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# **UNITARY AND FEDERAL GOVERNMENT**

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## **Introduction**

The classification of a country's government can be determined by its relationship between the central governing body and the regional entities. In certain countries, power is concentrated in the central government (unitary government), while in others, power is divided between the central government and regional entities such as states or provinces (federal government). Additionally, in some countries, power is primarily held by the regional entities (confederation).

## **Comparison between Unitary and Federal Government Systems**

Governments can be classed as unitary or federal based on the relationship between the central and the units. In a unitary government, all governmental functions are concentrated in the central government, while in a federal government, the powers of government are distributed between the central government and the individual divisions. Their distinguishing characteristic and relative advantages and disadvantages are provided as follows.

### **What is Unitary Government?**

A unitary government is a system of governance in which all powers and authority are concentrated in a central government, with little or no power delegated to regional or local governments.

A unitary government is a political system where all authority is concentrated in a central governing body or the central government. In a unitary state, the central government holds the highest authority over authorities. Currently, the majority of nations worldwide have a unitary system of government.

The central government possesses the power to establish, abolish, disseminate, and modify laws.

Additionally, it possesses the authority to give directives to both municipal and state governments, which are obligated to comply with them.

The exclusive decision-making authority rests solely with the federal government. The local governments and residents lack sufficient capacity to express their opinions in opposition to the government.

Regarding the Constitution of a unitary government, it is not always had to be in written form or inflexible. It can be expressed in either written or rigid form, as well as in unwritten or flexible form. There are no rigid requirements regarding the nature of a constitution.

In a unitary government, there is no distinct judiciary that is separate from the other branches of government. During times of emergency, the government is renowned for making timely and decisive choices. Since there is a less quantity

Among individuals possessing authority, the government is relatively less costly in comparison to the federal one.

The unitary government is characterised by various features and components. It closely resembles a dictatorship, when the citizens' opinions and rights are not given priority.

### **What is Federal Government?**

The Federal Government refers to the central governing authority of a country, typically composed of multiple branches and levels of government, with the power to make and enforce laws at a national level.

A Federal government is a political system that consists of two tiers of government, namely the central or national government and the regional or local government. The national government, along with the municipal governments, have the autonomy to operate autonomously within their own territories.

There exists a distribution of power between both these levels of government. The states possess autonomy in decision-making and implementing reforms. Certain authorities, such as national security, foreign affairs, and international diplomacy, are exclusively centralised within the

national or central governing body.

## UNITARY GOVERNMENT

A unitary government is a form of government where power is centralised in a single governing body. A unitary government is a form of governance where a singular authority, referred to as the central government, exercises complete control over the whole governmental apparatus. Indeed, all powers and authorities of administrative divisions are centralised. Currently, the majority of government systems worldwide are founded upon a unitary form of governance. It deviates slightly from the federal model of government. In a unitary government system, the central government possesses the authority to either enhance or diminish the power of subnational units. It has the ability to both generate and abolish. The United Kingdom, Afghanistan, Italy, China, Saudi Arabia, and Spain are prominent examples of countries with a unitary form of administration. The unitary government system prioritises the centralization of power and authority in order to maintain consistency, unity, and identity. The central government possesses the authority to make decisions, which it may delegate to lower-level governments as necessary. The lack of choices for change and fresh innovation is evident due to the little influence that individuals have inside this government system. Unitary government has numerous advantages and disadvantages. Consistency and equality are crucial aspects of government systems, making it beneficial for rules and regulations to stay consistent and equal across the entire country. Furthermore, it is more cost-effective in comparison to the federal government because to the number of influential individuals is exceedingly limited. During an emergency, it exhibits more prompt decision-making capabilities in comparison to the federal government system. However, the concept of freedom of speech and expression consistently maintains a low priority, resulting in many characteristics of a unitary government resembling those of a totalitarian regime. The characteristic that sets it apart is described as follows:

### **Concentration of Powers:**

A unitary government is a form of governance where all administrative powers are concentrated in a single central authority. The core is all-powerful. A unitary state can be subdivided into smaller parts for administrative convenience, but these divisions do not possess any independent constitutional standing. Put simply, the constitution does not grant any powers to the units. The central government autonomously delegates specific competences to the subordinate units. The units are subordinate agents of the centre. The powers they possess are bestowed upon them by the central authority, and therefore can be revoked at any given time. Therefore, the units are not

self-governing and separate in any manner.

### **Single Government:**

A unitary government consists of a singular and unified system of governmental institutions. There exists a sole governing body, a solitary administrative entity, and a singular highest court of law. England is a prime example of a unitary state. The country has a unicameral parliament as its legislative body, the King-in-Council as its administrative branch, and the judicial committee of the House of Lords as its highest court.

### **Constitution: Written or Unwritten**

A unitary government may or may not possess a written constitution. For instance, England and France are both examples of unitary states. France possesses a codified constitution, whereas England lacks one.

### **Constitution: Rigid or Flexible**

In contrast to a federation, a unitary state may or may not possess a strict constitution. For instance, the constitution of England is adaptable, whereas that of France is quite inflexible.

There is no separate judicial branch.

There is no necessity for a specialised judiciary with extensive powers of judicial veto in a unitary government. Even the highest court in the United Kingdom, such as the Supreme Court, does not have the authority to assess or evaluate the legislation enacted by Parliament.

## **The federal government**

The federal government is a kind of national government in which the government has the authority to assign powers to other elected members of the states. A country can have two levels of federal government, either operating through shared institutions or through powers defined by the state's constitution. It is completely contrary to the concept of a unified government. In a federation or federal government, provinces or territories possess certain privileges that are similar to those of independent states. International diplomacy, national security, foreign affairs, and other forms of international relations are exclusively conducted by the federal government. Pakistan, India, Brazil, Switzerland, Australia, Belgium, Canada, and more countries exemplify the concept of federal governance. The federal government system is commonly associated with the United States government. This administration is founded on the principles of republicanism

and federalism. Power under the federal system is distributed between the state and federal governments in a shared manner. In a federal government system, power is not centralised in one national government. Nevertheless, there are some powers and authorities that exclusively reside with the federal government, such as defence policies, budgetary decisions, and international diplomacy. The federal government system follows a hierarchical structure, with power originating at the federal level and subsequently cascading down to the state and municipal levels. The characteristic that sets it apart is as follows:

**Division of Powers:**

In a federal government, the functions of administration are distributed between the central authority and the individual units. The powers can be allocated in two distinct manners. The constitution either delineates the functions of the federal authority and delegates the rest to the federating units, or it specifies the powers of the federating units and delegates the rest to the central authority. The remaining powers are sometimes referred to as residuary powers. The initial approach was utilised in the United States, while the subsequent strategy was implemented in Canada. In the United States, the federal government is relatively less influential compared to the states, but in Canada, the central government holds greater authority. In a federation, both the federal and state governments possess independent and autonomous authority within their respective domains. 'One does not hold a position of inferiority to the other.' Both entities draw their authority from the constitution, which serves as the highest legal framework in the country. The units possess inherent powers that are not granted by the central authority.

**Separate Government:**

In a federal type of government, both the central authority and the individual divisions possess distinct governmental structures. America is a federal republic composed of individual states. Consequently, states have distinct legislatures and distinct executives.

**Written Constitution:**

A written constitution is a necessary need for a federal government. Since a federation is a political alliance of multiple states, it is necessary to have a formal agreement in the form of a written constitution.

**Rigid Constitution:**

The constitution of a federation should be relatively inflexible. The pact is considered holy and

should not be breached without careful consideration. A constitution that is flexible grants the central government the ability to limit the independence of the federating states.

### **Special Judiciary:**

Constitutional conflicts may arise in a federation between the federal centre and the units, or between different units. All of these conflicts must be resolved based on the provisions of the constitution. In order to achieve this objective, it is necessary to develop a specialised judiciary with extensive authority. It should serve as the caretaker and protector of the constitution. The entity should be granted the authority to declare any law, whether at the national or municipal level, as invalid if it contradicts the provisions of the constitution. The constitution is the highest legal authority in a federation, and both the central government and the state governments are obligated to comply with it.

## **Unitary Government and Federal Government**

The primary distinction between Unitary Government and Federal Government lies in the fact that a unitary government is a singular system of governance in which the central government possesses all powers, while a federal government is a dual system of governance in which powers are divided between the national government and local governments.

Table Comparing Unitary Government with Federal Government

### **Comparison Table Between Unitary Government and Federal Government**

<b>Parameter of Comparison</b>	<b>Unitary Government</b>	<b>Federal Government</b>
<b>System of Government</b>	A unitary government is a single system of government where the central government has supreme authority.	A federal government is a dual system of government where the national government and the local governments work independently.

<b>Division of Power</b>	All the powers are incorporated within the central governing body.	The powers are divided between the national and the local governments.
<b>Constitution</b>	It can either have a written or an unwritten Constitution.	While it is ought to have a written Constitution.
<b>Rigidity</b>	The Constitution can either be rigid or flexible.	Whereas the Constitution must be more or less rigid.
<b>Judiciary</b>	There is no special judiciary.	There is a special judiciary with unique powers.
<b>Balance</b>	The central government can issue orders to the local governments being the only authority.	While here there is a balance between the national and local governments.
<b>Countries</b>	Countries like Japan, Britain, <u>France</u> , Italy etc. have a unitary government.	Countries like the US, Australia, Russia, Canada etc. have a federal government.

## Merits of unitary of government

### 1. Efficient and expedited decision making:

One major advantage of a unitary system of government is the reduced number of authorities that need to be consulted before decisions are taken in the country. This facilitates efficient and expedited decision-making by the government on crucial subjects. In a federal system of government, decisions are taken after consulting all organs of government and authorities in the state.

### 2. Promotion of peace and unity:

Another advantage of a unitary form of administration is its propensity to foster peace and harmony within the country. Due to the absence of a pluralistic government, there will be a lack of checks and balances, deliberation, or conflict prior to the implementation of decisions that impact the governing body.

### 3. Prevention of the waste of human resources:

Additionally, proponents have maintained that a unitary system of governance effectively prevents the squandering of human resources inside the nation. This statement is mostly accurate because the consolidation of powers centralises all governmental authority, allowing for more efficient and equitable distribution of resources across the entire nation. However, it will not be straightforward in a federal form of government since, in a federation, distinct parts of the government autonomously manage the resources of the state without interference from others. Therefore, there is a higher probability of squandering the resources.

4. The unitary form of government eliminates the issue of constitutional conflict between the national and regional governments.

The unitary form of government helps to address the constitutional conflicts that arise between the national and regional governments. Within a federation, the division of authorities and responsibilities between the national and regional administrations is typically not clearly defined. As a result, there is typically a conflict between the central authority and regional administration in a federation.

However, in a unitary system of government, political powers are centralised in the hands of a single central authority. It seems that there are no other entities outside bodies that are given government powers.

Having discussed the advantages of a unitary system of administration, we will now examine the disadvantages of such a system. Here, you can find an explanation on why numerous countries choose not to implement a unitary form of governance.

## **Disadvantage of a unitary form of government**

**Below are the disadvantages or demerits of unitary system of government:**

**1. The central government is overwhelmed with numerous roles and responsibilities:**

In a unitary system of government, the central government assumes several activities and obligations due to the absence of other governing units to share these tasks with.

This issue is exacerbated by its widespread and incorrect implementation in a populous

country. The central government may face insurmountable challenges in properly managing all the issues in the country.

## **2. Unequal growth and development in the state:**

One drawback of a unitary form of governance is the inequitable growth and development it leads to. This is because the central government is unable to simultaneously develop every region of the country without delegating its authority. Certain regions of the country will inevitably be neglected.

On the other hand, this will result in an imbalanced progress inside the country. Consequently, the implementation of a Unitary system of governance might potentially lead to a crisis within a nation.

## **3. The unitary form of administration is not well-suited for a country with multiple ethnic groups.**

This is another compelling rationale for why numerous countries abandon the unitary system of administration. A unitary system of government is not appropriate for a nation with multiple ethnicities.

Implementing a unitary system in this particular nation is not conceivable. This is due to the fact that in a multicultural nation, individuals possess many views and religions. On the other hand, if political

If authority is exclusively centralised in the hands of a single central administration, neglecting the local level, it will inevitably lead to crises and power struggles inside the country.

## **4. It does not create room for wider participation in government:**

In a unitary system of government, power is centralised at the national level, which hinders or even precludes local participation in governance. This system differs from a federal system as it does not facilitate further government involvement.

However, under a federation, powers are explicitly distributed and the local government system is utilised to guarantee the presence of a government at the grassroots level. Therefore, individuals who are unable to engage in national-level activities can

nevertheless contribute at the local level.

#### **5.Slow growth and development of the country:**

The implementation of a unitary system of governance sometimes leads to a sluggish pace of economic growth and development in a country, particularly in the case of a heterogeneous economy.

This is because a single central authority is incapable of fostering development in a country with diverse tribes and religions.

However, by distributing the powers among many groups, each government will have the ability to concentrate and guarantee swift progress.

Therefore, numerous researchers argue that rapid economic development is more achievable in a federal form of governance compared to a unitary style of government.

## **Federal Features of Indian Constitution**

### **Dual Government**

The Indian Constitution establishes a dual polity comprising of the Union at the Centre and the States located on the outside edges or boundaries. Each entity possesses independent authority to exercise sovereign powers within their designated jurisdiction as defined by the Constitution.

### **Written Constitution**

The provisions of the Constitution are drafted and cannot be readily modified without proper parliamentary authorization.

### **Division of Powers**

The Constitution allocated authorities between the central government and the state governments through the Union List, State List, and Concurrent List outlined in the Seventh Schedule.

### **Supremacy of the Constitution**

The Constitution is the highest legal authority in the country. The laws are promulgated by the Central government, and the states are required to adhere to their requirements.

### **Rigid Constitution**

The Constitution can be amended by a process requiring a 2/3rd majority in each house of the legislature, ensuring that legislation cannot be simply altered by any ruling party.

### **Independent Judiciary**

The Judiciary is distinct from both the Executive and Legislature. The Judiciary, with its authority at both the national and state levels, carries out Original, Appellate, and Judicial Review functions. It operates autonomously from the Executive and Legislature.

### **Bicameralism**

The system has a bicameral legislature consisting of an Upper chamber and a Lower chamber. The Lower house have the authority to pass financial legislation.

## **Unitary features of the Indian Constitution**

### **Strong Centre**

The distribution of powers heavily favours the central government and is severely unfair from a federal perspective. To begin with, the Union List encompasses a greater number of issues compared to the State List. Furthermore, the Union List comprises the themes of utmost significance. Furthermore, the Centre possesses ultimate power over

The Concurrent List refers to a specific list of subjects or matters that are jointly governed by both the central and state governments in a country. Ultimately, the Centre has been granted the remaining authorities, but in the United States, these powers are given to the states. Therefore, the Constitution has bestowed significant power upon the Central government, resulting in its considerable strength.

### **Central Government's control over state territory**

In contrast to other federations, the states in India do not possess the right to territorial integrity. The Parliament has the authority to unilaterally modify the territory, borders, or name of any state.

### **Single Constitution**

Typically, under a federation, the individual states possess the authority to create their own Constitution, distinct from that of the central government. In contrast, the states in India are not granted such authority. The Constitution of India encompasses not only the Constitution of the central government but also the constitutions of the individual states. Both the central government and the state governments must function within this unified framework. An exception to this rule is found in the instance of Jammu and Kashmir, which possesses its own Constitution.

### **Flexibility of the Constitution**

The majority of the Constitution can be modified through the unilateral action of the Parliament, either by a simple majority or by a special majority. Moreover, the authority to propose a modification to the Constitution rests solely with the Central government. In India, unlike in the U.S.A, states do not possess the authority to propose amendments.

### **Unequal representation of states**

In federal states, equal representation is typically granted to states in the upper house. However, in India, states do not receive equal representation in the Rajya Sabha.

### **Emergency Provisions**

During a situation of emergency, the authority of the Central government is greatly enhanced, and the states come under the complete jurisdiction of the Centre. It transforms the federal system into a unitary system without a formal alteration of the Constitution. This type of metamorphosis is unique to this federation and cannot be found in any other.

### **Single Citizenship**

India implemented the system of single citizenship. Indian citizenship is the sole form of citizenship recognised, and there is no distinct citizenship for individual states. All citizens, regardless of their state of birth or residence, are entitled to the same rights across the entire country. Other federal states such as the United States, Switzerland, and Australia allow for dual citizenship, meaning individuals can hold both national citizenship and citizenship at the state level.

### **Single Integrated Judiciary**

It signifies that the courts in India are arranged in a hierarchical manner, with the lesser courts

being subordinate to the Supreme Court of India. The courts in India possess both original and appellate jurisdiction.

### **All India Services**

It possesses the characteristics of both the All India Services or Central Services, as well as the State Civil Services. The Central and All India services facilitate the implementation of a standardised administrative system and procedures across the entire country of India.

### **Appointment of Governor**

The governor of a state is not elected, but rather appointed by the president and serves at the president's discretion. He is the chief executive of the state. He possesses authorities such as legislative, executive, judicial, and emergency authority.

## **Conclusion**

During the formulation of the Constitution, the authors were mindful of India's unparalleled diversity, which is distinct from that of any other federal nation. Consequently, a mechanism to bind the separate powers of the units was necessary to prevent the administration from collapsing. Furthermore, it was necessary to implement a mechanism to limit the authority of the central government. This was accomplished by bestowing powers upon the individual units (states) to handle issues pertaining to their own separate affairs.

The Indian Constitution is distinctive as it is a pioneering form of constitution that amalgamates the characteristics of both a unitary and a federal government. Instead of being a genuine federation, it is commonly described as a "union of states."