

The Case For Federalism – A Note For Discussion

...by S Venkat Ram

An objective analysis of the present political situation which is so full of zigzags besides personal idiosyncrasies and identification of the long term trends is just now very difficult. And yet a quick appraisal is both urgent and necessary for active political workers. They cannot afford to wait like academicians for more propitious times for a detailed analysis. It is also necessary to harmonize the long term perspectives and short term compulsions as best as possible.

One of the basic facts which have surfaced with startling clarity during the present turmoil is the highly centralized power edifice of the Indian polity. A dozen smart politicians from Aryavarta based in Delhi have been taking decisions right and left making and breaking governments in the States and at the Centre and also wielding policies at will. This has been possible because they are ensconced in Delhi and operate a centralized politico-constitutional set up. They also have access to the national press which enthusiastically obliges them. It is not likely that the enormity of the game is perceived by the dramatis personae; so absorbed are they in their roles.

However, it is necessary to drive home the point. It is neither possible nor even desirable that the marriages of convenience, divorces and flirtation of the dozen leaders of Aryavarta can be owned, much less reproduced by the millions in the peripheral states. India is a subcontinent which has yet to find a geopolitical balance. Neither the carving of Pakistan nor of Bangladesh has resolved the issue and established a balance of power as between the centre and the periphery. Due to pursuit of the motto that 'Aryavarta is Bharat' for over three decades, if not longer, in the matter of language, culture and polity, the peripheral regions which have distinct and rich socio cultural and sub national life patterns have been consistently developing centripetal political formations and sociocultural configurations.

From the rich tapestry of North East to the verdant glory of Kashmir all through Assam, West Bengal, Orissa, Tamilnadu, Kerala, Karnataka, Andhra, Maharashtra, Gujarat and the Punjab powerful regional political groups enjoying the confidence of the masses in varying degrees have emerged and some of these areas have thrown up significant indigenous or indigenized radical movements. The communist movements of West Bengal and Kerala fall into the same pattern. They all share a common alienation from the evolution of Aryavarta and have each a striking individuality. All this could have been woven into a fabric of a many splendoured nation, had the rulers in Delhi known the real India and not this make believe country.

Like all constitutions the constitution of India bears the imprint of the times of its birth. The safeguards against the contemporary fears of communal carnage and balkanization and the visions of a free and equal citizenry were written into the constitution. In the early years of the freedom, the historical tasks of consolidating the country and securing it against its internal and external enemies heightened and strengthened these aspects of the constitution which best served the tasks. Also fortuitous circumstances of one party rule at the Centre and the States and consequently the domestic party management of public issues effectively hid the other aspects of the constitution, notably the aspects of Centre State relations. But as the workings of a democratic system based an adult franchise unfolded gradually releasing the pluralist forces and challenges, the solution explored and applied by the rulers based in Aryavarta were not democratic but authoritarian, both in politics and in the constitution. Beginning with the overthrow of the first communist ministry in Kerala to the imposition of Emergency in 1975 the solution to every problem was invariably found in the unitary rather than in the federal devices of our mixed constitution.

In between, the people showed the constitution at its federal best in 1967 and the rulers showed it at its unitary worst in 1975. If it was a federal rainbow in 1967, it was a unitary shaft of darkness in 1975. The emergency showed the precarious nature of the balance when by a mere administrative fiat, the federal constitution was turned into a unitary one overnight.

It is necessary to recapitulate these facts of authoritarian management of the country, the present rulers in Delhi are yet basking in the glow of the democratic restoration of 1977. From Morarji to Rajnarain, there is a similar commitment, to a unitary model in the affairs of the Government and (more so) in the affairs of party politics. Witness the way the West Bengal Government's land reform bill was stalled or the way the State Governments were shared, toppled or put together or the Janata Party was wrecked or its Aryavarta caricature was set up. There may be important differences between the Indira caucus and the Janata cabal as far as issues of democracy, socialism or secularism is concerned but none as far as federalism is concerned.

Now that an effort to build up the Janata as a viable national party has failed, it is necessary to abandon the chimera of 'unitary national parties. There is endless talk on federalism, but how can federalism emerge except through federal party exercises! Let us put the matter squarely. The efforts to export Janata (S), a regional party, to the peripheral States are a laughable exercise. Such test-tube nurture of parties is not possible. It will no more succeed than the efforts of the AIDMK to expand to other States. Hence the desperate effort to woo regional parties. The futility is most telling in Tamilnadu where the two leading parties, the DMK and AIDMK, have negotiated with the Janata, the Janata (S) and the Congress (I) making a joke of realignment and practicing autonomy with a vengeance.

The much talked of realignment must include the realignment of Centre-State relations, and not just realignment of social forces, to say recycling of dead wood. The question of realignment of Centre State relations cannot be pushed under the carpet, but must be now faced. If necessary the constitution must be changed as it is not sacrosanct. And it is necessary. The constitution is a means to an end and not an end itself. After all, the democratic French people have changed their constitution several times when they found it expedient, also once in recent years.

Over a period of time the powers of the Centre have enormously expended at the cost of the States. From maintaining a wide range of Police establishment to starting even bread factories to looking after ancient monuments all over the country, the Centre has reduced the States to dependencies, killing local initiative and enterprise and imposing a dead uniformity on the country through a financial and bureaucratic apparatus. On the other hand, while the States have the responsibility to meet the most basic needs of the people like work, food, houses, drinking water, electricity, medicine and education, the most important resources like excise and income taxes are cornered by the Centre.

The working of the constitution has indeed shown that there is a crying need to amend it in several respects. After changing forty five times, there need to no squeamishness to overhaul it thoroughly now. First of all the Republic should be described as a "Federal Republic" to characterize it unambiguously.

It requires drastic changes in the realm of redrawing the list of subjects of legislative competence, transferring many subjects now vested in the Centre to the States. The Centre may have only subjects like defence, foreign affairs, communication, foreign trade, currency, national planning, interstate matters and a federal judiciary.

The emergency provisions and the Central powers to dissolve State Assemblies and impose President's rule should also be drastically revised and made justiceable.

The financial resources should be reallocated, making the States really independent and self sufficient to develop their areas and not be dependent on the grants and aid from the Centre. The Rajya Sabha should represent functional groups like workers, peasants, cooperatives, intelligential and so on, so that Rajya Sabha interacts from a class point of view with the Lok Sabha elected on a territorial basis influenced by caste, community and regional considerations.

In any case, the time has arrived for a more prominent national debate on federalism as one of the four indispensable basic principles of the republic, the other three being secularism, democracy and socialism.