Federalism (Easy Notes of Political Science for class 10th)

Introduction:

"Sharing power is equal to strengthening power" This is what we learnt in the previous chapter. Now, we will go further and study about vertical division in a more illustrated way. So, let's begin with the most common term used for power sharing; i.e. federalism.

What is federalism?

Federalism is a system of government in which the power is divided between a central authority and various constituent units of the country. To put it simple; there are two independent functionaries, one is at central level and other is at state level. However in some countries, there is another body which functions at the local level. *For example: India has three tiers of government.*

Key features of Federalism:

1. There are **two or more levels** (or tiers) of government.
2. Different tiers of government govern the same citizens, but each tier has its own Jurisdiction in **specific matters of legislation, taxation and administration**.
3. The **jurisdictions** (decision making power) of the respective levels or tiers of government **are specified in the constitution**.
4. The **fundamental provisions** of the constitution **cannot be unilaterally changed** by one level of government.
5. **Courts have the power to interpret** the constitution and the powers of different levels of government.

6. Sources of revenue for each level of government are clearly specified to ensure its **financial autonomy.**
7. The Federal system has **dual objectives**: to safeguard and promote unity of the country and to accommodate regional diversity.
   ○ *Note: Two aspects; **mutual trust** and **agreement to live together** are crucial for the ideal federal system.*

Kinds of Federations:

There are **two kinds of routes** through which federations have been formed.

- **Coming together federations:** When Independent States willingly come together and form a bigger unit with the purpose of retaining identity and increasing security from outside threat. We call it coming together federations.
  ○ In these federations, the central government and all the constituent states usually have equal power.
  ○ *For Example: **The USA, Switzerland and Australia.***
- **Holding together federations:** Some countries which are large in size and population choose the second route. These countries decides to divide its power between the constituent States and the national governments.
  ○ In this, the central government tends to be more powerful than states. Very often different constituent units of the federation have unequal powers. Some units are granted special powers.
  ○ *For Example: **India, Spain and Belgium.***

What makes India a federal country?

Previously, we read about the cases of two small countries; Belgium and Sri Lanka. Now we will look into the arrangements of a vast country India which is also famous for being a diverse country.

- **India has three levels** — Union, State, and Local (added in 1992).
- **Each level governs the same people** but in **different areas**.
  ○ *For Example:-* Centre makes laws on banking; State on health; both on education (Concurrent List).
- **Constitution divides powers** regarding law making into Union, State, and Concurrent Lists.
  ○ *For Example:-* Union government can make laws mentioned in the union list and State can make laws given in the state list (under 7th Schedule)
- **No level can change the Constitution alone**. Some changes need both Centre and states (Art. 368).
- **Supreme Court solves conflicts** and protects the Constitution.
- **Taxes are divided**, but Centre keeps more control.
- **India respects diversity** by allowing language-based states and local governance.

Article 1 says that India, that is *Bharat*, shall be a union of states and the **territory** of India consists of that of

the states, union territories specified in the First Schedule and other acquired territories.

Note: Although there is no mention of the word "federalism" in our constitution. But Indian Union is based on the principles of federalism. Now remind all the features again because we will match them with the provisions of the Indian Constitution.

Three fold distribution of legislative powers:

- **Union List:** It is the list which comes under the jurisdiction of the union or central government as it includes the subjects of national importance. Thus we need uniform policy on these matters throughout the country.
  - There are 98 subjects in this list.
    - *Example:* **Defense of the country, foreign affairs, banking, communications and currency.**
- **State List:** It contains subjects of State and local importance. The State Governments alone can make laws relating to the subjects mentioned in the State List.
  - There are 57 subjects in the state list.
    - *Example:* **Police, trade, commerce, agriculture and irrigation.**
- **Concurrent List:** This list includes subjects of common interest to both the Union government as well as state governments. Both levels of governments can make laws on the subjects mentioned in this list. However when these governments do not agree on some laws with each other, the law made by the Union government prevails.
  - Concurrent list has 52 subjects.
    - *Example:* **Education, forest, trade unions, marriage, adoption and succession.**

Residuary Subjects: Some subjects do not come under any of the above given lists. It is because these subjects came up after the constitution was made. The jurisdiction over residuary subjects has been given to the Union Government. *For Example:* **Computer Software.**

Note: The Parliament cannot on its own change the power sharing arrangements. Any change to it has to be first passed by both the Houses of Parliament with at least **two-third majority***. Then it has to be ratified by the* **legislatures** *of at least* **half of the total States***.*

How is federalism practised?

- Along with constitutional provisions, the **nature of democratic politics** made federalism successful in India. Let's understand it better.

Linguistic States:

- The first major test for the democratic politics was the **creation of linguistic States.**
- The state boundaries you see today, did not exist at the time of independence.
- Although when demand arose for creation of states on the basis of language, the leaders had to

redraw some boundaries.
- **For Example:** Andhra Pradesh became the first linguistic state in India.
- However, the recognition to all the states was not only on the basis of language but also on the basis of *different culture, ethnicity or geography.*
  - **For Example:** Nagaland, Uttarakhand and Jharkhand.

Language Policy:

- **A second test for Indian federation is the language policy.**
- Since there were many different languages in the country, our *constitution did not give the status of national language to any one language.* Instead it worked towards the protection of other languages.
  - India has no national language.
  - Instead, India has 22 scheduled languages (under 8th schedule).
  - Each state has its own official language (the government work takes place in the official language of the concerned State).
  - Furthermore, the central Government uses both English and Hindi for official purposes.

Centre-State relations:

- Till 1990, the central government alone enjoyed most powers.
- There was no autonomy for states.
- However, with the **beginning of the era of coalition government at the centre**, many regional parties got the chance to demand for state autonomy.
- In the support of States, the Supreme Court made it difficult for the Central Government to dismiss the state government.

Note: The seventh schedule of the Indian constitution specifies the distribution of powers and responsibilities between the state and the centre by dividing them into three lists — Union, State, and Concurrent.

Decentralization in India

- The power sharing between centre and state governments was not enough for running a vast country efficiently.
- In order to work at grass root level, **decentralization of power** was necessary.
- Now, first understand the **meaning of decentralization.**
  - When the central and state governments are legally made bound to share some powers with local governments, it is called decentralization.

Note: In 1992, the **73rd and 74th constitutional amendment** acts gave recognition to the third tier.

Constitutional amendment Act of 1992 / features of Decentralization / Steps taken for making the third tier more powerful and effective are :

1. It is **constitutionally mandatory to hold regular elections** to local government bodies.

2. Seats are **reserved for Scheduled Castes, Scheduled Tribes** and **Other Backward Classes.**
3. Also, reservation of **one-third seats for women** has come into effect.
4. **State Election Commission** has been set up for conducting panchayat and municipal elections.
5. Lastly, it is obligatory for the State governments to **share some powers and revenue with local government bodies.**

Panchayati Raj Institutions / Rural Local Government:

- **Village level:**
  - There is *gram panchayat* at the village level. It consists of panch and sarpanch.
  - All the adult population living in the respected villages, directly elect the wards members.
  - The gram panchayat works under the supervision of the *gram sabha.*
    - All the voters in the village are its members.
    - It has to meet twice or thrice in a year to approve the annual budget of the gram panchayat and review the performance of the gram panchayat.
- **Block level:**
  - A few gram panchayats are grouped together to form a panchayat samiti or block or mandal.
  - Also, it links the village level and the District level local bodies.
- **District Level:**
  - All the *panchayat samities* or mandals in a district together constitute the zilla (district) parishad.
  - Most members of zilla parishad are elected. However, there are some other officials (Members of the Lok Sabha and MLA's of that district) also who are its members.
  - Moreover, *zilla parishad chairperson* is the political head of the zilla parishad.

Urban Local Government :

- In cities, Local Self-Governments are of two types — **Municipalities** for smaller cities and **Municipal Corporations** for bigger cities.
- The political head of the municipalities is called *Municipal Chairperson*.

1. **The Municipal Committe/ Nagar Panchayat**
   - These areas are at their transitional stage.
   - The population size is more than 10,000 and less than 25,000 in these towns.
2. **Municipal Council/ Nagar Palika**
   - These are set up in towns where the population is more than 25,000 and less than 1 million.

3. **The Municipal Corporation/ Nagar Nigam**

- Municipal corporations work in the big cities where the population is more than 1 million.
- The political head of Municipal Corporation is called the *mayor*.

Conclusion:

The decentralized power sharing has been proved advantageous in the vast country like India. It helps in resolving local matters and grievances at the local level. Moreover, it enables people to directly participate in the decision making process. Though local bodies still face difficulties such as lack of adequate resources, no command over significant powers.

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