though this process happened in a different way and was quite peculiar to India itself, where adoption of parliamentary system preceded before the matured mindset of poor stricken Indians who were still in nascent stage of learning. Our constituent fathers, after pondering for almost two years gave us the constitution, and its spirit through which this sacred doctrine has to be worked via parliament, executive and judiciary.

Adhering to the basic principles and spirit of constitutions our founder fathers in true and real sense used this platform to make India as a nation having glorious and rational outlook, scientific temper, humane and cultural well being, compassion and love for all and unity, harmony and integrity amongst this organic being.

Early parliamentarians who themselves created the parliament adhered to their principles. With the institution of opposition in built and given due respect, parliamentarians gave a check and balance to obstruct the monarchial aspirations of ruling government and to hinder its aspirations of becoming a dictator thus ensuring proper accountability and control over them.

The basic concept of 'constructive opposition' was the base in which the entire parliament worked. Unity in different views and consensus in their opinion regarding subjects to concern. Having broader outlook above parochialties, caste, race, color and community true abiding by the values for which this institution was created. In fact, Granville Austin defines parliament as a talk show where different opinions come forward and a constructive solution emerges through proper debates and undergoing many challenges. Different options provided in our constitution regarding emotions were used very effectively so that a unified whole can emerge out where adjournment motion, prorogue etc. were used.

With growing politics and loss of identity crisis, the very base on which the parliament stands and work is lost, as in fact, is fading away. With political maturity giving way to two party system, with growing consensus to form coalition and forming true representatives of people where their trust and confidence which masses show to elect them, a pinch of poison is also creeping and with passage of time is homogeneously dissolving in the blood and flesh of each parliamentarian where their real spirit to abide by constitution is deterring on and they resort to unfair and none parliamentarian recourse to get their work done. Forgetting about the nation, their aspirations and the faith which made them the representatives of people. Identity crisis has emerged where both the ruling government and opposition instead of reaching at consensus are busy painting their own pictures of fantasies. The control, accountability which was empowered on opposition to check the ruling government is seen to cater their own demands and wishes, thereby violating the constitution and ruining the faith which masses bestowed upon them.

In this era, disruption of parliamentary meetings, asking for resignation of Prime Minister to dissolve the government in power, wasting times on unnecessary issues and resorting to violent and inhumane behavior has been quite commonly seen among our new generation parliamentarians. Due to their erroneous behavior, the complete session of parliament comes on a standstill thereby procrastinating all those important bills which were due to be taken in parliamentary meeting dealing with major issues such as sexual violence amongst women, reservation policies for outwardly backwards, issues related to space science and technology and many other things which makes the contemporary relevance to our living.

Our fathers provided us with constitutional committees such as JPC (Joint Parliamentary Committee), PAC (Public Accounts Committee), CAG (Comptroller and Auditor general), CPU (Committee on public undertakings), estimate committees and laid specific procedures for their working. By losing trust on their functioning and by not discussing their reports in session, the parliamentarians are betraying both the masses that elected them and de-motivating those committee members.

The vocabulary of debate, the emotions used there clearly talks about the background which the parliamentarians carry with them and their aspiration to gain power by hook or crook without taking masses into consideration. Caste based politics, criminalization of politics and special lure to vote bank politics has made the parliamentarians devoid of the spirit which the constituent assemble carried with them while discharging their duties towards nation. It is unusual to seek the coalition breaking away, defections in political parties and government fall before the stipulated period of five years.

This situation has also public support in the fact that for most people, MP and MLAs are not law-makers and public servants with incredible social responsibility, but are possible sources of power and patronage to be cultivated in their own interest. They approach them for getting extra-legal influence or help. Public relations in political dictionary have, in fact, come to signify allocation of favors and these do not come free. Thus, people play a substantial role in encouraging political corruption. However, there are undoubtedly exceptions in this vicious atmosphere.

The ego clashes has occurred many times between Prime Minister and President where the statuette of President is seen only as a nominal head, leading to complete ruining the bill to become an act. The presiding officers of both houses whose work of co-ordination of houses is also fading away thereby weaken the overall control which parliament

can impose upon their members. Special provisions of asking starred and unstirred questions have not been used in proper sense.

Moreover, the discipline and ethos which the parliamentarians show by viewing pornography or dosing off when special issue concerning the defense of nation like NCTC bill is getting framed shows the reluctance of parliamentarians towards their nation. Special preference to criminals to become politicians have completely shattered our age old concept of intellect and rising to pinnacles. It is observed that consensus is fettered away and only descriptions and showing no-confidence in the government in power are in air, thereby greed for the position of power. Moreover, fractured mandate of voters also leads to deterioration of parliament and finally 'policy paralyses' emerge where deadlock sums an end in itself.

In the Parliament, all the members are not sheer political functionaries having a fixed set of political dependability in law making policies, but have to bear a wider social responsibility towards the people of the nation. All the parliamentary jobs are for the betterment of the people, by the people and for the people. Whatever problems our parliamentary democracy is facing today could be improved—may it be the instability syndrome, criminalization of politics or even Parliament being forcibly made dysfunctional through disruption, confrontation or forced adjournments. For this, two things are needed (a) necessary reforms to be undertaken within the existing Parliamentary system (b) men of character and integrity in the political system. It has been rightly said that if the people who are elected are capable, men of character and integrity, they would be able to make the best even of a defective constitution. If they are lacking in these, the constitution cannot help the country. After a constitution like a machine is a lifeless thing. It acquires life because of men who control it and operate it. India needs to-day nothing more than a set of honest men who will have the interest of the country before themselves

Rising upon the narrow barriers which constricts our representatives to think broader, acquaintance with the motions and resolutions, having a sense of belongingness and unity towards nation which our fathers laid, showing 'constructive criticism' through which definite conclusions can come out and better balance of checks and control could be maintained are few and remedies to the ongoing problem of our current parliament. It should also be seen that judiciary as an instrument should be used to discharge its functions without excessively encroaching upon legislature and executives, thereby violating the basic structure of constitution of separation of powers i.e. judicial activism should not become judicial overreach. Last but not the least, the moral responsibility of citizens in discharging their prime duty of electing responsive and deserving candidates to hold most prestigious and commanding positions should be cautiously noted upon without failing to vote so that the real nation's aspiration can be seen on those representatives' over whom we rely of carrying the burden of nation's functions effectively. Thus the effectiveness of a parliament depends upon the availability of human and material resources, including information. These are often lacking in the emerging democracies and the deficit has to be filled through international cooperation at both the multilateral and bilateral levels. After talking about all this, it is clear that Parliaments take seriously, the challenges to engage in an ongoing process of reform, making their own practices more open, accountable and responsive. Indeed, Parliamentarians should take the initiative to influence the future of their country keeping in mind the benefits about it; they should have the confidence to exercise the powers they already possess.

References:

- Agarwal, Arun. 2005. *The Indian Parliament. Paper presented at the Conference on Public Institutions in India: Performance and Design, Harvard University, Cambridge, February.*
- Jain, D.C.: *Parliamentary Privileges under the Indian Constitution, Sterling Publisher, New Delhi, 1978.*
- Kapur, Devesh. 2000. "India: 1999 review." *Asia Survey, January- February, pp. 195- 207.*
- Kashyap, Subhas C., *Our Constitution, National Book Trust of India, New Delhi, p.49. 1994*
- Kashyap, Subhas C., *Our Parliament, National Book Trust of India, New Delhi, 2004.*
- Kashyap, Subhas C., *History of the Parliament of India:1980-89, Volume-5, Shipra Publications, New Delhi,2000.*
- Malhotra, G.C. 2001 "Safeguarding Democracy: The role of the opposition in the Indian Parliament." *The Parliamentarian. Issue4 Vol.LXXXII.*
- Mallya, N.N.: *Indian Parliament, National Book Trust, New Delhi, 1970.*
- Pandya, B.P., *Parliamentary Government in India (Delhi: B.R. Publishing Corporation), 1999.*
- Ray, S.K.: *Democracy in India, Bookland Private. Ltd., Calcutta, March, 1960.*
- Sayeed, P.M.: 'Parliament- A Multi-Functional Institution' in *Fifty Years of Indian Parliament* by G.C. Malhotra. New Delhi, Lok Sabha Secretariat, 1992. P.24.
- Sikri, S.L., *Indian Government and politics, Kalyani Publishers, New Delhi, P-19, 1997.*
- Surya Prakash, A. 1995. *What Ails India's Parliament? Harper Collins, New Delhi.*
- Tripathi, P.K. 2000 "Lawless withdrawal of Public funds: Cocking a snook at Parliament." *Supreme Court Journal, Vol.1.*
- Mukherjee, Pranab., *His Interview with Pradeep Thakur, Times of India., Bhubaneswar. January 2012.*
- Tharoor, Shashi., *It is time to rethink Parliamentary system, Sunday, Times of India., Bhubaneswar. 16 Dec.2007.*