

# CIVICS



# Federalism

## Federalism and its Features

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**Federalism** is a democratic form of government in which the power to govern the country is shared or divided between the Central and the State Governments. Largely, both these levels of government work independently of each other. Examples: India, USA, Australia, Switzerland

In contrast to federalism, there also exists a **unitary** form of government. In the unitary form of government, all powers are concentrated only in the hands of the Central Government. Provincial governments or local governments may exist, but they are bound to work according to the guidelines provided by the Central Government. Examples: Great Britain, Sri Lanka, North Korea

### Main Features of Federalism

Some main features of the federal form of government are

- There are two or three levels of governments—Central Government, State Government and Local Government.
- Each level of government administers over the same region, but they have their own jurisdiction in matters of administration, taxation and legislation.
- The Government at each level derives its power from the Constitution of the country. Thus, the Central Government cannot dilute the powers of the State or Local Governments.
- The basic principles of the Constitution and the rights given to the people cannot be changed by only one tier of the Government. It requires the consent of governments at both levels.
- Courts of the country act as a referee between the Central and the State Governments if any dispute arises between the two.
- Both levels of the Government can collect taxes from the people according to the guidelines of the Constitution of the country.
- Federalism thus not only safeguards the unity of the nation but also maintains the regional and linguistic diversities of the people.

It is to be noticed that both levels of government should agree to the rules of power sharing and trust each other.

Powers of the Central and the State Governments differ from country to country. There are two ways in which a country may become federal. When independent states come together and form one country, they retain their power to maintain their identity. This kind of federation is called '**coming together**' federations. Examples: USA and Australia. The second way in which a country can become federal is when it decides to divide its powers between the Central and the State Governments. This may be termed '**holding together**' federations. Examples: India and Spain.

## India - A Federal Country

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India is a federal country. It has three tiers of government—the Central Government, the State Government and the local bodies such as municipal corporations and panchayats. There are three lists which contain subjects in which the Union and the State Governments may form laws. These are

- a. **Union List:** This list contains subjects of national importance on which only the Central Government forms laws. Some of these are defence, foreign affairs, banking and currency. It is important to form uniform laws on these subjects.
- b. **State List:** This list includes subjects of state and local importance such as agriculture, irrigation, trade and police. State governments form laws on these subjects.

- c. **Concurrent List:** Subjects related to the interests of both Central and State Governments are included in this list. This includes forest, education, trade unions and marriage. In case there are conflicts between both wings of the Government, the laws made by the Union Government are deemed as final.

Subjects which do not fall in the above lists are known as residuary subjects and fall within the jurisdiction of the Union Government. In India, all State Governments do not enjoy equal powers. For example, the state of Jammu and Kashmir enjoys a comparative autonomous status as it has its own constitution. Some states have little powers such as Lakshadweep and Daman and Diu. These are known as Union Territories. The Union Government has greater power over these territories.

## Practice of Federalism

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In India, federalism has become successful because of following reasons:

### Creation of Linguistic States

- After the independence of India in 1947, many states were created based on the languages which were spoken by the people such as Maharashtra, Punjab and West Bengal.
- Some states were created because of their unique geographical position, cultural, ethnic identities such as Uttarakhand, Nagaland and Jharkhand.

### Language Policy

- After Independence, there was a great deal of confusion as to which language should be the official language of the country. While Hindi-speaking states wanted Hindi to be declared as the national language, many non-speaking states wanted English to remain as the official language of the country.
- The leaders of our country adopted a very cautious attitude while forming the language policy. Hindi, which is spoken by about 40% of our population, was declared as the official language. Many languages were also recognised as Scheduled Languages by the Constitution. Apart from Hindi, there are 21 scheduled languages.
- Candidates appearing for any Central exams may opt to write exams in any one of these scheduled languages.
- States have their own official languages, and all government work is done in the official language of the concerned state.  
Such kind of an arrangement has helped in preserving the culture of many linguistic groups and has maintained the diversity of our country.

### Centre-State Relations

- After Independence, there were only few parties which formed governments at the centre and at the state levels. When rival parties formed the Government at the state level, the Central Government tried to misuse its powers by dismissing the State Governments. This weakened the federal spirit of our constitution.
- However, the condition improved after 1990 when many regional parties emerged in different states.
- This also marked the beginning of the **coalition government**. Two or more parties formed the Government at the centre in the absence of a clear majority. This led to a new era of power sharing and respecting the independent working of the State Governments.

Thus, the principle of sharing of power has become more effective today than it was in the earlier years after Independence.

## Decentralisation in India

Apart from the Central and the State Governments, when the powers are also given to the local bodies such as municipal corporation or panchayats, it is called decentralisation. Decentralisation of powers is important because certain problems of the people can be effectively solved by the local bodies as the latter has a better idea of the problems which are faced by people at the local level.

In 1992, the Constitution was amended to make local government more powerful and responsible. These are

- It is obligatory to hold elections for choosing members of local governmental institutions.
- Seats are reserved for people belonging to scheduled castes and scheduled tribes and other backward classes in local bodies.
- One-third of the seats are reserved for women.
- State Election Commission was constituted in the states for holding elections in government bodies.
- It is mandatory for the State Governments to share powers and revenues with local bodies.

## Structure of Local Bodies

### Panchayati Raj

- Local bodies in villages are known as **Panchayati Raj**. Every village has a gram panchayat. The head of the Panchayat is known as '**Sarpanch**'. Members of the panchayat are elected by all the adult members living in a village. **Gram Sabha** supervises the work of the Panchayat. All members of the village are the members of the Gram Sabha.
- At the district level, many panchayats form a body known as **panchayat samiti** or block or mandals.
- All panchayat samitis or mandals in the district collectively constitute the **Zilla Parishad**. All members of the Zilla Parishad are elected. MLAs and members of the Lok Sabha are also members of the Zilla Parishad.

### Municipal Corporations

- Urban local bodies in small towns are known as **municipalities**. Large cities have **municipal corporations**. Both local bodies consist of representatives elected by the people.
- The **Municipal Chairperson** is the head of the municipality, while the **Mayor** is the head of the Municipal Corporation.