

# **Elected to Govern and to Oppose: The Democratic Mandate of Opposition Parties in Ensuring Accountability and Inclusive Representation**

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## **Abstract**

The concept of legitimacy and the relationship between the ruling and the opposition parties is the intended focus of this research paper. It would be a mistake to consider democracies as only legitimizing the rule of the governors. To this endpoint, opposition also legitimizes democracies, as democracies also validate the challengers of executives and oppositional democracies. This paper contends that opposition parties have a parallel electoral mandate, equal to that of a ruling party, justified by the same democracy that authorizes the parties to govern. Considering Robert Dahl's Polyarchy, Giovanni Sartori's theory of party systems and Jurgen Habermas's deliberative democracy as the theoretical foundations, this paper treats the political opposition as an institution constitutionally and morally required to provide checks on accountability and continuous pluralism. It also highlights the role of opposition parties as guardians of minority and marginalized voices and their role in reinforcing inclusive representation. This paper investigates the opposition's contributions to democracy's consolidation in established and emerging democracies by examining democracy's scaffolding, notably legislative scrutiny, the contestation of policies and civic discourse. Ultimately, it argues that a ruling party should never suppress opposition claiming that the citizens have elected ruling party in power. Opposition parties too are elected by the citizens to be in opposition and keep check on arbitrary actions of the government. Acknowledging the opposition as an elected, accountable actor is crucial for maintaining the constitutional equilibrium, controlling arbitrary power and preserving democracy in a form that is responsive and representative to all peoples.

## **Keywords**

Democratic Legitimacy, Political Opposition, Accountability Mechanisms, Inclusive Representation, Constitutional Equilibrium.

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## **Introduction**

### **1.1 Background and Rationale**

Within modern democratic theory, political opposition is incorporated as an integral part as they function as an institutionalized means through which contestation, accountability and pluralism are defended (Dahl, 1971; Sartori, 1987). Dahl views democracy and polyarchy as synonymous and does not limit democracy, as does some theorists, to the holding of elections (Dahl, 1989). Rather, democracy blooms in the absence of dictatorial regimes whereby new political actors challenge incumbents through legitimate, structured means of contestation. Within the polyarchy perspective, political opposition is not an amenity but a necessity, as the political system must remain responsive, competitive and open to critique (Dahl, 1971).

Nonetheless, the aberrational characteristic of electoral legitimacy still exists especially as it pertains to democratic authorization as a so-called electoral mandate to govern. From this perspective, the plurality of electoral choices is reduced to a single point of consent which is wholly misguided as democratic elections also authorize those who will not attain executive office (Held, 2006). Political opposition represents a large segment of the electorate whose political preferences, rights and needs desire an institutionalized expression. As equal representatives, they have the right to put forward different political alternatives and defend minority rights while also refraining from the executive overconcentration. Thus, for the sake of constitutional equilibrium, social equity and a healthy democratic atmosphere, the political opposition must also be regarded as a democratically authorized entity (Dahl, 1989).

### **1.2 Research Problem**

I have examined how the opposition's democratic mandate affects accountability, inclusivity, and balance within the constitution. Also analysed whether the opposition's legitimacy is simply a strategic factor tied to the results of an election, or whether it is an institutional right that is based on democratic principles. Further I have analysed how opposition actors review and critique the executive's actions, defend differing interests and how these functions interrelate across different arrangements of constitutions and party systems.

### **1.3 Objectives of the Study**

The first out of the three goals of the research paper is to incorporate the electoral, constitutional, and deliberative components to form a complete picture of the character of the opposition's democratic legitimacy. The second is to specially assess the opposition's normative and institutional roles in the

maintenance of legislative oversight and policy contestation and other secondary institutional functions in a bid to accomplish accountability and pluralism. The last objective is to describe the role of opposition in democratic consolidation in both the developed and the developing democracies in the context of the consolidators and the structural limitations.

#### **1.4 Research Questions**

The inquiry is guided by three research questions:

- (1) What is the nature and scope of the opposition's democratic mandate?
- (2) How do opposition parties achieve accountability, minority representation, and democratic deliberation?
- (3) What are the possible institutional, structural, and discursive factors that limit or facilitate the effectiveness of the opposition?

#### **1.5 Theoretical Foundations**

The research is informed by Dahl's polyarchy theory, which describes inclusiveness and contestation as essential for the legitimacy of democracy (Dahl, 1971, 1989). The classification of party systems by Giovanni Sartori describes how systematised parties have a clear understanding of weakening opposition (Sartori, 1976). Jurgen Habermas's conception of democracy adds a focus on reasonable communicative action and criticism as a form of legitimization for a political decision to provide a normative perspective (Habermas, 1996). Constitutionalism, the principle of checks and balances and agonistic pluralism of Chantal Mouffe, collectively position the opposition as a major stakeholder to sustain the democratic balance and to avoid the tyranny of the executive (Mouffe, 2000).

#### **Conceptual Framework**

The guiding theory of this study revolves around the definition of political opposition as an institution of democracy that is constitutionally embedded, normatively grounded and required through electoral means. The theory also sees political legitimacy, democratic mandate, and institutional opposition as separate concepts. It views the opposition as a politically relevant actor and not as an incidental product of losing an election.

The first pillar of the framework is the concept of political legitimacy. It has often been defined in a narrow sense as the right of the ruling party to control executive authority within a democratic regime. However, this concept of legitimacy is not unitary. Rather, it is dual. While it may empower a government to control the rule of law, it also simultaneously allows the opposition to interrogate,

challenge and critique that authority. Legitimacy, therefore, is not the sole property of governing parties. It is a joint possession with the opposition parties as well, who politically socialize the electorate and embody its will. It is in this regard that the position is taken that legitimacy is political. It also aligns with Robert Dahl's views in regard to the importance of democracy, in which the opposition's right to challenge the government and present alternative views is the essence of democracy (Dahl, 1971, 1989).

The democratic mandate of opposition (second pillar) is based on the notion that elections generate differentiations of coequal mandates. Governing parties receive a mandate to execute certain policy options, while opposition parties obtain a counter mandate to provide policy alternatives, defend the constitution and hold institutions to account. This reconceptualization contests the majoritarian view that winning elections bestows *carte blanche* power and, in addition, supports the view that opposition parties are legitimate stakeholders of the constituencies whose interests are primarily neglected.

The third pillar speaks to opposition as a system, reflecting the configurations of the party system and the constitution. Giovanni Sartori's classification of party systems offers a coherent framework to understand how opposition roles and functions shift and vary across systems that are classified as two party, multi-party, polarized or dominant party systems (Sartori, 1976). These types of arrangements characterize the strategic space in which actors of the opposition-enacted- opposition operate, as well as the levers and constraints to which they are subjected. Arrangements such as the make-up of committees, question time, document access, and procedural rights determine the degree to which opposition representatives can meaningfully supervise and constructively oppose the opposition in policy.

It is essential to discuss both deliberative and agonistic philosophies-Jurgen Habermas's deliberative democracy and Chantal Mouffe's agonistic pluralism. 'Legitimizing democracy...rests on the rational-critical debate and its institutionalization' (Habermas, 1996). Mouffe argues that while conflict is integral to the political, it must be contained to legitimate/acceptable adversarial conflict (Mouffe, 2000). Collectively, these opportunities provide a unique perspective to understand the opposition as simultaneously legitimate in its contestation, defining a pluralism that furthers the idea of opposition as accountability and the opposition holds a balance of power within the constitution.

### **Theoretical Architecture Supporting the Opposition's Role**

This research draws on a pluralist, systemic and deliberative approaches to democracy and focuses on the more contemporary critiques that value politically organised conflict. These insights together

explain the different ways the opposition fulfils its democratic functions of accountability, pluralism and constitutional balance and provides different ways of understanding how opposition parties, in their own way, achieve democracy.

More than anything else, Robert Dahl's theory of polyarchy is most central to this research. Dahl identifies two core elements of democracy— the right and the ability to contest. Dahl affirms that democracy is contestation (Dahl, 1971, 1989). This is where the opposition comes in. It is this framework that highlights the necessity for democracy to have institutions where dissent can be articulated freely and openly, alternatives can be proposed and challenges to the incumbents be made. Therefore, in this context, the opposition holds a crucial role as it is this that provides the institutional form of democracy's need for contestation. The opposition in a democracy is a necessity because it makes the democratic political space contestable and, in a way, responsive and inclusive.

Sartori's recognition of how the governmental structure of a party system changes the configuration of the parties in opposition serves as the second analytical pillar of opposition theory. In this regard, Sartori's distinctions are made within the frameworks of two-party, dominant-party, moderate multiparty, polarized multiparty systems, which highlight the different degrees of opportunity and disadvantage opposition actors are embedded within (Sartori, 1976). For instance, in two-party systems, the opposition acts as a government-in-waiting, often having considerable informal control, while the opposition in dominant party systems must cope with structural disadvantages, a lack of media visibility and formal-instructional inequity, as they are the only party. Sartori conceptualizes the "irrelevance of the party of the opposition" to illustrate that the opposition is relevant and this relevance is often due to the ability to control the opposition, which in turn controls competition, discourse, and coalition formation.

The third pillar is Jürgen Habermas's theory of deliberative democracy which posits a clear normative significance of the inclusion of rational-critical discourse. For Habermas, the ideal democracy is one that obtains legitimacy in the enactment of a law, for which reason must be provided, in the enactment of a law through a communicative process and through discourse within a democracy (Habermas, 1996). In this regard, the opposition can be viewed as the primary actor of deliberation, to the extent that it is responsible for widening the discursive space within which government failures are addressed and alternative policies are provided in the public discourse. The character of this function not only improves the decision-making process, but also the quality of the democratic outcome, by providing legitimacy to the result.

Mouffe's agonistic pluralism addresses the contemporary discourse on democracy and, while incorporating the elements of the tradition, highlights the inevitability of political conflict and, more importantly, the democratic requirement to divert antagonism into legitimate, democratic struggles (Mouffe, 2000). Mouffe posits that opposition is more of an adversary than an enemy, as ongoing confrontation is not detrimental, but rather, if institutionalized, is beneficial for democratic deepening. This line of reasoning, in turn, helps to account for the durability of frameworks in which opposition actors are able to challenge and are not rendered as having no legitimacy.

### **Opposition, Accountability and Constitutional Equilibrium**

For there to be accountability, constitutionalism and a democratic equilibrium, there has to be a functioning opposition. The opposition, at least in the normative and institutional sense, is a democratic safety net (Norton, 2008). The opposition functions as a restraint on the governing entity. It exposes when a governing entity overreaches and it defends the interests of every member of the polity. It is, however, a significant role. It is not purely a hostile one, as there needs to be equilibrium in the framework of a democracy for it to operate efficiently (Linz & Stepan, 1996).

How opposition parties hold the governing body to account is a prime example of an aspect that is institutional. The opposition is, or at least should be, able to employ an arsenal of parliamentary and procedural tools to question the governing body. The opposition should be able to use tools of legislative oversight, such as question time, debates, committee inquiries, motions of censure and scrutiny of government budgets, in order to force the governing body to explain its actions and face accountability (Yamamoto, 2007). This should not be a trivial, procedural exercise as it is a vital aspect of public accountability that ensures that government power be answerable to the constitution and to the people. Where systems provide opposition leaders with committee chairs in order to incorporate public scrutiny, such as public accounts committee chairs or ethics committee chairs, there is a stronger, more systemic, and more institutionalized form of public accountability (Rozenberg & Martin, 2011). A lack of such systems indicates, or can be correlated, to an overreaching governing body and the decline of democracy (Diamond & Morlino, 2004).

Aside from overseeing procedure, the opposition also defends constitutionalism and maintains balance between the organs of the state and protects the balance of constitutionalism in the state from the arbitrary and unconstitutional actions of the other state organs (Ackerman, 2010). The opposition limits the threat of arbitrary actions of the state organs by challenging the legislation of the other organs of the state, which might affect the fundamental rights of citizens and by questioning the legality of the actions of the executive through the process of judicial review (Ferejohn & Pasquino,

2004). Opposition affects actions of other state organs which protects the benefits of the balance of power in the state. Opposition in the state also protect the balance of power in the centre and the units of government in federal states along with the opposition against the centralization of power (Lijphart, 1999).

The opposition also performs other important functions of defending major constitutional rights, other voices and minority rights, of the minority and those of the majorities. While majorities might have the right of the voice and control of the legislation, it is also important to emphasize that majorities do not have the right to do whatever they want. The opposition also protects the rights of other stratified and marginalized people (Young, 2000). This also strengthens the other important aspects of democracy, which are inclusivity and distributive part of democracy.

Encouraging active civic and political discourse is another notable contribution of the opposition. The opposition deepens the democratic debate by proposing alternative policy options, eliciting public discourse, and interacting with the public and the media (Dryzek, 2000). This engagement of the opposition improves the public discourse and reasoning but also increases the accountability and responsiveness of the government. A robust opposition promotes a political culture that encourages debate, dissent and compromise rather than the unification of political discourse.

The opposition's functions are also related to maintaining constitutional balance, which is articulated through its function as a democratic watchman-warning the public of constitutional deviations and also not passive while the democratic watchman cautions erosions of the institutional independence and counter mobilize public support against authoritarianism (Levitsky & Ziblatt, 2018). Where the ruling party limits the public criticism and centralizes the power, the opposition's activity becomes fundamental for maintaining democratic endurance.

### **Opposition and Inclusive Representation**

The opposition's role in democratic settings is to facilitate and advocate for voices that would be marginalized and/or neglected through the lens of the majority. While governing parties take a majority of the control and have to be cautious and politically correct with the policies they put forth and the concerns, they register in an attempt to remain in control and actually govern, oppositions have the unique and free ability to describe the concerns of the governing parties, their inequities and the unaddressed issues of the politically weaker constituencies (Pitkin, 1967). This role is an embodiment of the democratic axiom that speaks to the idea of representation being more than a multitude with a majority, but is instead an affirmation of the protection of a myriad of identities, interests and social

experiences (Phillips, 1995).

Oppositions are representatives of the minorities and the marginalized and that is a critical aspect of their role. In a pluralistic context where social, economic and cultural inequities and hierarchies exist, opposition actors focus on discrimination and exclusion, economic and rights violations and inequities (Kymlicka, 1995). Their involvement in legislative debates, committee meetings and public opposition, helps to ensure that the policy discussions and parliamentary debates the ruling government has to recognize are inclusive of perspectives that the ruling government and a majority of them would rather overlook. This provides a clear example of representation to the substance of representation, or qualitative representation, termed as, providing for the interests of a group, or the focus on a group and not just a numerical presence.

The opposition similarly strengthens representation by employing policy interventions in the legislation that expands the scope of substantive policy-making in opposition. Through amendments, critiques of legislation, alternative policy proposals and analyses of the budget, opposition parties seek to challenge the government's decisions that could lead to inequities and failures of a just distribution of social justice (Fraser, 2008). This helps them attain a more just legislative process, which allows equitable social justice and social welfare policies to be developed and implemented for disadvantaged groups. Even in cases when such legislative proposals are not adopted, there is a likelihood of raising public awareness and in the process, the proposals change the government's political priorities, thus affecting public policy for the better.

Also, the opposition provides support for the civic discourse by collaborating with social movements, civil society organizations and community groups that address a broad spectrum of social constituencies (Tarrow, 2011). This enables a more direct participation in democracy by strengthening the grassroots movements. Opposition parties often act as a bridge between the state and the public by promoting awareness and providing avenues for political dissent.

Finally, the contributions of the opposition to inclusive representation also deal with the restructuring of public narratives and the opposition of dominant discourses outside of... public/informal institutions. The opposition actors carry out public campaigns and deliberate forums. and participate in media to challenge the narratives that erase the marginal voices of the dominated others. They enrich the democracy of the citizens by epistemically diversifying the discourses and enabling the citizens to think about the policies put forth by the government (Benhabib, 1996).



## Challenges to Effective Opposition

In considering the attempts made by opposition parties to exercise their legally and democratically sanctioned activities these parties are often shaped by a range of interlocking structural, political and normative challenges. To understand these challenges and their interlocking impact are important in assessing the state of democracy and the democracy's health to make recommendations or reforms. These challenges may also inform the state of democracy in relation to its accountability, representation and democracy's ability to provide active participation by the citizenry (Schedler, 2013). The following challenges are a reflection of the challenges confronted by oppositional democracy in both developed and developing democracies.

**1. Structural Limitations:** Issues of a structural nature also relate to the design of the electoral system, the configuration of the political parties of the system and intra-system institutional asymmetries. Structural challenges suggest that opposition parties will encounter challenges of effectiveness and responsiveness, Majoritarian electoral systems, such as first-past-the-post, tend to create dominant party systems parliamentary systems where one ruling party dominates with overwhelming legislative and electoral strength (Norris, 2004). Such systems create a structural environment wherein there is numerical opposition that dominates in most parliamentary committees and opposition parties are restricted in their legislative outputs. On the other hand, there are also extreme cases where there are multi-party systems parliamentary systems where there is extreme fragmentation of the party opposition to a point where weak cohesive blocs are formed and capable of exercising minimal control and oversight, where there are a weak dispersed and attenuated oversights (Gallagher & Mitchell, 2005).

Differences in institutions also create limitations. Inadequate financial means, insufficient research, uneven visibility in the media and disinformation all decrease the opposition's ability to confront the executive. In some democracies, legislative policies and committee controls allow the dominant party to have complete control over the timing and scope of parliamentary discussions, accelerating the passage of legislation (Helmke & Levitsky, 2006). These factors work in tandem to create a weakening of the structural environment needed for effective parliamentary opposition.

**2. Political and Normative Constraints:** Alongside the structural aspects mentioned above, political and normative challenges applied by the government also affect opposition parties. The government can define dissent as an obstruction or as an obstacle to advancement, thus undermining the opposition's claim and the public's legitimacy on confrontational politics (Mounk, 2018). Such eschewed discourse, particularly prevalent within highly polarized and populist contexts, serves to

further close the democratic dispute space necessary for politically accountable governance.

There are also internal weaknesses of the opposition which include factionalism, leadership instability, inadequate ideological clarity and, in particular, an absence of strong organizational structures. These weaknesses diminish the ability to develop and offer the public viable political alternatives (Katz & Mair, 2018). In addition, the opposition parties may be subjected to informal constraints in the form of state surveillance, the intimidation of political activists and the circumvention of legal restrictions governing political financing, especially in hybrid or illiberal regimes (Bermeo, 2016).

**3. Media, Social Perception and Narrative Struggles:** How the media influences the effectiveness of the opposing parties. In the case of media concentration in the hands of the state, the public can be misinformed and opposing opinions can be sidelined (McNair, 2018). If the media coverage heavily favors one side, criticism can be seen as one sided, therefore losing the ability to influence public discussions or bring to the light issues that need to be discussed.

Public frustration with adversarial politics further fuels the narrative struggles. Opposition can be seen, in the case of walkouts, protests and filibustering as a disruption to the legislative process, which further alienates the public from the opposition and therefore frustrates the government from working in a constructive way (Mutz, 2015).

**4. Constraints in Civic and Institutional Space:** The opposition cannot work with civil society, Mobil the grassroots, or peacefully protest, because of the closing democratic spaces. Legal restrictions on assembly and the registration for an NGO, coupled with an increase in punitive responses to dissidents, are none of these win the opposition's effectiveness (Carothers & Brechenmacher, 2014). Weakening institutional autonomy of the judiciary, electoral commissions, and other independent oversight, the fewer the mechanisms that opposition parties have to influence the executive overreach (Levitsky & Way, 2010).

## **Conclusion**

The main takeaway from the research is that political opposition should not be viewed as antagonistic to democracy. Instead, opposition is an integral part of the system that provides democracy with legitimacy, accountability, and the pluralistic representation of the constituents of the democracy (Dahl, 2020). Because opposition parties and governing parties derive their electoral mandates from the same voter base, that plurality of democratic mandates deepens the significance of the democratic existence of governance and opposition. This recognition is invaluable, especially with regard to

constitutively weak democracies, in guaranteeing that the democracy is one that provides balance in its power not totalizing in the political control it exerts, politically responsive to the complexities of the people and not actively apathetic to the people's will (Diamond, 2019).

The duties of opposition are not only electoral and transactional, but they must also include assessing the executive and providing an evaluation of the vision aimed at reinforcing the policy direction. Opposition also must ensure that the minorities and silenced are given an opportunity of representation. Opposition parties tend to carry out the minimum of what democracy ought to be by placing the executive under the scrutiny and accountability and thereby preventing the minimal democracy from being continued (Rosanvallon, 2008). This acknowledgment of democracy and of the accountability to the executive, is particularly necessary for many dominant political systems to hyper-criticize opposition, for its political minority.

The effectiveness and power of opposition parties are determined by institutional frameworks, party systems, and political culture. Older democracies such as the U.K., Canada, and Germany, which have well-established parliamentary systems, grant the opposition legal recognition and parliamentary privileges essential for effective opposition control over legislation (Powell, 2012). In the yet-to-be fully developed democracies of India, South Africa, Brazil and Indonesia, opposition parties encounter systematic, political, and procedural constraints, yet their partnerships for advocacy are instrumental as they seek to defend the constitutional framework, limit the power of the executive and mobilize the populace (Carothers, 2020). There has always been a balancing opposition, irrespective of the stage of democracy or the dominant party's control over the legislature. The opposition plays a crucial role in any democracy by countering authoritarian tendencies (Levitsky & Way, 2022).

Much work is required to achieve the theoretical functions of the opposition political parties. This study highlights the existence of political, structural, and discursive impositions on opposition political parties which limit the ability to achieve their systemic functions. These barriers include the lack of numbers, resource deprivation, a hostile media, political and procedural sidelining of dissent, intra-party weaknesses, and state-imposed restrictions on the democratic public sphere. This study urges the need to recognize opposition rights and their institutional and legal frameworks, to open up democratic spaces and expand the democratic domain to include unhindered public media, civic monitoring, and responsible state funding of politics (Norris & Inglehart, 2019).

Having an understanding of the political landscape, the opposition, and their role in defending the rights and freedoms of citizens and the concept of inclusive democracy are important. Without the

factual opposition, democracy is suffocated. Political democracy is not the result of just governing parties possessing and exercising their power. Power may be exercised legitimately but power may also be exercised damagingly. Autonomy is the precondition of democracy. These concepts are important for society, but they also fully justify the politics of democracy. These concepts complement each other in theory but, in practice, in the real politics of democracy, they contradict. They may not complement each other equally by all and may subsume each other in the practice of politics of democracy (Held & Hervey, 2021).

Information may be in opposition to institutional power. Information is a tool. Empowerment of the disempowered by democracy may result in opposition to the operational institutional powers. This may also result in the repositioning of the 'innocent citizen' to the 'political citizen'. This shift may in fact result in the concept of democracy. The political landscape may define the operational changes in democracy.

Digital democracy does this in real time. Interaction, engagement and opposition to the system in hybrid, polarized digital democracies allows for a constant evolution of democracy. Innovation and adaptation are crucial to understanding democracy. The evolution of opposition politics is crucial to the understanding of democracy. Adapting is survival. The study of the evolution of opposition politics is essential for the understanding of democracy and the politics of democracy. The study of this democracy and democracy may be a hybrid of real time, polarized, digital democracy. The study of the evolution of opposition to politics is crucial for understanding the evolving democracy.

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