



EDITORIAL: THE HINDU

GENERAL STUDIES 2: POLITY

TOPIC: PARLIAMENT AND STATE LEGISLATURES

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SHOULD LEGISLATURES IN INDIA HAVE FIXED TENURES?

Key Provisions of the Bill

- The Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024, proposes a fixed five-year term for the Lok Sabha, with State Assembly elections aligned to this cycle. However, if the Lok Sabha or a State Assembly is dissolved prematurely, mid-term elections will be conducted, but the newly elected legislature will serve only for the remainder of the original five-year term.

Impact on Governance and Electoral Expenditure

- The Bill aims to streamline elections and reduce electoral expenditure. However, a significant portion of election-related spending comes from political parties rather than government budgets. While fixed terms could minimize disruptions, frequent elections currently ensure political accountability, compelling representatives to engage regularly with voters. The provision for mid-term elections with reduced tenure adds a new layer of complexity to governance, potentially affecting long-term planning.

Federalism and Political Plurality

- Aligning State Assembly tenures with the Lok Sabha is seen as a potential threat to federalism, as it might compromise the independent functioning of State legislatures. Critics fear that State Assemblies could lose autonomy if dissolved prematurely to align with parliamentary election cycles. Historical trends suggest that Indian voters are capable of distinguishing between State and Central elections, maintaining political plurality despite simultaneous polls.

Addressing Political Stability and Horse-Trading

- The Bill seeks to enhance stability by curbing practices like horse-trading. However, it is not guaranteed to eliminate such destabilizing activities. Instances of defections and political instability in various States highlight the challenges that may persist under the proposed framework. Moreover, shorter tenures resulting from premature dissolutions could affect the stability and functioning of elected governments.



Managing Political Exigencies and Deadlocks

- The proposed framework allows for mid-term elections in situations like political deadlocks or hung Assemblies, ensuring continuity through reduced tenure legislatures. While the fixed-term system introduces stability, the flexibility to dissolve legislatures remains crucial for addressing political crises effectively.

Lessons from International Examples

- The Bill draws comparisons to the U.K.'s Fixed-term Parliaments Act of 2011, which was eventually repealed due to inefficiencies. Unlike the U.K., India's proposed system retains the flexibility of mid-term elections, avoiding prolonged five-year terms for prematurely elected legislatures. This distinction offers a blend of stability and adaptability but still raises concerns about its feasibility in India's complex federal system.

Concerns Over Implementation

- Frequent political instability at the State level could necessitate repeated mid-term elections, potentially disrupting governance. The current system, with its greater autonomy and flexibility, is argued by proponents to be better suited for addressing the intricacies of India's federal structure. Simultaneous elections, while administratively efficient, could create political and logistical challenges, diverting focus from critical issues impacting citizens.

Conclusion

- The Bill aims to streamline electoral processes and introduce stability, but it raises significant concerns about its impact on federalism, governance, and political accountability. While it seeks to reduce disruptions caused by frequent elections, the proposed framework risks undermining the autonomy and flexibility of India's legislative system, which has been essential in addressing the diverse and complex challenges of the nation.

Source: <https://www.thehindu.com/podcast/should-legislatures-in-india-have-fixed-tenures-the-hindu-parley-podcast/article69005467.ece>