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Status Of Federalism In India And America -A Review

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Abstract

This paper provides a detailed comparative analysis of federalism in India and the USA, focusing on their theoretical underpinnings, constitutional frameworks, and practical implications. Both nations, despite being large democracies with federal systems, have developed distinct models to manage their diversity and governance structures. Through a discussion of historical context, distribution of powers, the role of judicial review, and contemporary challenges such as fiscal autonomy and regional autonomy movements, this study highlights how federalism functions in multi-ethnic, multi-linguistic societies. The comparative approach offers insights into how different political cultures shape the federal design and the adaptation required for maintaining unity in diversity. It traces the evolution of the federal systems from ancient and colonial times in both countries and analyzes how federalism is practiced today. The study also investigates the current resolutions and debates in the federal systems of both nations, with an emphasis on how the countries navigate challenges related to governance, policy, and autonomy.

Keywords: Federalism, Constitutional Law, Cooperative Federalism, Fiscal Federalism, Regional Autonomy, Judicial Review.

1. Introduction

The federalism in its classical sense is essentially a compact. It is vested with a written constitution which can't be modified arbitrarily. Compact concepts and the delegation of powers and duties are specified as coordinated constitutional bodies by the federal units and not as dictatorial third parties. In such a system, the Supreme Court acts as a saviour by using the power of Judicial Review to ensure that any level of the government takes no undue and unauthorized actions in the ambit of another one. "Cooperative federalism" is a structure whereby the State and national governments support each other and execute several tasks collectively or in partnership. The so called „cooperative federalism“ does not replace the legal framework of federalism. Rather it supplements and corrects the federalism. It emphasizes the interdependence and sharing of functions between the Centre and States. It also focuses on the mutual leverage that each level is able to exert on the other. The historically speaking, the concept of federal structure for India is comparatively of not so old origin. The imperialist rulers for their own benefit established a centralized bureaucratic administrative organization. However, subsequently they changed it rather unconsciously, owing to certain historical compulsions. In fact they could not withstand the rapidly rising nationalism among the Indians. It has been the belief that diversity is natural; diversity is the soul of life and Dharma; it is essential to protect diversity in human life, in animals, in environment, and in human thinking in the country. To respect diversity with an endeavour to find out unifying forces is reflected in ekamsadviprabahudhavadanti. Thus integral view creates a balanced relationship between Vayashti (individuality), Samashti (Society), Srishti (environment and nature), and Prameshti (the ultimate Brahman). These are interdependent and move forward in cooperative spirit providing inter se checks and balances. This, in brief, is India's federalism spiritually, socio- culturally, socio-linguistically, and socio-politically.

Federalism is a constitutional mechanism in which powers are constitutionally distributed between and among different levels of government. It is a system of government which allows different communities to exercise guaranteed autonomy over their certain matters of particular importance by ensuring that decisions are made at the most appropriate level. Federalism can be understood as a constitutional model which are mostly associated with multicultural countries as it not only tolerate diversity but also adopts it as an additional value for which the multicultural state stands. Viewed from this position, federalism seems as a guarantor of multicultural and plural society. It is a system of government which constitutionally guarantees and implements a balance of shared-rule and self-rule. Thus, it is a mechanism which foster as well as nurture the diversity of societies by giving different communities not only their rights and liberties but also equip them with more autonomy to develop them according to their proper values. At present, there are about twenty-five countries that meet or claim to meet the basic criteria of a functioning federation and about 40% of the world's population lives in these federal countries.

2. Indian Federation

India has carried an age long profound diversity in compare to other countries in the world. On the one hand where the Northern and Southern parts of the country is fragmented through several 'linguistic enclaves'; predominating overlapping regions identities like 'Hinduism, Sikhism Indo-Islamic way of life' on the other has make the country multicultural in nature which stand for 'federative solutions' in response of territorial claim (Sing Saxena, 2013) In has been observed that during the British rule the constitutional reforms regarding decentralization of power has been introduced in India by the India council Act 1909 which create the 'provincial legislature' along with the central legislative council where besides the indirect election procedure the reservation opportunity for Muslim community was inserted at both the level of legislature which often recognized as a 'communitarian federalism. Consequently diarchy was introduced at the provincial level along with direct electorate by the Act of 1919, and the communal reservation has seen extended for other categories besides the Muslim community. Gradually, the Government of India Act 1935 has established a bicameral legislature consisting of 'Council of States' and a 'federal assembly' by introducing diarchy at the centre instead of the provincial level. Hence 'the foremost effort to introduce some degree of federalism in the centralized administrative system of British India was made in the Government of India Act 1935. As the princely states were unwilling to join the proposed union of India, Only the provincial part of the 1935 constitution Act went in the effect while the federal part remain on hold' (Saxena, 2013) However after an age long political struggle as well as in a communal dilemma the Constitution of India has been adopted in 26th November 1949, where the constitutional designation of the country was renamed as 'Union of State's'. Through 'the structures of governments at the two levels and the legislative distribution of competences through there lists federal, Provincial are concerned were incorporate the 1935 India Act in to the 1950 constitution with some revisions (Sakena, 2013).

3. History of the Federal Concept in India and USA

The historically speaking, the concept of federal structure for India is comparatively of not so old origin. The imperialist rulers for their own benefit established a centralized bureaucratic administrative organization. However, subsequently they changed it rather unconsciously, owing to certain historical compulsions. In fact, they could not withstand the rapidly rising nationalism among the Indians. Taking reappraisal of the past India as a whole, her spiritual and cultural unity, her society is essentially federal in character and unitary in approach as the perpetual perception has been towards continuity of the government and unity in diversity. It has been the belief that diversity is natural; diversity is the soul of life and Dharma; it is essential to protect diversity in human life, in animals, in environment, and in human thinking in the country. To respect diversity with an endeavour to find out unifying forces is reflected in ekamsadviprabahudhavadanti. Thus integral view creates a balanced relationship between Vayashti (individuality), Samashti (Society), Srishti (environment and nature), and Prameshti (the ultimate Brahman). These are interdependent and move forward in cooperative spirit providing inter se checks and balances. This, in brief, is India's federalism spiritually, socio- culturally,

sociolinguistically, and socio-politically. Surya Prakash Sinha presents the view point about the ubiquitous unique Indian way of life which is the result of its own particular history. In the ancient or pre Muslim period India enjoyed a continuity of government. Rama Jois concludes that in ancient India – which was essentially pre-Muslim, i.e. Hindu India-that the concept of federal polity was ingrained in the concept of one law, one people, and many states.

Historical Context The political and economic dynamics that influenced the growth of India's and the United States' federal systems, as well as the difficulties and opportunities that have arisen over time, are all better understood in light of the historical context of federalism in both countries. The development of their federal systems, as well as the political and economic variables, are better understood when looking at the historical context of federalism in India and the United States. The need to suit the various linguistic, cultural, and regional identities of the nation in India gave rise to federalism. India transitioned to a federal structure of government in 1947, when it became independent from British colonial control. The 1950 Indian Constitution established a bicameral legislature, a judiciary, and an electoral system while allocating authority between the national government and state administrations. The Indian Constitution created a powerful central government with broad authority over matters of foreign policy, national security, and other crucial areas. In addition, it gave state governments some latitude in fields like social welfare, health care, and education. India's federal system has experienced a number of changes over the years, including the emergence of new political challenges like separatist movements and regional conflicts as well as the creation of new states and the enlargement of central government authority. The need to strike an equilibrium between the authority of the federal government and the autonomy of the various states led to the development of federalism in the United States.

The US Constitution, which was approved in 1787, established a system of checks and balances and divided power between the federal and state governments. The US Constitution established a weak central government with few powers while giving states considerable authority in areas like social welfare, health care, and education. The federal government has gained more authority in areas like civil rights, environmental protection, and national security as the balance of power between the federal and state governments has changed over time. The US federal system has changed over time as a result of the abolition of slavery, the growth of the federal government's authority, and the rise of fresh political issues like secessionist movements and civil rights battles.

4. Federalism in India -Historical Perspective

Federalism in India has its roots in the country's complex history, which spans centuries of diverse governance structures, cultural plurality, and colonial rule. Understanding the evolution of federalism in India requires looking at how the Indian subcontinent was governed from ancient times through the British colonial period and finally to the framing of the Indian Constitution.

(I) Ancient India: Decentralized Governance and Local Autonomy

India's federal structure is often linked to the traditional systems of governance that existed in ancient times, where local and regional autonomy was a key feature. In many ancient Indian kingdoms, governance was decentralized, with considerable power vested in local rulers or village assemblies.

The earliest known political units in ancient India, such as the Mahajanapadas (16 powerful kingdoms and republics during the 6th century BCE), reflected a variety of political structures, ranging from monarchies to more democratic forms of governance. Throughout India's history, village panchayats (local councils) played a central role in governance. These councils made decisions on matters like local law enforcement, taxation, and resource management. While empires like the Mauryas and Guptas established centralized rule, local governance remained strong, indicating an early form of decentralized power.

(II) Medieval Period

Mughal Empire (1526–1857): The Mughal administration was highly centralized, with the Emperor at the apex. However, provinces (subahs) were governed by appointed officials (subahdars), and there was a certain degree of local autonomy in taxation and judicial matters. This structure had federal elements, where local rulers retained some power as long as they paid tribute and adhered to the Mughal authority. The Marathas, during the 17th and 18th centuries, developed a quasi-federal system, where the Peshwa (prime minister) controlled the central authority, but local chieftains (Sardars) governed their respective territories with considerable autonomy. The Mughal Empire divided its territory into subahs (provinces), each governed by a subahdar. The Mansabdari system was a key administrative feature that allowed regional military officials and landholders to govern local areas under imperial authority. Despite the centralized nature of the Mughal administration, local rulers (zamindars, rajas, and nawabs) exercised substantial control over their territories. This dual structure of governance – imperial authority coexisting with local autonomy – is seen as a precursor to later federal practices.

(III) Colonial Period

The modern foundation of federalism in India was laid during British colonial rule, particularly with the administrative and constitutional developments of the 19th and early 20th centuries. The British East India Company, and later the British Crown, governed India through a highly centralized system. However, the existence of princely states under indirect British rule created a quasi-federal structure, where over 500 princely states maintained a degree of autonomy while acknowledging British supremacy.

Regulating Acts and Constitutional Reforms

Several key constitutional reforms during the colonial period set the stage for federalism in India. Government of India Act, 1858 marked the beginning of direct British Crown rule in India, after the failed Indian Rebellion

of 1857, centralizing power even more. Indian Councils Acts (1909, 1919) introduced limited participation of Indians in legislative councils and decentralized some power to provincial governments. The Government of India Act of 1919 introduced a system of diarchy in provinces, where subjects were divided between transferred and reserved lists.

Government of India Act, 1935 was a major step toward federalism, proposing a federation of India that would include both British-controlled provinces and princely states. It established provincial autonomy and a system of federal governance, though the federation did not materialize fully due to opposition from princely states. It also introduced the division of powers between the center and provinces, laying the groundwork for the post-independence federal structure.

(IV). Post-Independence

The drafting of the Indian Constitution after independence in 1947 marked the formal establishment of federalism in India. The Constituent Assembly faced significant challenges in deciding the nature of the federal structure, given the country's vast size, diversity, and the experience of partition. The framers of the Constitution, led by Dr. B.R. Ambedkar, favored a quasi-federal structure with a strong central government, in contrast to the more decentralized federal models seen in countries like the USA. This decision was influenced by historical factors, including the desire to avoid the fragmentation and regionalism that plagued colonial India. One of the first major challenges of the newly independent India was the integration of princely states into the Union. Sardar Vallabhbhai Patel and V.P. Menon played pivotal roles in persuading the princely states to accede to India, thereby reinforcing the federal structure.

5. Federal Features Indian Constitution

The Indian Constitution, adopted in 1950, established a federal system with unitary features. It divided powers between the Union (central government) and the states, enumerated in the Union List, State List, and Concurrent List in the Seventh Schedule of the Constitution. The Union List gives the central government authority over key areas such as defense, foreign affairs, and taxation, while states control matters like public health and police, with both sharing authority in the Concurrent List.

Key Federal Provisions in the Indian Constitution Division of Powers

The Constitution clearly outlines the distribution of legislative, administrative, and financial powers between the Union and state governments. The federal nature is reflected in the Rajya Sabha, the upper house of Parliament, where states are represented based on their population. To maintain the unity and integrity of the country, the Constitution includes provisions for emergency powers that allow the central government to assume greater control during crises, thereby reinforcing the unitary aspects of the federation.

Inter-State Relations

The Inter-State Council and other mechanisms like the Zonal Councils were created to promote cooperation and coordination among states and between the states and the Union. India's federalism evolved from ancient traditions of local autonomy to colonial-era experiments with decentralized governance, culminating in the drafting of a Constitution that established a unique federal structure. The Indian federal system reflects the historical, political, and cultural complexity of the country, balancing the need for a strong central government with the demands of state autonomy. While federal in form, India's system retains significant unitary features, a reflection of the framers' concerns about national unity and stability in a diverse and newly independent nation.

6. Status of federalism in India and America -Review of literature.

Naresh S (2024) Federal System in India and U.S.: A Comparative Study This article provides a comparative examination of the federal systems in India and the United States, two distinct and intricate democracies that have implemented federal structures to govern their affairs. The analysis explores the constitutional frameworks, distribution of powers, financial arrangements, judicial responsibilities, amendment procedures, and approaches to cultural and ethnic diversity within the federal systems of both countries. Through the exploration of commonalities and disparities, this study offers insights into the operation and development of federalism in these two nations. Federalism in India is established in the Constitution, which outlines the distribution of powers between the Union and the states through designated lists of subjects for legislation. Fiscal federalism in the country involves resource sharing, with the Finance Commission playing a crucial role. The judiciary, especially the Supreme Court, interprets the Constitution and settles disputes between the Union and states or among states. Constitutional amendments in India necessitate approval from both houses of Parliament and ratification by state legislatures, showcasing a more adaptable approach to federal governance. On the other hand, the federal system in the United States is established on a written Constitution that divides powers between the federal government and the states. The Tenth Amendment specifically reserves powers for the states. The federal government is responsible for collecting taxes and distributing resources to the states, while the states also possess the authority to generate revenue. Disputes between the federal government and states, as well as conflicts among states, are resolved by the Supreme Court through the interpretation of the Constitution. The process of amending the Constitution in the U.S. is rigorous, guaranteeing stability in the allocation of powers

Niyati Trivedi (2022) Federalism in India v USA: a Comparative Study the last 20 years have been turbulent for Indian federalism, and several perspectives have been offered on the developments that have taken place. The Sarkaria Commission report did a great job of capturing the initial challenges with Indian federalism. Reevaluating the ability of states to have an impact on policy is necessary for light of the centre's ability to negotiate treaties and commitment to international duties. In terms of federal procedures, the development of the party system and India's federal coalition experiences have provided fresh perspectives for advancing

comparative politics study. Federalism which is both balanced and structural is a distinctive and important aspect of US governance. The political paradigm is conducive to culture because of the institution's singularity and tendency toward hierarchy. The political statesmen and constitutional elites have consistently adhered to the fundamental guidelines for balancing the center-state relationship along institutional bargaining lines, which promotes political regime stability and transparency. When examining the key elements of American politics, it is impossible to ignore the state's appealing institutional and constitutional history that spans two centuries and travels a stepwise evolution in federalism. Every federal nation is following the concept of federalism at its convenience and keeps in mind the nation's political, social, and economic diversity. It is believable that not every nation can follow the same trends of federalism given their diversity. The needs and wants differ greatly and thus, there is a need for change.

Dhruv Goel (2022) Federalism in India and USA: A Comparative Analysis The United States has a more decentralized federal system with higher state autonomy and power, whereas India has faced difficulties in increasing state autonomy and power. In both India and the United States, political groups play a crucial role in managing the relationship between various levels of government. Overall, the contrast of the American and Indian federal systems has shed light on the advantages and disadvantages of various federalism models. Federalism continues to be a crucial part of the political landscape in both India and the US, and while there are areas for improvement in both systems, it is crucial for both policymakers and citizens to comprehend its dynamics.

Monalisa Mukherjee (2019) Comparative Study of Indian Federalism with USA A Federal government system is one in which, different states or provinces of the country has been vested important powers by the central government of that country to manage and the control the nation efficiently and smoothly. The issue which formerly arises while dealing with the topic of federalism is that it has not been given any concrete definition. A constitution of any particular country can either be unitary or federal. This research deals with the peculiar combination of both the conditions imparted in the constitution of India. Different countries like U.S.A., Canada, Australia, and Switzerland have adopted the concept of federalism in their respective constitutions, U.S.A. having the oldest constitution (1787). India has adopted the Canadian Federal structure in its constitution. This article furthermore lays out a comparison between the Federal structure in India and in U.S.A. The article thus concludes by throwing light on the heterogeneous structure of Indian constitution, which is a complex analogy between the federal and the unitary anatomy.

Sharma B.M. Sharma, B.M. (2001). Federalism Theory and Practice. *New Delhi*. Concept Publishing Company in his Federalism: Theory and Practice provided a comprehensive and inclusive historical background of federalism and its operation and evolution in the world. For its all complexity, the author provides us with a clear exposition of the historical roots, external influences, constitutional structure and ethnic and social diversity that have shaped the creation and evolution of the federal systems from the ancient times in the world.

7. Federalism in the United States-Historical Evolution

(I). Colonial Period

Before the formation of the United States, the original thirteen American colonies were governed by separate charters and assemblies, which were subject to the authority of the British Crown. Colonies like Virginia (1607) and Massachusetts Bay (1620) had their own assemblies and governors, who exercised local autonomy over matters like taxation, military defense, and trade regulations, although ultimate authority lay with the British Parliament. The first formal federal structure in the United States was created through the Articles of Confederation, which governed the US from 1781 to 1789. The Articles established a confederation where each state retained sovereignty and independence, with a weak central government that had limited authority over national defense and foreign policy. Under the Articles, the federal government lacked the power to tax, regulate commerce, or enforce laws. States often acted independently, and interstate conflicts were common, reflecting the limited and ineffective nature of this early form of federalism.

Constitutional Convention and the US Constitution (1787)

The failure of the Articles of Confederation led to the drafting of the US Constitution in 1787, which established a stronger, more balanced federal system.

Federal Structure

The Constitution divided powers between the federal government and the states through the Tenth Amendment, which reserved powers not explicitly given to the federal government for the states. The Supremacy Clause (Article VI) ensured that federal laws and treaties would prevail over state laws when conflicts arose. The Necessary and Proper Clause (Article I, Section 8) gave the federal government the flexibility to expand its powers as needed for national interests. Bill of Rights (1791), added after the ratification of the Constitution, the Bill of Rights protected state and individual rights from federal overreach.

US Federalism in the 19th Century

The 19th century saw the expansion and evolution of federalism in the United States, particularly through key events and legal battles. Civil War (1861–1865) the conflict between the Union and the Confederate States was fundamentally about states' rights, particularly over slavery and secession. The Union's victory established the supremacy of the federal government and ended the debate over secession. Reconstruction Era (1865–1877) after the Civil War, the federal government took a more active role in Southern states through the Reconstruction Amendments (13th, 14th, and 15th), which expanded federal authority to protect the rights of newly freed African Americans.

8. Features of Federal Practice in India

The Constitution provides the strong central government with substantial powers, especially in times of crisis. Articles like Article 356 (President's Rule) allow for the dismissal of state governments if governance breaks down, reinforcing central dominance in certain situations. India recognizes its diversity by granting special provisions to certain states through Article 370 (for Jammu & Kashmir, prior to its revocation in 2019) and Article 371 for other regions. These provisions acknowledge the unique historical and cultural contexts of specific states and give them varying degrees of autonomy. The existence of a Concurrent List, where both the Union and the states can legislate, further highlights the blending of federal and unitary features in India's governance. However, in case of conflict, central law prevails, which enhances the power of the Union government.

Major Post-Independence Developments & Resolutions

The States Reorganization Act of 1956 reorganized India's states along linguistic lines. This significant shift strengthened federalism by better aligning administrative boundaries with linguistic and cultural identities, addressing regional aspirations. The declaration of a national emergency (1975-1977) under Article 352 by Prime Minister Indira Gandhi saw a significant centralization of power. The emergency, which suspended democratic processes and curtailed state autonomy, was a crucial moment highlighting the fragile nature of India's federalism. Over the years, the central government has created new states like Chhattisgarh, Uttarakhand, and Jharkhand (2000), and more recently, Telangana (2014). These actions reflect the flexibility of India's federal structure in addressing regional demands for greater autonomy.

Replacing the Planning Commission, the NITI Aayog represents a shift towards more cooperative federalism, aiming to involve states more directly in policy-making. This body works with states to ensure development strategies are aligned with both national goals and regional needs. The introduction of the GST marked a significant change in India's federal fiscal arrangement. The GST brought both the Union and state governments together under a common tax system, fostering cooperative federalism. However, it also led to concerns about states losing financial autonomy.

In a landmark move, the Indian government revoked the special status of Jammu & Kashmir by abrogating Article 370. This decision effectively reorganized the region into two Union Territories, increasing central control over the area, while sparking debates about federalism and regional autonomy. The ongoing debate about holding simultaneous elections for the Parliament and State Legislatures is a contemporary issue. Proponents argue that it would increase governance efficiency, while opponents believe it would undermine the autonomy of state governments by aligning their political calendars with the centers. The central government's passing of Farm Laws in 2020, which were eventually repealed following widespread protests, highlighted tensions in federal practice. Many states argued that agriculture is a state subject, and central interference was an encroachment on their powers, sparking a federalism debate.

9. Key Features of U.S. Federalism

Early U.S. federalism followed a model of dual federalism (1789-1937) where state and federal governments operated within distinct spheres of influence, with little overlap. The Tenth Amendment affirmed that powers not delegated to the federal government were reserved for the states. The New Deal era of the 1930s marked a shift towards cooperative federalism, where the federal and state governments began to work together on a range of issues, especially in the wake of the Great Depression. This new arrangement blurred the lines between federal and state powers, with federal funding driving state-level initiatives. The U.S. federal system involves significant interaction through federal grants to states. These grants, which are tied to specific federal policies or requirements, give the federal government leverage over state actions while still allowing states flexibility in certain areas of governance.

Major Post-Independence Developments & Resolutions

One of the most significant moments in U.S. federalism was the Civil War, which was largely fought over states' rights, particularly the right to maintain the institution of slavery. Following the Union's victory, the federal government gained considerable authority over the states, particularly in ensuring civil rights for newly freed African Americans through the Reconstruction Amendments (13th, 14th, and 15th). In the 20th Century the New Deal under President Franklin D. Roosevelt dramatically expanded federal power in response to the economic crisis of the Great Depression. Many New Deal programs relied on cooperation between federal and state governments, laying the foundation for modern cooperative federalism.

During 1960s under President Lyndon B. Johnson, leadership federal power was further expanded through the introduction of programs like Medicare, Medicaid, and civil rights legislation, which often required state implementation but were funded and regulated at the federal level.

Judicial Interpretations of Federalism

Throughout U.S. history, the Supreme Court has played a critical role in defining the balance between federal and state power.

McCulloch v. Maryland (1819)

The Supreme Court under Chief Justice John Marshall ruled that the federal government had the authority to establish a national bank, and that states could not tax it, reinforcing federal supremacy.

Brown v. Board of Education (1954)

This landmark case struck down state laws enforcing racial segregation in public schools, exemplifying how federal power can intervene in state matters to uphold constitutional rights.

Civil Rights Movement (1950s–1960s)

The federal government, particularly through judicial rulings and federal legislation, played a key role in dismantling state-enforced segregation and upholding civil rights, often against the opposition of state governments. The passage of the Civil Rights Act (1964) and the Voting Rights Act (1965) marked crucial interventions where federal authority was used to protect individual rights against discriminatory state practices.

Devolution and New Federalism (1980s–1990s)

Under Presidents Ronald Reagan and Bill Clinton, there was a push for New Federalism, which sought to return more power and responsibility to the states. Reagan's administration emphasized block grants, which gave states more flexibility in using federal funds without being bound by federal requirements. This movement was a reaction to what many saw as excessive federal control over state matters.

Federalism in Times of Crisis Post-9/11 (2001)

The Patriot Act and the establishment of the Department of Homeland Security expanded federal authority over areas traditionally managed by states, such as law enforcement and public safety.

COVID-19 Pandemic (2020)

The pandemic brought new challenges to federalism, as states exercised their autonomy in managing public health responses, including lockdowns and vaccine distribution, while the federal government provided funding and guidance. The federal response under the CARES Act and American Rescue Plan saw extensive collaboration between federal and state governments, but also highlighted tensions regarding state autonomy in public health matters.

Supreme Court's Role in Modern Federalism

In *National Federation of Independent Business v. Sebelius*, the Supreme Court upheld the constitutionality of most of the Affordable Care Act 2012 but ruled that the federal government could not coerce states into expanding Medicaid by withholding funding. This decision highlighted the limits of federal power in dictating state policies.

Dobbs v. Jackson Women's Health Organization (2022)

The Supreme Court's ruling, which overturned *Roe v. Wade*, returned the authority to regulate abortion laws to the states. This decision reintroduced state autonomy over a previously federally protected right, significantly altering the federal-state balance in matters of individual rights.

10. Conclusion

Federalism in India is characterized by a strong central government, but its evolution since independence shows an ongoing negotiation between the center and the states. While the structure has been flexible enough to address regional aspirations and crises, contemporary challenges, including centralization of power and fiscal concerns, test the resilience of India's federal framework. The balance between maintaining national unity and accommodating diversity continues to be a central theme in the practice of Indian federalism. Federalism in the United States remains a dynamic system, shaped by historical developments, judicial interpretations, and evolving political and social contexts. While the U.S. federal system has experienced periods of both centralization and decentralization, contemporary challenges such as partisan polarization, healthcare, immigration, and environmental policy continue to test the balance of power between the federal and state governments. The adaptability of U.S. federalism lies in its capacity to accommodate these shifts while maintaining the foundational principle of shared sovereignty.

Federalism in both India and the US has evolved through complex historical processes. While the US developed its federal structure through deliberate constitutional design, India's federalism emerged as a response to its ancient decentralized governance systems, colonial rule, and the need for regional autonomy. By the time of independence in 1947, India had inherited a quasi-federal system from the British, which was later adapted into the Constitution of India in 1950, creating a robust federal system similar in many ways to the United States.

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