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Ch:2.FEDERALISM (Notes)

Different Routes Through Which Federations Can be Formed

Two aspects are crucial for the institutions and practice of federalism: mutual trust between the government of different levels and agreement to live together. There are two kinds of routes through which federations have been formed.

1. The first route involves independent States coming together on their own to form a bigger unit. This kind of “coming together” federations is formed in the USA, Switzerland and Australia.
2. The second route is that a large country decides to divide its power between the constituent States and the national government. This kind of ‘holding together’ federations is followed in India, Spain and Belgium countries.

What Makes India a Federal Country?

All the features of the federal system apply to the provisions of the Indian Constitution. The Indian Constitution is a three-fold distribution of legislative powers between the Union Government and the State Governments. The 3 lists are mentioned below:

1) Union List: It includes subjects of national importance such as the defence of the country, foreign affairs, banking, communications and currency. The Union Government alone can make laws relating to the subjects mentioned in this list.

2) State List: It contains subjects of State and local importance such as police, trade, commerce, agriculture and irrigation. The State Governments alone can make laws relating to the subjects mentioned in this list.

3) Concurrent List: It includes subjects of common interest to both the Union Government as well as the State Governments. The list includes education, forest, trade unions, marriage, adoption and succession. Both the Union as well as the State Governments can make laws on the subjects mentioned in this list. If their laws conflict with each other, the law made by the Union Government will be considered.

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