

CHANGING POLITICS, INCOMPATIBLE GOVERNORS

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January 23, 2023 12:16 am | Updated 02:29 am IST

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At the Raj Bhavan in Mumbai | Photo Credit: FILE PHOTO: PRASHANT NAKWE

The [Governors are once again becoming public spectacles](#) in many States, as seen in Punjab, Maharashtra, Kerala, Tamil Nadu, Telangana, West Bengal, Jharkhand, Delhi, and in a few others earlier. Three issues stand out in their grandstanding with the elected governments in the States in question.

First, these are States where non-Bharatiya Janata Party (BJP) governments are in power. Second, the contrarian interventions of Governors are in the name of the supposed powers of the Union or constitutional rectitude. And third, their disagreements spill out in the open, to the media, reinforcing a political divide. Recently, the Governor of Tamil Nadu, R.N. Ravi, seems to have opened another front, i.e., defining the idea of Indian nationalism and imparting lessons to Tamil people. Fortunately, there are a few Governors, even under non-BJP regimes in States, who have shown the sagacity of sorting out issues with their respective governments without attempting to muddy the waters.

While there have been endless arguments on whether the Governor enjoys discretionary authority or not — and if he does, under what constitutional and legal provisions — they may not be able to clinch the argument on an issue as they do not necessarily rule out the contrarian stances. One of the examples of populist posturing is to play the blame game and accuse the other party of doing the same when it was in power. While such charges may be factually correct or close to the charge, bad precedents may not be good examples to imitate. These charges also do not take into account the great churning that the Indian polity has undergone over the years and the challenges that institutions confront to remain abreast with them.

The arena of the relative autonomy of States underwent a decisive turn from the late 1980s without formally altering the constitutional frame very much. This transformation was manifest in the rise of new political parties with their focus on States, liberalisation of the economy, and greater devolution of economic responsibility to the States. States were made to realise that they could not pass on this responsibility somewhere else.

This shift of power and responsibility was also reflected in policy measures such as the 73rd and 74th Amendments to the Constitution authorising local governance, inclusion and devolution of powers; reforms initiated by P.V. Narasimha Rao-Manmohan Singh team on the economy; and judicial verdicts such as the Bommai case that mandated that the invocation of President's rule

in States called for wider political consensus.

Admittedly, the relative autonomy of States has enhanced their presence as well as responsibilities. This enhanced role of the States does not in any way challenge Union powers, but generally tends to complement and supplement the new challenges and opportunities that it faces. The fears of centripetal tendencies that marked the early years of Independence no more hold good as far as the broad expanses of India are concerned. Atal Bihari Vajpayee detected this shift early and made a remarkable attempt at coalition building (1999-2004) that reflected much sensitivity to the new role that States were called upon to play.

This initiative was also an acceptance of strong regional leaderships in general and regional parties in particular. Strong States were not seen as an affront to national unity but the latter itself was conceptualised as being forged through robust regional bonds. In fact, Vajpayee's political initiative jolted the Congress party from its focus on a centralised polity predisposing it to pre-poll coalitions at its Pachmarhi (1998) and later Shimla conclaves.

While the rise of the BJP and its shift to Hindutva as its ideological plank from 2014 onwards have affected the re-articulation of Indian federalism, the groundswell that led to the appreciation of State autonomy continues to persist even today. Sound reasoning iterates, loud and clear, that States cannot be cordoned off within the boundaries of the fiat of the Centre any longer.

Given the metamorphosis of politics that India has registered, State leadership, be it of the ruling party in the Centre or regional parties, is invariably called upon to assume greater initiative and responsibility. Its performance has a bearing not merely on the States concerned but on the nation as a whole. State-based initiatives have a cascading impact on the neighbouring States as well. If a regional party has performed well, the Centre should try and outshine it by promising to do better. Interestingly, India's constitutional frame — and particularly its interpretation by the judiciary hitherto — has been in synchrony with this shift in the political arena.

In the changed context, Governors assuming that they know better than elected State leadership goes against a reality check, and may not even serve the interests of the ruling party at the Centre. If they invoke constitutional provisions in defence of their actions, such a reading often turns out to be a shibboleth.

While the constitutional reasoning that resulted in the institution of Governor in India may still hold good today, it calls for a re-orientation. As the constitutional head of the State, there are innumerable concerns, particularly the Directive Principles of State policy, that could be the frame of conversation of the Governor with his government. Such a conversation, however, needs to be in the form of an engagement with his government and the State legislature rather than meant to project him as an independent power centre. The changed context also calls for listening to and closely following public voices and deliberated reasoning in the State and elsewhere rather than harping on constitutional status. Moreover, as a link between his State and the Centre, a Governor brings the wider concerns and promises of the State to the attention of the Centre as well as the public at large, which partisan politics may tend to sidestep.

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To be in tune with these demands, Governors should not merely have their ear to the ground but also be attuned to the embedded idea of the common good manifest in its institutions and public culture. In a country such as India it is not difficult to find such persons. It is handy to have in these positions elderly politicians who are surplus in the ruling dispensation or retired bureaucrats and public personnel who are subservient to their political masters. Although criticised for some of his administrative preferences and political views, one Governor who I can

recall who measured up to the mark in the changed context was T.N. Chaturvedi, Governor of Karnataka (2002-07), during a difficult period of change of governments both in the State as well as at the Centre.

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