

## **Department of political science**

**Raya Bhattacharya**

**2<sup>nd</sup> Semester , Module -1**

### **Federal State**

A federal state is one in which a number of coordinate states unite to form a single sovereign state. In it, a division of powers is made between one central government and several states governments and each exercises powers in the area demarcated for it by a written, rigid and supreme constitution. The USA, Canada, and Australia are federal states. India is basically a federation but with some unitary features.

In federal system, political authority is divided between two autonomous sets of governments, one national and other subnational, both of which operate directly upon the people. Usually a constitutional division of power is established between the national government which exercises authority over the whole national territory and provincial governments that exercises independent authority within their own territories. Of the eight largest countries in the world by area, seven- Russia, Canada, the United States, Brazil, Australia, India, and Argentina are organized on a federal basis.

**Characteristics of a federal state are as follow :**

**1. Division of powers:** In a federal government, the powers of administration are divided between the centre and the units. The powers may be distributed in one of

the two ways. Either the constitution states what powers the federal authority shall have and leaves the remainder to the federating units, or it states what powers the federating units shall possess and leaves the remainder to the federal authority.

- 2. Written constitution:** A federation must have a written constitution. A federation is a political partnership of various states and consequently, there must be a written constitution.
- 3. Rigid constitution:** The constitution of a federation should be rigid so that it could be regarded as sacred agreement, the spirit of which should not be easily violated. A flexible constitution allows the scope of the central government to curtail the autonomy of the federating states.
- 4. Special judiciary:** In a federation there are possibilities of constitutional disputes arising between the federal center and the units or between one unit and another or between the citizens and the government. All these disputes are to be adjudicated in the light of the constitution. For this purpose a special judiciary with wide powers must be established. It should be vested with powers of declaring any law, national or local, ultra vires if it is at variance with the articles of the constitution.
- 5. Supremacy of the constitution:** The Constitution is the supreme law in a federation. Neither the central government of the units can go against its spirit.

**6. Double citizenship:** Citizens in a federal state have dual interests and they should be given rights of double citizenship of the federal state wherein they are domiciled and citizenship of federal states as a whole. However, in India, we have single citizenship.

**7. Bill of Rights:** Citizens in a federation enjoy certain rights given to them by constitution. The constitution of India, Russia, and the U.S.A. have given fundamental rights to the citizens. It is a well-established custom now.