



Lines and roles

Context:

1. Signs of a confrontation between Raj Bhavan and the elected government in a State are not infrequent in the country.
2. The onus often appears to be on the Chief Ministers to avert a constitutional crisis, as evidenced by Pinarayi Vijayan trying to buy peace with a miffed Governor, Arif Mohammed Khan, rather than pursue a confrontational course, over several issues in recent times.

Constitutional Position of the Governor	
Article	Provision
Article 154	He is the executive head of the state. All the executive functions will be performed by him or by the officers subordinate to him in accordance with the Constitution
Article 163	<p>He will be aided and advised by the Chief Minister and Council of Ministers unless he is performing a function at his discretion</p> <p>Note:</p> <ul style="list-style-type: none"> • The power to act at his own discretion is a power that is not given to the President. • 42nd Amendment Act made the advice of the Council of Ministers' binding on the President but not on the Governor in state
Article 164	<p>Council of Ministers are collectively responsible to the state legislative assembly</p> <p>Note: This provision is the foundation of the state parliamentary system</p>



Origin of conflict:

1. One way of seeing these developments is to attribute them to the appointment of those who have been politically active in the recent past as Governors and the partisan role they play as agents of the Centre.
2. However, the problems may have to do with the way they understand their own powers. Constrained by the 'aid and advice' clause in their routine functioning, some Governors seem to be using the discretionary space available to them to keep regimes on tenterhooks.
3. A Constitution Bench of the Supreme Court laid down in 1974 that the President and Governor shall "exercise their formal constitutional powers only upon and in accordance with the advice of their Ministers save in a few well-known exceptional situations" — "situations" also illustratively listed.
4. Yet, there is the extraordinary situation of some Governors not acting upon requests to grant clemency or assent to Bills; and, in one instance in Tamil Nadu, a reluctance to reserve for the President's consideration a Bill that expressly requires Presidential assent because of obvious conflict with a central law.
5. Much of the conflict arises due to the Constitution itself. It fixes no time-frame for the Governors to act, and contains, in Article 163, an unusual power to choose what is in their discretion and what is not, with the courts being barred from inquiring into whether any advice and, if so, what advice was given.

Need for revision of position and powers:

1. The Sarkaria Commission on Centre-State relations recommended no change in this scheme, but it is time it is revisited.
2. While as the 'lynchpin' of the constitutional apparatus, Governors indeed have a duty to defend the Constitution and encourage or caution the elected regime, the impression that Governors are not obliged to heed Cabinet's advice persists in some areas.
3. At a time when regional political forces are actively seeking to be heard by the Centre, it may be the time that the provisions relating to the Governor's role are amended.



Way Forward:

1. Identifying areas of discretion, fixing a time-frame for them to act, and making it explicit that they are obliged to go by Cabinet advice on dealing with Bills can be considered.
2. Regarding Bills, it is clear that the Constituent Assembly passed the provision for Governors to return Bills for reconsideration only on the express assurance that they have no discretion at all.
3. In addition, as suggested by the M.M. Punchhi Commission, ending the practice of burdening Governors with the office of Chancellor in universities should also be considered.

Gender norms aren't a monolith in India



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- A new survey hints at shades of grey in ideas on gender roles. While darker shades, like the preference for sons, exist, we must take cues from the lighter shades to push for equality
- As long as parents believe that investing in daughters is like “watering a neighbour’s garden”, discrimination will be pervasive in households, with analogous discrimination shaping employer attitudes at work.

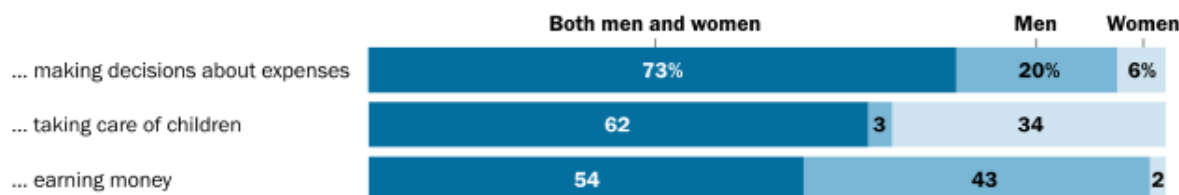
Public view on Gender roles in India: Pew report on Gender-related views in India

1. For instance, 87% of older women (35+) believe that a wife must obey her husband, and this proportion is not that different (84%) among younger women (18-34 years). This suggests that inegalitarian norms are widespread and customary.
2. However, some other inequitable norms find much lower support. For instance, only 19% of older women agree that men in the family should be primarily responsible for making decisions about expenses, just 23% think men make better political leaders than women and about 34% say sons should have a greater right to inheritance, with slightly lower percentages among younger women.
3. This suggests that Indian gender norms are not a monolith painted in a single shade. There are 50 or more shades of grey — and while we should worry about the darker shades, we should take cues from the lighter shades to shift the needle towards gender equality.
4. We know that India has had a very low representation of women in decision-making roles. This survey shows 55% of Indians believe that women and men make equally good political leaders.
5. All political parties should respond to this signal to significantly increase the number of female candidates at all levels, and support the women’s reservation bill.
6. 53% of women favour improving women’s safety by teaching boys and men to respect women; 48% of men also agree. Teaching girls to behave appropriately finds much lower support (24% among women, 27% among men).



Nearly three-quarters of adults in India say both men and women should make financial decisions in a family

% of Indian adults who say that in a family, ___ should be primarily responsible for ...



Note: Depends/Other/Don't know/Refused responses not shown.

Source: Survey conducted Nov. 17, 2019-March 23, 2020, among adults in India. See Methodology for details.

"How Indians View Gender Roles in Families and Society"

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Sikhs least likely to hold a variety of traditional views toward gender roles

% of Indian adults who say that ...

	Sons should have the primary responsibility for a parent's last rites or burial rituals	Men in a family should be primarily responsible for earning money	Women in a family should be primarily responsible for taking care of children	Sons should have the primary responsibility to care for parents as they age	Sons should have a greater right to inheritance from parents	Men in a family should be primarily responsible for making decisions about expenses
Muslims	74%	61%	44%	43%	42%	28%
Jains	67	31	27	33	25	19
Hindus	63	43	34	39	34	20
Buddhists	46	22	12	35	18	9
Christians	44	34	34	29	31	14
Sikhs	29	17	14	17	11	9

Note: Darker shades represent higher values. Muslims and Christians were asked about "burial rituals," all other respondents were asked about "last rites."

Source: Survey conducted Nov. 17, 2019-March 23, 2020, among adults in India. See Methodology for details.

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The darker side of gender norms:

1. One of the darker shades is that the North-South dichotomy breaks down when it comes to gender attitudes. Southern states, especially Karnataka and Andhra Pradesh, are not necessarily more egalitarian than the Hindi belt in terms of gender attitudes.
2. The blurring of the North-South boundaries alerts us to the rocky path to achieving substantive gender equality: Equalising educational outcomes does



not necessarily get reflected in beliefs about equality between men and women; 80% of college-educated Indians support the view that wives must obey husbands.

3. The darkest shade of grey is the persistence of a preference for sons. Nearly two-thirds of Indians believe that sons should handle the parents' last rites; 40% find it acceptable to balance the gender make-up of family via modern methods, which is a euphemism for the illegal but pervasive practice of sex-selective abortions.
4. The desire for a son results in attitudes such as "when jobs are scarce, men should have more rights to a job than women". In India, this proportion at 55% is among the highest in the world (global median is 17%).

Most Indians see women and men as equally good political leaders

% of Indian adults who say that in general ...



Note: Don't know/Refused responses not shown.

Source: Survey conducted Nov. 17, 2019-March 23, 2020, among adults in India. See Methodology for details.

"How Indians View Gender Roles in Families and Society"

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Correlation between Gender norms and actual Gender demographics

1. The report juxtaposes key gender attitudes with actual behaviour by comparing outcome indicators from National Family and Health Survey (NFHS) data over two decades.
2. NFHS outcomes reveal a substantial decline in traditional roles between 1998-99 and 2005-6, which has continued subsequently, albeit more moderately.
3. For instance, over time, the sex ratio at birth (SRB) has been moving towards greater equality. In 1998-99, 43% of married women aged 18-49 said their husband mainly decided about visits to the wife's family or relatives. This proportion was down to 21% in 2015-16.
4. The proportion of men who believed husbands should have a greater say in this decision declined from 26% in 2005-6 to 21% in 2015-16. In 1998-99,

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31% of married women said their husbands mainly decided how to use the money the wife earns. This was down to 15% in 2005-6 to rise slightly to 17% in 2015-16.

Four-in-ten Indians say it is acceptable to balance gender makeup of family via modern methods

% of Indian adults who say it is ___ to get a checkup using modern methods to balance the number of girls and boys in the family



Note: Don't know/Refused responses not shown.

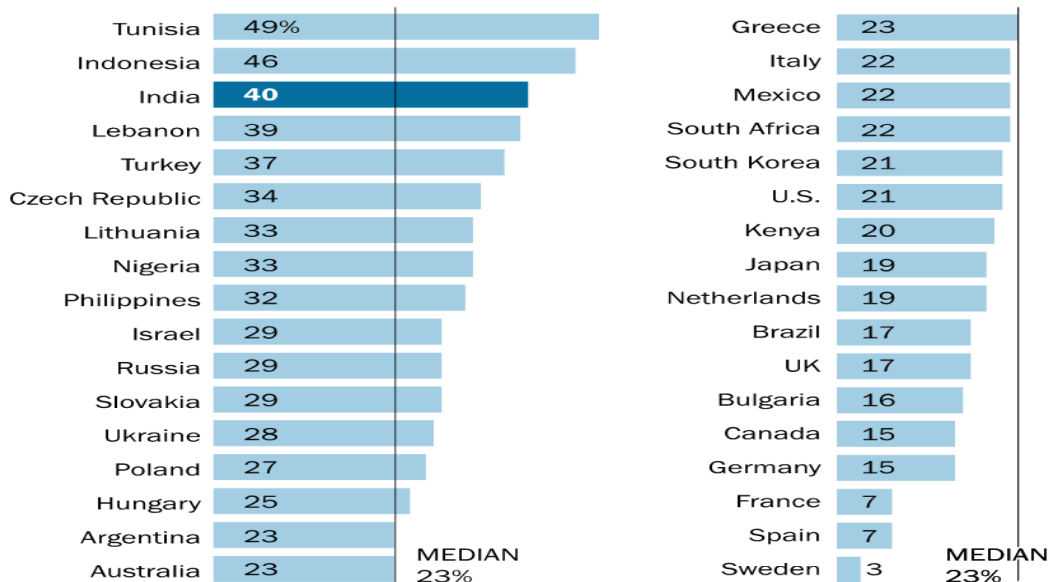
Source: Survey conducted Nov. 17, 2019-March 23, 2020, among adults in India. See Methodology for details.

"How Indians View Gender Roles in Families and Society"

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Four-in-ten Indians say marriage with traditional gender roles is more satisfying

% of adults who say a marriage is more satisfying if the husband provides for the family and the wife takes care of the house and children



Note: Respondents were asked, "What kind of marriage do you think is the more satisfying way of life? One where the husband provides for the family and the wife takes care of the house and children OR One where the husband and wife both have jobs and together take care of the house and children?" The two options were randomized.

Source: 2019 Global Attitudes Survey.

"How Indians View Gender Roles in Families and Society"

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Way Forward:

1. The Pew Report on gender attitudes in India underscores the need for a concerted policy effort to weaken the material basis of son preference.
2. As long as parents believe that daughters are Paraya Dhan (treasure that belongs to someone else), and that investing in them is like “watering a neighbour’s garden”, gender discrimination will be pervasive in the household sphere, with analogous discriminatory norms shaping employer attitudes at the workplace.
3. This report reveals that support for patriarchal attitudes and women’s seclusion is mixed — strong in some dimensions, and weak in some others.

The latter can and should be utilised to inform policy.

4. Increasing women’s ability to participate in the economy, either as workers or entrepreneurs, will create the material foundation for their economic independence and greater say.
5. This must be complemented by a substantially greater presence of women in decision-making roles in both the government and private sectors.

The report presents many data points which reveal that while the path is difficult, we will not be chasing a mirage.