

FEDERALISM

Political Science Class-10

WHAT IS FEDERALISM

Federalism is a system of government in which power the power is divided between a central authority (central govt.) and various constituent units (states) of the country. Central government is meant for the entire country while the state governments are meant to look day to day administration of their respective states.

DIFFERENCE BETWEEN UNITARY AND FEDERAL GOVERNMENT

| Unitary | Federal |
|--|---|
| One level of government | Two or more level of governments |
| Subunits are subordinate of central government | State govts have their own independent power |
| Central government can pass orders to state governments. | Central government cannot pass orders to stat govts. To do something. |
| Examples: Sri Lanka, France, Spain, Italy | The USA, India, Canada, Brazil, Belgium |

MAIN FEATURES OF FEDERALISM

- Two or more levels of government
- The constitution specifies the jurisdiction (area or scope of authority) of respective level of government in matters of legislation, taxation and administration.
- The existence and authority of each tier of government is constitutionally guaranteed.
- Different levels of government govern the same citizen.
- Fundamental provisions of the constitution cannot be changed unilaterally by the central government.
- Courts have the powers to interpret the constitution as well as settle disputes between governments.
- Sources of revenue for each level of government are clearly specified to ensure financial autonomy.
- Dual objectives of federal system- (i) to safeguard and promote unity (ii) to accommodate diversity.
- Two ideal aspects of federal system – (i) mutual trust (ii) agreement to live together

TYPES OF FEDERATIONS

| Coming Together Type | Holding Together Type |
|---|--|
| Independent states come together to form a bigger unit of federation. | A country divides its own territory into several sub-units |
| Constituents states usually have equal power | Central govt. is stronger than state governments |
| Examples: Sri Lanka, France, Spain, Italy | The USA, India, Canada, Brazil, Belgium |

Federal governments accommodate diversity. Belgium and India are good examples of it. Bigger countries adopt federalism for effective and efficient administration.

WHAT MAKES INDIA A FEDERAL COUNTRY?

The constitution of India does not contain the word federation and declares India a 'Union of States'. But India is a federal country because it fulfills the features of Federalism. There is three-fold division of legislative powers between the union and the state governments through three lists. The following points justify India as a federal country.

Union List

- Only the Union Govt. can make laws on the subjects mentioned in this list like
- It includes the subjects of national importance like defence, foreign affairs, banking, currency.

State List

- Only state governments can make laws.
- It includes the subjects of state and local importance like- police, education.

Concurrent List

- Both the Union and the State governments can make laws on the subjects in the list
- Subjects of common interest – education, forest, agriculture, marriage etc.

Residuary Powers

- It includes all those subjects which are not on the above three lists. It is generally new subjects like computer, cyber world.
- Union government has the powers to make laws.

Independent Judiciary

Judiciary has the power to interpret the constitution and settle disputes between the Union and the State governments.

Financial Autonomy of States

Both the union and the state Govts. have the power of taxation to raise revenue to fund the government and develop the state.

Special status of States (all states do not have equal powers)

- Jammu and Kashmir was given status under article 370.
- It had its own constitution and all provisions of the constitution did not apply there.
- Non-permanent residents could not buy property there.
- This special status was withdrawn on 5 August, 2019 by scrapping article 35 and abrogating special status clauses of the Article 370.

Union territories

- These are smaller units of India which could not be made a state or merged with other states.
- Currently there are 9 union territories.
- These are directly governed by the Central governments.
- Examples: Chandigarh, Delhi

Procedure of Amendment or changes to the constitution

- No government can alone change provisions of the constitution like the provision of power sharing.
- The Amendment Bill must be passed by 2/3rd majority by both the Houses of the Parliament.
- The Bill should be ratified by at least half of the State Legislatures.

How is Federalism Practiced in India?

Only the constitutional provisions do not make India a successful federal country. The Indian federalism has been successful because of the nature of democratic politics and democratic temperament of people in India who respect diversity and live together. The following points show federalism has been worked out in India in practical terms.

Linguistic States

Since independence in 1947, many new states have been created on federal principles.

Some states were created on the basis of languages spoken by people.

The first linguistic state was Andhra Pradesh created in 1953 after a strong movement led by Potti Sriramulu for the creation of a separate state for Telegu speaking people.

States created on the basis of culture, ethnicity and geography

Nagaland, Jharkhand, Uttarakhand, Chhattisgarh and Telangana were created to maintain their ethnic identity and their geographical location.

The leaders feared separatist tendencies if linguistic states were created but the fear proved false because the formation of linguist states has made India more united and has eased the administration.

Language Policy

- India does not have a national language but it is spoken by around 40% of the population.

- Hindi is the official language of the Union Government and it is officially promoted also by the govt.
- English was adopted as a secondary language for 15 years for till 1965 but it still continues just because of the demand of the Non-Hindi speaking states.
- There are 22 scheduled languages listed in the 8th schedule of the constitution.
- States are allowed to have their own official languages.
- A candidate opting for central government job can opt for any of the scheduled 22 languages.

Centre – State Relations

How the constitutional for power sharing works depends largely on how the ruling parties and its leaders follow this principal of power sharing.

One-Party Rule: In the first 30 years of India's independence, only one party (congress) ruled at the center without a break and had governments in most of the states. The states did not desire or feel the need to exercise their federal powers.

Misuse of Power of article 356 dismiss the state governments: The central governments used to undermine the authority of state governments and dismissed the rival party ruled states. It Undermined the very spirit of federalism.

Formation of Coalition Governments (after 1990):

- The situation of one-party domination changed with the rise regional political parties.
- New culture of power sharing began with the formation of Coalition Governments when no single party got majority seats in the Parliament.
- Major national and regional parties formed alliances to form government at the center.
- Several supreme court judgements also put a check on the practice of dismissal of state governments.
- The federal power sharing features are effectively used today than it was in the earlier.

Decentralisation

When power is taken away from central and state governments and given to local government, it is called decentralization. In 1992 the constitution was amended to introduce three tier system of Panchayati Raj more powerful and effective.

Rationale Behind Decentralisation

- India is vast country with a lot of religious, linguist, cultural and ethnic, geographic diversity.
- Power sharing was adopted to accommodate diversity and ease administration but more power sharing at local level was needed.
- It resulted in the adoption of the third-tier of government called local government.

The Basic idea behind Decentralisation (The advantages of Decentralisation)

- The decentralization aims at taking democracy at grassroot level to involve local people in governance.
- Local problems can be settled best at local level by local people.
- Local people have better idea as how to efficiently use money allocated to local bodies for development.
- Local governments also increase direct participation of people in decision making.
- Local government serve as training schools in democracy.
- Local governments share the burden of the Central and the State Governments.

Condition of Decentralisation before 1992

- Panchayats and municipalities were directly controlled by state governments.
- Election to local bodies were not held regularly.
- Local governments lacked powers and resources of their own.
- Decentralisation not effective in power sharing at local level.

Condition of Decentralisation after 1992

The 73rd (for Panchayats) and the 74th (For Municipalities) Constitutional amendments introduced three-tier system known as Panchayati Raj at rural level and Municipalities at urban level.

- Holding regular elections to local bodies made mandatory.
- Seats are reserved for SCs, STs and OBC.
- 1/3 seats are reserved for women.
- State election Commission created to conduct panchayat and Municipal elections.
- State governments are required to share some powers and revenue with panchayats.

Structure of local governments

Panchayati Raj (Rural level)

Village level- Panchayat

Gram Panchayat (5-Years term)

- It is a council of ward members (Panch) and the sarpanch.
- It is a decision-making body for the entire village.
- It is elected by Gram Sabha.

Gram Sabha (Permanent Body)

- It is formed by all the adult members or voters of a village or a group of villages.
- It elects ward members and the Sarpanch of the Gram panchayat.
- It reviews the performance of the panchayat.
- It meets twice or thrice to approve annual budget.

Block Level - Panchayat samiti

- A few Gram Panchayats are grouped together to form Panchayat Samiti.
- Its members are indirectly elected by the panchayat members.

District Level- Zila Parishad

- All Panchayat Samitis together constitute Zila Parishad.

- District MPs, MLAs and officials of some other district level bodies are also its members.
- Zila Parishad Chairman or President is a political head.

Urban Local Bodies

Municipalities

- It is constituted in towns and smaller cities.
- It is controlled by elected representatives of people.
- It is headed by Municipal Chairman.

Municipal corporations

- It is formed in bigger cities
- Controlled by people's representatives
- Headed by Mayor.

How far India has been successful in experimenting with local governments.

- India has the largest local government system in the world, with around 36 lakhs elected to Panchayat and Municipalities.
- It has deepened democracy at grassroot level.
- It has increased voice and representation of women in our democracy.

Problems or weakness of Local Governments:

- Sittings of Gram Sabhas are not held regularly.
- Most states have not transferred significant powers and adequate resources to panchayats.
- We are far from realizing the dream of having Ideal system of self-government.

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