

A major shift in Indian politics took place in 1989, when the INC lost its historical majority and the government rotated among INC coalitions, Bharatiya Janata Party (BJP) coalitions, and third-party coalitions until 2014. Ideally, this should have

numbers can demand deliberation with more authority than the current fragmented and miniscule opposition parties. Third, the media must decline to publicize theatrical behavior by parliamentary members and instead responsibly focus on matters

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raised the Lok Sabha’s effectiveness, in that bargaining and negotiation among different parties becomes necessary in a multiparty coalition. However, one problem that arose was the “house management” of MPs, wherein the MPs of many parties articulated differing and often contradictory viewpoints. Unlike the stability of a two-party system, these internal party fractures led to chaos (Sanyal 2015). Two recent political trends also likely hampered parliamentary efficacy: (1) the extreme polarization of party politics between the outright exclusivist Hindu nationalist BJP and the numerically declining secular parties led by the INC; and (2) the rise of the role of the media in politics—particularly the televised broadcasting of parliamentary proceedings.

The rise of the BJP brought to the forefront an alternate ideology of “Hindutva” or “Hinduness,” which clashes with the secular framework of the Indian polity. This leads to polarization around this viewpoint and tends to reduce the bargaining and consensual decision making that characterizes multiparty legislatures. The fundamental tenet underlying India’s democracy—it is a secular state—is being openly contested. This questioning of the underpinnings of the state has led to less deliberation in parliament because polarization removes flexibility and openness.

Conversely, the rise of the role of the media has produced the “politics of spectacle,” wherein politicians use their increased visibility to stake out positions of inflexibility and utter pronouncements, all guaranteed to get media attention rather than engage with other MPs. The Lok Sabha therefore has become more theater than legislature (Pandey 2015).

Finally, the reversal of multiparty politics in 2014, in which the BJP gained a majority on its own, means that it is in a position to ignore not only the fragmented opposition but also its own coalition allies. The irrelevance of the Lok Sabha is highlighted by the decreased number of sittings taking place in recent years. In the 2017 winter session, it sat for 22 days, whereas it sat for 31 days in the previous year (*Governance Now* 2017). Major governmental decisions such as the demonetization of 2016 have not involved consultation and deliberation within parliament, reducing it to a venue for protest—much of it theatrical and symbolic. A final contributor to this decline is the lackluster performance of the INC in the most recent national election. In a house of 543 members, the INC received only 44 seats. This allowed the the government to neglect the appointment of a leader of the opposition, thereby further weakening the oppositional and deliberative structure of the Lok Sabha.

Ultimately, arresting the decline of India’s parliament will require the fulfillment of a number of conditions. First, there must be agreement on a mutually acceptable (across parties) fundamental tenet of India’s identity (either secular or, regrettably, Hindu-dominant). Second, a more balanced power structure within parliament must be created. A resurgent opposition with greater

of substance. Fourth, all of India’s political parties must agree to give the Lok Sabha the powers that are needed and essential to the proper functioning of any legislature. ■

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#### LEGISLATURE AS A TOOL OF THE HYBRID REGIME: BANGLADESH EXPERIENCE

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In the past decade, the number of democratic states has declined significantly and regimes that seemingly combine features of both democracy and authoritarianism have proliferated (Freedom House 2018). This development betrayed the predictions that countries will transition to liberal democracy in the post-authoritarian period (Huntington 1991). These emerging regimes have been labeled variously depending on the nature of the institutional arrangements, but they are broadly described as hybrid regimes (Diamond 2002). Their resiliency has drawn attention to the causes of and conditions for such ability of these regimes (Gagné 2012). Four arenas are identified as crucial to the endurance of the hybrid regimes, including legislative and judicial realms (Ekman 2009; Levitsky and Way 2002). In a hybrid regime, the legislative body is stripped of its independence; consequently, it is relegated to a “rubber stamp” for the wishes of the executive. The legislative body then is used to manipulate the constitution to establish control over the electoral arena and judiciary.

Bangladesh embraced parliamentary democracy in 1991, after a short-lived one-party authoritarian system in 1975 and 15 years of military and pseudo-civilian rule. However, by 2018, it is an example of how an enfeebled legislative body can become a tool of the executive in its authoritarian agenda. Between 1991 and 2006,

Bangladeshi citizens enjoyed a competitive, multiparty political system with regularly contested elections. Despite serious weaknesses of other democratic institutions—including the Election Commission; a trust deficit among major political parties particularly among two major parties: the Bangladesh Nationalist Party (BNP) and the Bangladesh Awami League (BAL); and repeated episodes of political violence—free and fair elections in regular

the parliament to impeach Supreme Court judges. When the High Court and the Supreme Court annulled the amendment (2017), the ruling party engaged in the vilification of the Chief Justice, who later “resigned” and left the country.

Bangladesh’s experience since 2009, particularly two constitutional amendments, shows how a hybrid regime utilized the legislature as a tool for strengthening its authoritarian tendencies. ■

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intervals allowed Bangladeshis to change the government as a result of the constitutional provision of holding elections under a caretaker government (CTG). The constitution stipulated that the incumbent resign 90 days before the election and that a non-party government headed by the immediate past Chief Justice of the Supreme Court be appointed by the president to oversee the election.

In the 2008 election, the BAL secured a two-thirds majority in the parliament. Three years later, the parliament scrapped the CTG provision, citing a court verdict that described the CTG system as contrary to the democratic spirit of the constitution because it is an unelected government. However, the court maintained in the verdict that the next two elections be held under the CTG system and that the parliament be dissolved 42 days before the election. The parliamentary committee, appointed in July 2010 to add amendments to the constitution, “held 27 sessions [during an 11-month period] and consulted experts, political parties (including the ruling party), journalists and civil society representatives” (Majumdar 2013) and agreed to retain the CTG with minor changes (Riaz 2013). However, at the behest of the prime minister, the CTG provision was eliminated and the provision of holding elections under the incumbent’s supervision was inserted through the 15th amendment of the constitution. The opposition parties made good on their threat to boycott the 2014 election unless their demand for restoring the CTG system was met. Violence engulfed the nation during the election and less than 25% of voters cast their votes (Riaz 2014). More than half of the MPs were elected unopposed; without any opposition, a *de facto* one-party parliament emerged. In a hybrid regime, a weak and ineffective parliament becomes an accomplice instead of a check to the excesses of the executive. Bangladesh is no exception. The ruling party since 2014 has adopted an authoritarian style of government, enacted draconian laws, and clamped down on any dissent (Bertelsmann Transformation Index 2018).

In hybrid regimes, the judicial arena is subordinated through various means, including appointing and dismissing judges and officials (Levitsky and Way 2002), making the higher courts advocates of the current regime (Brown and Wise 2004). The removal of the Lord President of Malaysia by Mahathir in 1988 and curtailment of power of the Venezuelan Supreme Court under the Chavez government (1992–2012) (Urribarri 2011) are cases in point. The intent of the 16th Amendment of the Bangladesh Constitution (2014) fits into this pattern. The amendment empowered

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## DEMOCRACY, LEGISLATURES, AND BUSINESS CONDITIONS IN POST-AUTHORITARIAN AFRICAN REGIMES

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Ghana was the first Sub-Saharan country to gain independence, some 60 years ago; virtually all Sub-Saharan countries subsequently followed. Yet, in many countries, colonial authoritarianism was replaced by military regimes, autocratic rulers, and one-party rule. It was not until the 1990s that “the Third Wave” of democratization (Huntington 1991) swept across Africa.