

# FEDERALISM

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# What is Federalism?

*The method of dividing powers so that the two or more orders of governments are each, within a sphere co-ordinate and independent.*



# Federations in the World

- Argentina
- Australia
- Austria
- Belau
- Belgium
- Bosnia-Herzegovina
- Brazil
- Canada
- Comoros
- Congo
- Ethiopia
- Germany
- India
- Iraq
- Malaysia
- Mexico
- Micronesia
- Nigeria
- Pakistan
- Russia
- St. Kitts and Nevis
- South Africa
- Spain
- Sudan
- Switzerland
- United Arab Emirates
- United States of America
- Venezuela

# Why federalism?

- Accommodate many ethnic, linguistic or religious groups.
- National minorities may be regional majorities
- Regional government is directly accountable to regional majority.
- Officials are more sensitive as they live in localities where impact of policies felt
- Responsiveness - Local solutions for local problems
- Good practices can be emulated by other regions

# Forms of Government

- Unitary – All power is vested in a single central government. (China)
- Federal – A compromise between regional autonomy and national integration
- Confederal – The central authority is a mere agency of the member states and has no direct relationship with the people. (The European Union)

# Importance of Federalism

- Covers 28 countries, 40% of World Population
- Almost all large democracies are federal
- Many small countries are also federal
- Separate units come together to form federations (e.g. Australia, Canada, and the US,)
- Unitary states become federal (e.g. Belgium, Ethiopia and Spain)
- Adopted in post-conflict environments in Bosnia, Congo, Iraq, Nepal, Sudan and South Africa
- Considered in Sri Lanka

# Typical Features of Federal Polity

- At least two orders of government
- Each level of government has legislative and executive powers
- A written constitution
- A rigid constitution- Continuity with change
- Supremacy of the Constitution- where there're two constitutions
- Each level of government has independent relationship with citizen.
- Processes and institutions- *courts*

# Evolution of Federations

- The US, the oldest federation has made 27 amendments to its constitution in 200 years
- India has made 100 amendments in 60 years
- Brazil has had seven constitutions since independence.
- Mexico - six
- Venezuela – 26.

Source: Anderson (2007)



# Types of Federations

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

## Coming Together Federation

- Independent states coming together to form a bigger unit.
- Increases security by pooling sovereignty and retaining identity and all constituent units have equal power.
- Ex: USA and Switzerland

## Holding Together Federation

- Countries decide to divide power between the Centre and Constitutional units.
- The Centre is more powerful than the States and the constituent units of Federations have unequal powers.
- Ex: India and Belgium

# Federal Features of Indian Union

- Division of Powers
- Dual Polity – Government at two levels, Union and the States
- Written and Rigid Constitution
- Autonomous Institutions for Distribution of Resources
- Independent Judiciary



# Summary

- Federalism is a time tested way of governance in a number of countries with diverse groups
- Direct democracy in Federalism
- Home rule
- Federalism works better where culture of tolerance and accommodation prevails.
- Federalism is more a functional than institutional concept.
- No two federations are identical
- Unity in Diversity