

Why Not Just Scrap the Rajya Sabha?

Main points:

1. Two reasons to do away with the Rajya Sabha in Parliament of India:
 - a) frequent disruptions of the House, preventing it from transacting business
 - b) the Rajya Sabha's ability to frustrate the will of the Lok Sabha, directly elected by the people.

2. Two reasons to retain the Rajya Sabha:
 - c) It prevents hasty legislation by the Lok Sabha, by vetting the laws in a more detached manner. The General Elections to the Lok Sabha could be based on , national emotional surges, as seen in 1984 after Indira Gandhi's assassination.
 - d) The composition of the Rajya Sabha changes gradually as 1/3 seats are filled every two years by legislatures in the States. This is part of the checks and balances framework provided for the federal structure , by the Constitution.
 - e) The balance is between the will of the people and the will of the States.

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Editorial

The Upper House does have a valid function

Vice-President Hamid Ansari defended the role of the Upper House, of which he is the chairman, at a training session for first-term Members of Parliament organised by the Rajya Sabha secretariat last week. Such a defence

has become necessary for **two reasons**: **one**, frequent disruptions of the House, preventing it from transacting business; and, **two**, the Rajya Sabha's ability to frustrate the will of the Lok Sabha, directly elected by the people, on all lawmaking other than those by means of money bills, which the Rajya Sabha can debate but cannot vote on. The chief argument in defence of the Rajya Sabha put forward by the vice-president was that **it prevents hasty legislation**, apart from serving to articulate the views of India's states. The argument has merit.

Consider a situation in which the party or coalition that has a majority in the Lok Sabha has a regional skew that leaves states of a particular region without representation in the executive. Suppose a law made by the government with majority support in the Lok Sabha seeks to advance some cultural norms or tradition wholly at variance with the normative values of the unrepresented region. If there were no **vetting of the law by a chamber of the states**, which is what the Rajya Sabha is, the result would be a law that sows the seeds of regional disaffection and alienation. This, clearly, would be undesirable. Then again, **the Upper House changes its composition slowly**, whereas the Lok Sabha's complexion can change radically with one general election, considering that India does not have proportional representation. For example, high emotion after Indira Gandhi's assassination gave Rajiv Gandhi a brute majority in 1984. In 1991, after a flawed implementation of Canada's Goods and Services Tax, the ruling party that had two-thirds majority was reduced to just nine members in the newly elected legislature.

It is useful to have a House whose composition does not change on the basis of sympathy or anger of the moment. India would do well to retain the Upper House and make good use of it.