Polity & Governance · GS - II

Critically examine whether the anti-defection law has succeeded in balancing legislative dissent with political stability in India's parliamentary democracy.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 25/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Tenth Schedule, legislative dissent, party discipline, political stability, Speaker's impartiality, judicial review, inner-party democracy

Model Answer

The anti-defection law, introduced through the 52nd Constitutional Amendment Act, 1985, sought to curb political defections that undermine electoral mandates and destabilise elected governments. However, its operation has raised concerns about legislative independence.

Arguments supporting the law

1. **Government stability:** It discourages opportunistic defections intended to bring down elected governments.
2. **Electoral accountability:** It limits legislators' ability to change political allegiance contrary to the mandate received from voters.
3. **Party discipline:** It promotes coordination in parliamentary functioning and supports collective responsibility in government.

Democratic concerns

1. **Restricted dissent:** Broad application of party whips can weaken legislators' freedom to express independent views, even on matters not involving government survival.
2. **Speaker's neutrality:** The Speaker's role in deciding disqualification petitions creates concerns regarding political impartiality and delayed decisions.
3. **Leadership dominance:** Excessive party control may weaken deliberative debate and internal democracy.
4. **Judicial delays:** Prolonged proceedings can allow disputed governments to continue functioning amid uncertainty.

Reform possibilities

The Dinesh Goswami Committee and other reform proposals have supported limiting disqualification to votes involving confidence motions and certain core legislative matters. An independent adjudicatory mechanism and time-bound decisions can improve credibility.

Conclusion: The anti-defection law protects political stability but should not suppress legitimate legislative dissent. Its reform must preserve party accountability while strengthening representative democracy and independent legislative deliberation.

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