

Federalism is a system of government in which the power is divided between a central authority and various constituent units of the country. Usually, a federation has two levels of government. One is the government for the entire country that is usually responsible for a few subjects of common national interest. The others are governments at the level of provinces or states that look after much of the day-to-day administering of their state. Both these levels of governments enjoy their power independent of the other. An ideal federal system has mutual trust and agreement to live together. Therefore, two aspects are crucial for the institutions and practice of federalism. Governments at different levels should agree to some rules of power sharing.

#### Features of Federalism

- There are two or more levels/tiers of government. Different tiers of government govern the same citizens, but each tier has its own jurisdiction in specific matters of legislation, taxation and administration.
- The fundamental provisions of the constitution cannot be unilaterally changed by one level of government. Such changes require the consent of both the levels of government.
- Courts have the power to interpret the constitution and the powers of different levels of government. The highest court acts as an umpire if disputes arise between different levels of government in the exercise of their respective powers.
- The jurisdictions of the respective levels or tiers of government are specified in the constitution. So the existence and authority of each tier of government is constitutionally guaranteed.
- Sources of revenue for each level of government are clearly specified to ensure its financial autonomy.

The federal system has dual objectives to safeguard and promote unity of the country, while at the same time accommodate regional diversity.

The Constitution demarcates the powers of the central and the state governments into different lists of subjects. There are broadly three lists: Union, State and Concurrent lists.

**Federal Government:** Two or more levels of government. In the federal system, the central government cannot order the state governments to do something. State government has its own power which is separately answerable to the people.

**Unitary Government:** Only one level of there is sub-units, they are subordinate to the central government. The central government can pass orders to the provincial or local government. The national government has all powers.

**Balance of Power:** The balance of power between the central and the state government varies from one federation to another. This balance depends mainly on the historical context in which the federation was formed. There are two kinds of routes through which federations have been formed.

- The first route involves independent States coming together on their own to form a bigger unit, so that by pooling sovereignty and retaining identity they can increase their security. This type of 'coming together' federations includes the USA, Switzerland and Australia. In this first category of federations, all the constituent States usually have equal power and are strong vis-à-vis the federal government.
- The second route is where a large country decides to divide its power between the constituent States and the national government. India, Spain and Belgium are examples of this kind of 'holding together' federations. In this second category, the central government tends to be more powerful vis-à-vis the States. Very often different constituent units of the federation have unequal powers. Some units are granted special powers.

#### Note

**Residuary List:** Anything out of above mentioned lists is taken as residuary subject. Union Government has the power to legislate on these subjects.

**Special Status:** Jammu and Kashmir has its own Constitution. Many provisions of the Indian Constitution are not applicable to this State without the approval of the State Assembly.

- Indians who are not permanent residents of this State cannot buy land or house here. Similar special provisions exist for some other States of India as well.

**Federation:** A Federation is better equipped to take care of minority interests. Federations' Independent states voluntarily form a bigger union. They enhance their security by pooling their sovereignty and identity. The states and the centre have equal powers. Example: USA, Australia, Switzerland

- A large country decides to divide its power between the states and the central government. The central government is always more powerful than the regional states. Some units have special powers. Different constituent units have unequal powers. Example: India, Spain and Belgium

**The Indian Federation:** The Constitution is Federal in character and declared India as a Union of States. The Constitution originally provided for a two-tier system of government, the Union Government or what we call the Central Government, representing the Union of India and the State governments. Later, a third tier of federalism was added in the form of Panchayati and Municipalities.

#### List of Jurisdiction

- **Union list:** Subjects of national importance like defense foreign affairs, atomic energy, banking, post and telegraph are included in the Union List. The central government can pass laws on the subjects mentioned in the Union List. The Union Government alone can make laws relating to the subjects mentioned in the Union List. It has 97 subjects. It includes subjects of national importance such as defense of the country, foreign, banking, communications and currency. They are included in this list because we need a uniform policy on these matters throughout the country.
- **State list:** It comprises those important subjects on which the state government can pass laws. Subjects like police, local government, trade and commerce within the state and, agriculture are included in the State List. The State Governments alone can make laws relating to the subjects mentioned in the State List. It has 66 subjects. It contains subjects of State and local importance such as police, trade, commerce, agriculture and irrigation.
- **Concurrent list:** The concurrent List comprises the subjects which are of common concern both to the centre and the state government. Ordinarily both the central and the state governments can frame laws on these subjects. Both the Union as well as the State Governments can make laws on the subjects mentioned in this list. It has 47

subjects. It includes subjects of common interest to both the Union Government as well as the State Governments, such as education, forest, trade unions, marriage, adoption and succession. If their laws conflict with each other, the law made by the Union Government will prevail.

**Union Territories:** There are some units of the Indian Union which enjoy very little power. These are areas which are too small to become an independent State but which could not be merged with any of the existing States; e.g., Chandigarh, or Lakshadweep or the capital city of Delhi.

- These territories do not have the powers of a State. The Central Government has special powers in running these areas. This sharing of power between the Union Government and the State governments is basic to the structure of the Constitution.

**Centre–State Relations:** Restructuring the Centre–State relations is one more way in which federalism has been strengthened in practice.

- **Before 1990:** Same party ruled the Centre and most of the states. This led to the state governments not exercising their rights as autonomous federal units. Spirit of federalism undermined by the central government as they often dismissed state governments controlled by rival parties.
- **After 1990:** Rise of regional parties after 1996 changed the situation. An era of “coalition governments” at the centre began. Since no single party got a clear majority in the Parliament the major national parties formed alliances with several regional parties to form government at the centre. The state government now cannot be dismissed by the centre arbitrarily.

#### Federalism in India

- **Linguistic states:** The creation of linguistic states was the first and a major test for democratic politics in our country. Since independence, many old states have vanished and many new states have been created. This was done to ensure that people who spoke the same language lived in the same state. Some states were created not on the basis of language but to recognise differences based on culture, ethnicity or geography. These include States like Nagaland, Uttarakhand and Jharkhand. Experience has shown that the formation of linguistic States has actually made the country, more united.
- **Language policy:** Hindi was identified as the official language. But Hindi is the mother tongue of only about 40

percent of Indians. Therefore, there were many safeguards to protect other languages. Besides Hindi, there are 21 other languages recognised as Scheduled Languages by the Constitution.

**Linguistic Diversity of India:** Linguistic diversity has been an asset as our people now have access to literature produced in other regional languages. Even after this grouping, the Census found 114 major languages. Of these 22 languages are now included in the Eighth Schedule of the Indian Constitution and are therefore called 'Scheduled Languages'.

- As per the latest Census Report, 1991 of India held in 1991 there are 1500 distinct languages. These languages were grouped together under some major languages. For example languages like Bhojpuri, Magadhi, Bundelkhandi, Chhattisgarhi, Rajasthani, Bhili and many others were grouped together under 'Hindi'. Others are called 'non-Scheduled Languages'. In terms of languages, India is perhaps the most diverse country in the world.

**Decentralisation in India:** In 1992 a major step towards decentralisation was taken. The Constitution was amended to make the third tier of democracy more powerful and effective. A vast country like India cannot be run only through two tiers of government as discussed above. Many of these States are internally very diverse in terms of dialects or local languages spoken, in terms of eating habits and cultures. Therefore, federal power sharing in India needs another tier of government, below that of the State governments. This is the rationale for decentralisation of power. The basic idea behind decentralization is that there are a large number of problems and issues which are best settled at the local level.

- Besides, at the local level it is possible for the people to directly participate in decision making.
- The State governments are required to share some powers and revenue with local government bodies. The nature of sharing varies from State-to-State.

- This helps to inculcate a habit of democratic participation. Local government is the best way to realise one important principle of democracy, namely local self-government.
- An independent institution called the State Election Commission has been created in each State to conduct Panchayat and Municipal elections. Now it is constitutionally mandatory to hold regular elections to local government bodies.
- Rural local government is popularly known by the name Panchayati raj. The Panchayat works under the overall supervision of the Gram Sabha. All the voters in the village are its members. It has to meet at least twice or thrice in a year to approve the annual budget of the Gram Panchayat and to review the performance of the Gram Panchayat.
- The local government structure goes right up to the district level. A few Gram Panchayats are grouped together to form what is usually called a Panchayat Samiti or block or mandal. All the Panchayat Samitis or mandals in a district together constitute the Zila (district) Parishad.
- Most members of the Zila Parishad are elected. Members of the Lok Sabha and MLAs of that district and some other officials of other district level bodies are also its members. Zila Parishad chairperson is the political head of the Zila Parishad.

#### Note

This new system of local government is the largest experiment in democracy conducted anywhere in the world. There are now about 36 lakh elected representatives in the Panchayats and municipalities etc., all over the country. This number is bigger than the population of many countries in the world. Constitutional status for local government has helped to deepen democracy in our country.

#### Multiple Choice Questions

1. Which one of the following is not a characteristic of Federalism?
  - a. There is a division of power between the Centre and the state
  - b. There is focus on both Central and State issues
  - c. The power is centred around the Central Government
  - d. All of these
2. In which one of the following countries, there is not a federal form of government?
  - a. United States of America
  - b. Canada
  - c. Australia
  - d. Argentina

3. In which two of the following countries, there is a Unitary form of Government?
    - a. Belgium
    - b. France
    - c. Japan
    - d. Argentina
  4. How many countries have federalism in the world?
    - a. About 25
    - b. About 35
    - c. About 45
    - d. About 65
  5. Which one of the following large countries has not adopted federalism?
    - a. USA
    - b. China
    - c. India
    - d. Brazil
  6. Which one of the following countries fall in the category of 'coming together federation'?
    - a. India
    - b. USA
    - c. Spain
    - d. Belgium
  7. Which two of the following countries follow holding together style of federalism?
    - a. India
    - b. Spain
    - c. Australia
    - d. Switzerland
  8. Which two of the following states have special status in India?
    - a. Jammu and Kashmir
    - b. Uttarakhand
    - c. Himachal Pradesh
    - d. Hilly states of North-East India
  9. Which two of the following states have been formed recently?
    - a. Uttarakhand
    - b. Orissa
    - c. Jharkhand
    - d. Maharashtra
  10. Which is the most diverse country in the world according to language?
    - a. Australia
    - b. USA
    - c. Brazil
    - d. India
  11. Belgium shifted from a \_\_\_\_\_ to a federal form of government.
    - a. Military
    - b. Unitary
    - c. Monarchy
    - d. Democratic
  12. Which out of the following is an aspect of an ideal federal system?
    - a. Mutual trust
    - b. Economic growth
    - c. Wealth maximisation
    - d. None of these
  13. Which out of the following countries can be classified as a 'coming together' federation?
    - a. China
    - b. Japan
    - c. Australia
    - d. India
  14. Which out of the following countries can be classified as a 'holding together' federation?
    - a. USA
    - b. Germany
    - c. France
    - d. Spain
  15. What was the third tier added to the Indian government later?
    - a. Local
    - b. Regional
    - c. Judiciary
    - d. None of these
  16. Which out of the following is included in the Union List?
    - a. Trade
    - b. Foreign affairs
    - c. Police
    - d. Marriage
  17. In which List do agriculture and irrigation fall?
    - a. Concurrent List
    - b. Union List
    - c. State List
    - d. Both a and b
  18. Which state in India enjoys a special status that of having its own constitution?
    - a. Punjab
    - b. Himachal
    - c. Kerala
    - d. J & K
  19. Which out of the following states in India does not have the powers of a state?
    - a. Jharkhand
    - b. Uttarakhand
    - c. Delhi
    - d. Tamil Nadu
  20. What is the official language of India?
    - a. Hindi
    - b. English
    - c. Bengali
    - d. None of these
  21. Where did India conduct its nuclear tests?
    - a. Odisha
    - b. Rajasthan
    - c. Maharashtra
    - d. Gujarat
  22. Which out of the following states is not infected by the Naxalite movements?
    - a. Andhra Pradesh
    - b. Kerala
    - c. Jharkhand
    - d. Odisha
  23. Which out of the following states was born out of culture, ethnicity and geography?
    - a. Uttar Pradesh
    - b. Nagaland
    - c. Mizoram
    - d. Assam
  24. How many languages are included in the Eighth Schedule of the Indian Constitution?
    - a. 11
    - b. 22
    - c. 20
    - d. 16
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25. Rural local government is popularly known as:  
**a.** Panchayati Raj                      **b.** Zila Parishad  
**c.** Gram Panchayat                      **d.** None of these
26. The other name for Panchayat Samiti (gram panchayats grouped together) is:  
**a.** Gram sabha  
**b.** Panchayat  
**c.** Mandal  
**d.** None of these
27. Local government bodies for urban areas are called:  
**a.** Zila Parishad                      **b.** Municipal Corporation  
**c.** Council                      **d.** None of these
28. Zila Parishad is the local government at the:  
**a.** Village level                      **b.** State level  
**c.** District level                      **d.** None of these

29. Which country has carried out an extraordinary experiment that combines both, decentralisation and participative democracy?  
**a.** India                      **b.** Germany  
**c.** England                      **d.** Brazil
30. Where in India was a similar experiment carried out?  
**a.** Jammu                      **b.** Kerala  
**c.** Himachal                      **d.** Gujarat

#### ANSWERS

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
c	d	b,c	a	b	d	a,b	a,d	a,c	d
11.	12.	13.	14.	15.	16.	17.	18.	19.	20.
b	a	c	d	a	b	c	d	c	a
21.	22.	23.	24.	25.	26.	27.	28.	29.	30.
b	b	b	b	a	c	b	c	d	b

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