CHAPTER-VIII

CONCLUSIONS

Federalism and working of federal political set-up have been significant subjects of discussion and debate in academic and intellectual circle. As federalism cannot be viewed as static in the same way the working of the federal system also cannot be viewed as static. The socio politico changes and situations of the country tends to the changes in the working of the federal system. Any federal scheme involves the setting up of dual governments and division of powers. But the success and strength of the federal policy depends upon the maximum of co-operation and co-ordinate between the governments. The present study has highlighted on the working of federal system in India and Switzerland. It may seem daring to study Swiss federalism in order to put into perspective the Indian federal system, given the enormous difference in size between the two countries. Switzerland has barely 7 million inhabitants, while India has over 900 million. Switzerland has an area of just over 40,000km² while India has an area of nearly 10 million km².

There are two reasons why such an undertaking is far from futile, not necessarily to copy the systems but to better understand them. First, Federalism in the two countries display important similarities, which bode well for a fruitful comparison. Swiss and Indian federalism have important points in common. Not only are the systems in both countries established federations but also their federalism is rooted in comparable principles. Both systems seek to reconcile needs for unity and cohabitation with cultural and linguistic
diversity and regional and local autonomy. Both systems have found in federalism a means of pursuing the common good while attributing to regional entities some degree of autonomy that should enable them to display and develop their unique situations. Secondly, the federalism in these two countries also displays dissimilarities in the working of its federal system. Switzerland is a strongly federalist country, where much powers are concentrated to cantons and in India, much of the powers are concentrated at the centre. But now the trend in both these countries has led to mutual co-operation. One thing is clear that the practical experience of the working of federalism has led us to believe that for solving the complex problems of a fast changing society of today the union and the state governments have to work in mutual co-operation rather than in conflict. This new type of approach has been nomenclatured as co-operative federalism.

Although the Indian federal system has been dynamic in accommodating political and societal changes and keeping the country together, since its inception i.e., 1950, there has been a fundamental transformation of the operative principles of federalism during the last decade or so. The rhythm and the beat of the political system and of the federal system within it has changed on account of a variety of socio-economic and political factors but primarily because of a disarray of the party system, neo-liberal economic policies and judicial decisions. The centralizing thrust of the earlier years has yielded to some kind of a 'confederal operation of the political system, making the formulation and implementation of public policies a 'consociational' exercise between political elites at the two levels of government-central and state. During the forty-year rule of one
dominant congress party, the central government has treated the state
governments as 'glorified municipalities' and the union government
accumulated powers beyond its constitutional competence. It is true
that the constitution permits for the circumstantial concentration of
federal powers in the union, but it nowhere means suspension of
federal autonomy and powers of the states even during normal times.
The resentment was created among the states and the states
demanded a shift from centralized federalism to co-operative
federalism. With the rise of regional parties the state demanded the
centre to consult them in all matters that concerned them. In short,
the growing self-consciousness and self-assertiveness of the regional
governments have been quite vocal in demanding state autonomy.
This trend in fact has brought a change in federal structure of India
and shaped centre state relations in new setting over the years, the
Indian federalism has shown enough resilience to adapt and to
accommodate structurally and politically the various pressures of
federal state formation. The federal democracy has decentralized itself
to the level of village self-governance. In the arena of union state
relationships one finds almost total unanimity among political parties
and the units of federation to follow the recommendations of Sarkaria
Commissions in building a co-operative-collaborative model of Indian
federalism. The growing saliences of regional processes in the present
era of coalition governance show the participatory strength of Indian
federalism.

When we come to the question of Switzerland it has long been a
prime example of a strongly federalist state. This is unlike that of
Indian federation though like that of USA federation where residuary
powers are left to states. The cantons enjoy supremacy in their own sphere and are empowered to amend their own constitutions. Under the provision of the constitution: the cantons are sovereign so far as their sovereignty is not limited by the federal constitution. As such, they exercise all those rights, which are not delegated to the federal government. Historically speaking, the Swiss federation is a case of "non-centralization". There are no universal provisions concerning the division of power between the federation and the cantons; any responsibility may be attributed to either the federation or the cantons. Furthermore, the federation and cantons can assume joint responsibility. It has been observed that since 1874, the powers of the central government have increased immensely. In fact the desire for national solidarity has induced the people to broaden their vision, overcome cantonal prejudice and steadily agree to the extension of the powers of the federal government. John Andrew expresses the fear that if this tendency continues, cantons will gradually lose their autonomy and cease to be sovereign states and become merely distinct administrative bodies carrying at the behest of the federal authority. But we cannot deny the fact, that the cantons still maintain the spirit of autonomy, because centralization has largely been confined to legislation, while policy implementation has been left to the cantons and the communes. The central government controls only above one-third of public revenue and expenditures, while the cantons and municipalities manage about two-third of public finance and human resources. It is the canton and municipalities that are the main actors in a wide range of policy areas. Thus even today, Switzerland remains one of the worlds most decentralized countries.
Hence the hypothesis formulated in this study that more powers are concentrated at the centre in India and whereas in Switzerland more powers are given to cantons is proved.

Party system also plays an important role in strengthening and shaping of any federal system. In India, the party system has undergone a major change over the past two decades. India began as a federation with a centralized and disciplined party system and especially with a "one party dominance" system i.e., congress rule from 1952 to 1967. During this period, India's central government ruled by congress party effectively dominated the constituent states. The congress, as a party has been a highly centralized organization. State units have had little freedom to take decisions on their own. Thus, the congress party rule both at the centre and the states, made federalism to exist only in the name. The overbearing presence of the centre in all fields created resentment among the states even when the congress party ruled at the centre and in most states. To restore their autonomy, the states demanded a shift from centralized federalism to "co-operative federalism". But after 1984 elections the rule of one party system was replaced by multi-party system. The 1984 elections had marked the decline of the congress party because neither of these two elections restored the congress dominance. The rise of regional parties played an important role in changing the political condition of the country. Non-Congressism brought many regional parties together in forming the government at the centre. Thus the regional parties also made coalitions inevitable. Thus the political parties have made considerable effort in changing the politicization of the country. Switzerland too has a multi-party system has functioned so smoothly.
This has been possible because the Swiss political parties do not differ in their social composition and there is no fundamental ideological difference among them. Moreover, the love for order and the spirit of compromise are as strong in politics as they are elsewhere. Switzerland is the only governing system in which the federal form corresponds completely to the concept of a consociational system. The Swiss system ensures the inclusion of the four major political parties in all cantons, including those with an absolute one-party majority. The selection of the 'Bundesrate' (the members of the federal council) not only roughly reflects the party spectrum but also takes into consideration the cantonal distribution of linguistic and confessional groups. As such, the Swiss national government is a reflection of the diversity of the Swiss nation. The Swiss party system is a result of the vertical differentiation of the federal system has its actual basis in the regional units. The use of 'Proporz' (type of proportional representation system) in government brings with it the fact that the four major parties exercise a constant governing function in both the federal and cantonal governments. Therefore, the safe participation in power in both government arenas reduces the amount of party loyalty required of politicians. Consequently, it is relatively easy for politicians to stress specific cantonal interests and to introduce them in federal government debate. Because co-operation among Swiss parties in the federal process exists on a consensual basis. Interest conflicts between the canton and federal governments are minimized. Thus party system in Switzerland has contributed for further smooth working of federal system. Thus the second hypothesis that party systems in both countries have played a considerable role in strengthening the federal process has been proved.
FINDINGS OF THE STUDY

The following are the major findings of this study:

❖ The strong political leadership in the congress led to one party dominant system and this in turn led to strained relationship between the centre and the states.

❖ Emergence of strong regional political parties to share their power at the national level gave birth to the concept of coalition government at the national level in India.

❖ Coalitions in India have become a bridge between the centre and state in order to maintain a balance between centre-state relations and to enable them to exercise their powers within their own sphere.

❖ Lack of political homogeneity and diversified ideologies of different political parties, while forming an alliance have become a major cause for breakdown of coalitions in India. Because coalitions have to depend on the mercy of coalition partners.

❖ Interest in nation-building and in strengthening the Indian union has got eroded because of the new breed of self-seeking politicians, growth of vote merchants, power-brokers and the like, role of money and muscle power during elections, building of vote banks on caste, communal and other lines. The problem of making the Indian Union cannot be considered in isolation or only in terms of the relations between the union and its units. The new economic policies of liberalization and globalization are bound to lead to decentralization of power.
The structure and the role of the present party system plays a significant part in moulding the structure of government in practice.

There has been large autonomy of the cantons and restricted power of central government. As a result of the historical developments, the cantons enjoy large autonomy and are the main competent authorities in certain areas, such as education and health or police and justice. The institution of federalism allows the cantons to assume an important role in the power sharing and influence the decision-making process at the national level.

The Swiss government is multi-party, collective and has collegial head of state with a long office term. The executive power is shared in a broad coalition of the four most important parties. The rest of the parties do not form a coherent opposition. The government is composed of seven members, representing a subtle political, regional, and linguistic balance—thereby incorporating the idea of a consensus democracy at the highest level of the political representation system. As a collegial body, the cabinet (Federal Council) takes its important decisions only by consensus or by a simple majority, and each member defends the joint decisions in public. The seven members are on an equal footing; the President who is elected out of the seven members is a “Primus inter pares” (first among equals) without any special powers. The parliament elects the president every year on a rotating basis. The Federal Counselors who are elected individually may be re-elected
indefinitely. In practice, re-election is the general rule, thus ensuring the continuity and stability of Swiss policy.

- In the Swiss political system, the people have the final say. The institution of direct democratic tools gives them the control of last resort. The people assume the function of a real opposition force with the power and responsibility to check and balance the government's policy.

- In Switzerland influence of lower levels of government is more on the legislative process.

- The success of Switzerland in preserving decentralized federalism can, in some measure be attributed to the element of the sovereignty of people and cantons in the federal process.

- Centralization in the Swiss system has not gone so far as it has done in other federal systems with the result that Switzerland is still the most decentralized of the main federations.

**SUGGESTIONS**

- The way to preserve "India, that is Bharat" as a "Union of States" is to work for building up it as a 'federal Union' with multiple tiers of government and sharing of powers from the lowest grassroots of Panchayats to parliament.

- The modern trend and need is to make the federal government strong and this cannot be denied, but that does not mean weak states. The relationship between the two governments should revolve round co-ordination and co-operation and as such the spheres of action or activities have to be delimited with some precision.
• The Indian Union being the federation of states to see that all its components are equally strong and growing. The resources necessary for the growth and development of the country should be so distributed so as to reach all the states and all the states are equally benefitted.

• Recommendations mentioned in Sarkaria Commission Report should be implemented in toto.

• For healthy and harmonious working of the federal system in Switzerland, the co-operation between the cantons and the federation and among the cantons themselves should be intensified.

• Measures should be taken to strengthen the party organization in Switzerland.
REFERENCES


3. Charles, D., Hadley, Michael Morass & Rainer Nick, "Federalism and Party Interaction in West Germany, Switzerland, and Austria" *Publius*, 19 (Fall 1989), p.92