

Federalism Vs Nationalism: Challenges for the State Autonomy

A discussion on “Federalism Vs Nationalism: Challenges for the State Autonomy” was conducted by the Dravidian Professional Forum. The Panelists were Honourable Palanivel Thiagarajan, the Minister for Finance, Human Resources Government of Tamil Nadu, who before entering politics was the senior managing director of the Standard Chartered Bank; Louise Tillin, Head of King’s India Institute, London, Rajan Kurai Krishnan, Prof. at The Ambedkar University, DU, A S Panneerselvan and TKS Elangovan was the special guest. The session was moderated by Puhazh Gandhi.

Puhazh Gandhi introduced the topic briefly by claiming that the conflict between nationalism and federalism has been there even pre-independence of India. Nationalism means a culturally dominant community must dominate the political setup and follow sovereignty while federalism means there is no absolute sovereignty and the political setup is framed irrespective of the majority of the minority. India is a culturally, linguistically and socially diverse country with different states within it. Hence, there is always a conflict between the federal and unitary tendency in the state.

Particularly, when the government follows a nationalistic tendency, the union intrudes on the state’s autonomy and leads to the destruction of diversity and heterogeneity. DMK is one of the pioneer regional parties that aims to bring back the distinction in the power of the state and the centre stated in the constitution. NIA, GST, etc. many other laws and bills approved without negotiation are a serious challenge to the very idea of India which is called Bharat the union of states which means there needs to be a consultation and discussion among the various states before enforcing any act or law and no single person or party can enjoy the monopoly in decision making. Politicians like PTR have always raised voices against these types of autocracies in the administration system. He spoke that there is no union without states, state autonomy and federalism.

Honourable Palanivel Thiagarajan, with respect to the current situation of the pandemic there is no one constructive national policy to control the pandemic across the country. Independence and autonomy are necessary to fight against this serious problem. He cited examples of how effectively they were able to control the ghastly situation of thousands of cases in a day because of decentralisation at the district level and allowing the officials at the district level to use their own policy. The closer the decision-making process is with the people the more effective and successful the plans are and outcomes are. In Tamil Nadu, the situation was under control because of quick and clear actions like treatment centres being established, border sealing, medical transportation and delivery, involvement of SHGs which was possible only the autonomy was there at the district level from the state government. Hence, for transparency, welfare, and quick actions federalism is required all the way down to every district, regional and village level. If the decision making power doesn’t channel down to the grassroots level or at the local level he claims the future is dismal.

A S Panneerselvan said that some people say that the idea of nationalism started from the Government of India Act in 1935 but the idea had paved its way already from the 1858 Government of India Act. Even the strategy of partition was an idea to put forth centralisation. There are two ways of nations coming together:

- 1) Coming together
- 2) Holding together

He explained that regional parties represent idea one and the national parties are the representative of idea second i.e. holding together. There have been many acts by the government to directly or indirectly shift the powers and the subject areas of administration of the state to the central. For example, education had been shifted from the state list to the concurrent list during the emergency and various others like the Panchayati Raj Bil which have all been the ways to allocate grassroots level control to the centre. He cited various examples like in 1924, VK Reddy, Minister of the Justice Party, Madras Presidency had for the first time critiqued nationalism. Also, the environmental laws, control over natural resources by the government are all a means of intrusion in the affairs of the state. He also praised the Justice Party's contribution against federalism. Stating the three issues and the core idea behind the Dravidian Self-respect movement he emphasised the role of regional and Dravida regimes towards raising voice against complete central control. The 3 issues which were addressed in the Dravidian self-respect movement are;

- 1) Linguistic autonomy as opposed to Hindi being a national language.
- 2) Quest for social justice.
- 3) The disintegration of Brahminical hegemony

He also stated the four crucial points or problems of the Justice Rajamannar Committee which were presented and also the solutions to the problems which were suggested by the committee which are:

Problems:

- (i) certain provisions in the Constitution which confer special powers on the Centre
- (ii) one-party rule both at the Centre and in the states
- (iii) inadequacy of states' fiscal resources and consequent dependence on the Centre for financial assistance
- (iv) the institution of Central planning and the role of the Planning Commission.

Suggestions:

- i) An Inter-State Council should be set up immediately.
- (ii) Finance Commission should be made a permanent body.
- (iii) Planning Commission should be disbanded and its place should be taken by a statutory body
- (iv) Articles 356, 357 and 365 (dealing with President's Rule) should be totally omitted.
- (v) The provision that the state ministry holds office during the pleasure of the governor should be omitted.
- (vi) Certain subjects of the Union List and the Concurrent List should be transferred to the State List.
- (vii) the residuary powers should be allocated to the states.
- (viii) All-India services (IAS, IPS and IFS) should be abolished.

He asserted that there is a pressing need to look back at these suggestions and act accordingly then only to a certain extent the fundamentals of federalism and decade long efforts of the Dravidian Movement could be protected.

Louise Tillin also expressed her views on this pressing concern and an issue to protect the base of democracy in India. She completely agreed with the speakers and said that one

nation policy challenges the ideals of federalism and stand as a threat to the state's autonomy. Federalism is a concept and an idea to accommodate different conceptions under an umbrella with peace, harmony and unity. She also emphasised that if the dominating or community in majority comes in to rule the complete objective of federalism gets assassinated and if that happens there is a threat to state autonomy and protect the same independence the constituent assembly deliberately adopted the concept of federalism which is the framework allowing the formation of national and regional parties functioning independently in a country. She also told that after 2014 the political autonomy of the regional parties has been shaken. Regional parties have an inevitable role to play in situations requiring quick and frisk actions and decisions. She said that this could only be protected if there is negotiation, collaboration, information sharing, political regionalisation and interstate councils to a certain extent.

Prof. Rajan Kurai Krishnan completely admits Tillin's view towards federalism and said that it can be an instrument to make democracy more efficient, transparent and accountable if implemented with care. He also explained the difference between the Federal Republic which means there is a federation of states and the country is ruled by the elected representatives and the National state means there is homogeneity and everyone is the same with beliefs, religion, customs by bulldozing the differences and the formation of India is the mix of both. India is federal and sovereign with the constitution which is sovereign and clearly states the powers between the centre and the state. He stated the two types of federalism which are anti-colonial nationalism and the sovereignty of self-rule which helped the people to gain power and independence. The conduction of elections still in some way implies that the ideals of federalism have not been completely aborted.

He also explained the difference between political and Political. Politics is an arrangement of power and hence the government structure which is framed and Political meaning the friend-enemy formation wherein parties or people with a similar idea or thought aggregate and conduct and contest elections. He said that in the 70 years, electoral politics has always originated from the states. The formation of parties happens regionally. Politics differs from state to state and people's separation of ideology happens at the regional level but the distribution of powers of the regional and local parties happens in the constitution and DMK as a federal party has always imagined and propagated the idea of the federal republic.

He also asserted that Nationalism is becoming sentimental. How much power should be with the state the government of Tamil Nadu is trying to work towards this question and this platform also encourages the people, think tanks, politicians to ponder over this issue.

TKS Elangovan initiated his verdict by stating that even during Independence, Dravida had always stood to defend the principle of federalism. He mentioned that the formulation and coming up of the regional parties is an implication of the fact that they are being left out from the whole cycle of policy formation in the interest of the nation and its people. He suggested that Schedule 7 which stated the allocation of the power between the centre and the state needs to be revised and raised the concern about the fact that more power is being shifted from the state to the government and centralisation of power. He claimed India is not homogeneous but heterogeneous and has always been proud of its diversity, DMK has always been a proponent of promoting the ideals of a federal republic so that the differences in the nation also have a say in the mainstream of the country.

Questions:

Mr Dharanidharan asked the question that

Q1) After Independence, it was said that the Westminster system is not suited to heterogeneous countries like India and a single person taking decision for a country with more than 30 languages, different cultures and traditions? What do the panellists opine on this?

Tillin answered by saying that the Parliamentary system is the fusion of legislative and executive powers and if a party has a majority in parliament then automatically in the execution and passing any bill or reforms with a clear majority and this indeed is countervailing to the ideals of federalism and in the presidential system there are a lot of variations.

Q2) Mr Dharanidharan asked the question

Most of the policies are for one nation, one state, one culture and one language and with this would the Dravidian ideology which in some way fosters the idea of the federation would be alive in future?

TKS Elangovan replied that in TN, until 1976, free education at the senior secondary level was even raised for the students at the higher level of education and special assistance was given to women to afford education. Similarly, Universal Public Distribution System wherein everyone is eligible to have subsidised grains irrespective of the economic standard and hence the government has always endeavoured to take steps to empower people and if in the same way as it is happening the centre takes the power of the state government, the implementation of the local programmes would become unimaginable.

Dr.Mahalingam M asked

Dr Ambedkar deliberately chose to use the word union of states and not a federation of states because India is a single country. People are facing identity crises these days. What can we do or state governments so that we can address this issue preserving diversity?

Pannerselvan answered that it is the will of the people that matters in a democracy. People have the power to elect their representatives. So the idea is how to enforce these elected bodies and institutions to address the issues of the people. The enactment of the laws and acts without any consultation or discussion implies that in the present scenario the working of the ruling party is becoming autocratic and it is difficult to understand whether it is nation-building or strengthening the regime

Prof. Rajan added that there is no need to make things complex by putting weightage on the terminologies used in the constitution. It's is just a nomenclature.

R Thirunacukkarasu presented his views stating that India is not a nation but a state and a union of various nationalities. Tamil is not just a language it is a symbol of equality and brotherhood. He claimed India is yet to become a nation.

Elangovan agreed to the fact and also praise the work of Shri Vallabhbhai Patel in the integration of the country.

Karo asked What movement is going to be taken by the regional parties to protect the state autonomy?

Panneerselvam answered that there is a need for a political bill to address this question. Though under pandemic it is difficult to address this issue as now the pressing concern is how to control the pandemic but after some time he assured that there will be some steps that have not only to be negotiated with the centre but also with the judiciary.

Roja Mathian asked What is the actual problem with the parties coming to power to address the issue of the federation? Is it not possible to get back all the constituent assemblies together to discuss the issue?

India is the only country that does not follow a single path. There is always a feat of the centre before taking any steps at the regional level by the institutions and the political parties. Always the central agencies are uncomfortable with these ideas and that is why no floor has been even formed to address this issue and implement the basic suggestions. When institutions like Supreme Court do not address these questions it becomes very difficult to accommodate the changes by the regional parties.

So, the key to all the questions is to enable a platform like these to address these issues and involve the premium and supreme institutions to cater to these problems and help in the implementation of the suggestions so as to enable the states to make their decisions, autonomy and independence to a certain extent so that immediate actions to the woes of the people, easy execution and welfare of the people could be accomplished.