

THE ADVANTAGES AND DISADVANTAGES OF FEDERALISM

Federalism is a form of government that allows for more than one central entity to have power. What this means is that there is a federal government who is above all others, and smaller, more localized forms of governments that take control of local and regional issues. The idea behind this is to be able to better suit the needs of each area of the country, but some issues certainly arise.

1. Division of Powers:

In a federal government the powers of administration are divided between the centre and the units. The powers may be distributed in two different ways. Either the constitution states what powers the federal authority shall have, and leaves the remainder to the federating units, or it states what powers the federating units shall possess and leaves the remainder to the federal authority. The remainder is generally known as residuary powers. The first method was employed in America and the second in Canada. The federal government in U.S.A., for example, is weak in relation to the states whereas the federal government in Canada is more powerful. In a federation both the federal and state governments are independent and autonomous in the spheres of their powers. 'One is not subordinate to the other. Both derive their powers from the constitution which is the supreme law of the land. The powers enjoyed by the units are, therefore, original and not delegated by the centre.

2. Separate Government:

In a federal form of government both the centre and the units have their separate set of governmental apparatus. America is a federation of states. States have therefore separate legislatures and Separate executives.

3. Written Constitution:

A federal government must have a written constitution. As a federation is a political partnership of various states and consequently there must be a written agreement in the form of a written constitution.

4. Rigid Constitution:

The constitution of a federation should be more or less rigid. It is regarded as a sacred agreement, the spirit of which should not be easily violated. A flexible constitution allows a scope to the central government to curtail the autonomy of the federating states.

5. Special Judiciary:

In a federation, there are possibilities of constitutional disputes arising between the federal centre and the units or between one unit and another. All these disputes are to be adjudicated in the light of the constitution. For this purpose a special judiciary with wide powers must be established.

It should act as the custodian and guardian of the constitution. It should be vested with powers of declaring any law, national or local, ultra vires if it is at variance with the articles of the constitution. The constitution is thus the supreme law in a federation to which both the centric and the state must adhere to.

6. A Better Understanding of Local Issues and Demands – The central government has no true way to understand what issues, demands and changes need to be made in every area of the country. This is why federalism is such a great advantage. The smaller branches of the local governments are right in the middle of the local society. They are better suited to deal with the true things that need to be changed.

7. Increasing Citizen Participation – By not centralizing all power into the hands of a national government, but sharing that power with state governments, which are closer to the level of the common citizen, our founders actually increased a citizen's ability to affect their government, government policy, and law-making.

8. As a Protection Against Tyranny – One of the most important points of federalism in dividing the power between the national government and state governments, and spreading the national government’s power among three branches that serve as a check and balance on each other, is that it serves as a deterrent to tyranny and runaway power. The protections we have in our system against a tyrannical, runaway government are one of the most important points to why the system was designed the way it was.

9. More Efficient – When some of the power of the government is dispersed among the states, giving states the right to solve some of their own problems, you allow for more efficiency within the system. To try to have a national solution to all problems, which could be referred to as a ‘cookie-cutter method’ of law and policy making, you end up with solutions that are more effective in some states, and less effective in others. To allow states to create solutions to their own problems, using policies and laws that work best in their state, means that each state can come up with its own solution, making government/governance more efficient.

10. Innovation in Law and Policy is Encouraged – By allowing for many state governments, different sets of policies can be tried, and the ones found most effective at solving its problems can then be implemented in other states, or on the national level. Imagine Christopher Columbus trying to get funding to voyage across the Atlantic Ocean if there was a unified Europe back then, with its head saying ‘no!’ to him; instead, he had several governments from which he could try to get his funding – he got turned down by several governments before Spain gave him the okay. The same principle applies today with our many states – something that is rejected in one state can most likely be tried in another state, with competition leading the way, based on effectiveness of those laws.

11. State Governments Can be More Responsive to Citizen Needs – The closer a government entity is to its citizens, the more likely it is to respond to the needs of citizens. States are more likely to listen to citizen needs, and respond to them, than the national government would be.

The Disadvantages of Federalism

1. Conflict of Authority – The biggest problem that arises when you have two bodies of government in power is the power struggle. Both central and state government intend to assert their power over the other which at time causes conflict between them. Even the long-term conflict between the central and state government can create hurdles in way of national development and prosperity.

2. Regionalism Over Patriotism – The mark of a great country is just how patriotic and prideful the citizens is to be a part of it. Federalism, since it promotes smaller level of government, it also promotes smaller levels of pride. It can begin to pit one region against another and take away from the feeling of patriotism that should be present all over the entire country.

3. A Lack of Accountability – With the responsibility of the government being shared, it becomes very easy for one sector to release responsibility for the other, and vice versa. This can become a very large problem because if something goes wrong, both sides of the government can relinquish control for the responsibility.

4. Inequalities Between States – The federal form of government allows for regional inequalities between different states. For example, instead of education funding throughout the country being the same, since it is a state issue, some states will spend more, per capita, on education than other states, causing what could be considered a disparity. The same goes for other things, as well, such as taxes, health care programs, and welfare programs which increases regional inequality amongst the different states.

5. The Blockage of Nationalist Policies by States – States can fight against the existence of certain national laws by challenging them in court, or going out of their way to not enforce those national laws, or even deliberately obstructing enforcement of national laws.

SUMMARY

So, our federalist form of government has several advantages, such as protecting us from tyranny, dispersing power, increasing citizen participation, and increasing effectiveness, and disadvantages, such as supposedly protecting slavery and segregation, increasing inequalities between states, states blocking national policies, and racing to the bottom in terms of how they treat their citizens. Do the advantages outweigh the disadvantages? I believe so. I support the system of federalism, agreeing with the benefits, and doing my best to give counterarguments to the disadvantages, in order to negate them. All in all, I think our system is superior even to the parliamentary and cabinet system found in the United Kingdom, as well the confederation system found in Canada, as well as the one preceding our present system.

Unitary State

A unitary state, or unitary government, is a governing system in which a single central government has total power over all of its other political subdivisions. A unitary state is the opposite of a federation, where governmental powers and responsibilities are divided. In a unitary state, the political subdivisions must carry out the directives of the central government but have no power to act on their own.

In a unitary state, the central government may grant some powers to its local governments through a legislative process called “devolution.” However, the central government reserves supreme power and can revoke the powers it devolves to the local governments or invalidate their actions.

Devolution

The term devolution refers to the transfer of power from a central government to state, regional, or local governments. Devolution usually occurs through individually enacted laws rather than through amendments to a country’s constitution. As a result, unitary governments retain the power to restrict or withdraw the powers of the subnational authorities at any time. This is in contrast to federalism, under which the powers of state, regional, or local governments are granted through the country’s constitution.

Historically, governments have tended to move toward centralized power. During the late 20th century, however, groups in both unitary and federal systems have sought to devolve more power from the central governments to local or regional governments. In the United States, for example, supporters of states’ rights have favoured devolving power away from Washington, D.C., toward state governments. Perhaps the two most notable instances of devolution occurred in France in the 1980s and the United Kingdom in the late 1990s.

Unitary states, like federal states, can be constitutional democracies or unfree non-democracies. Both the unitary Republic of France and the Federal Republic of Germany, for example, are constitutional democracies, while the unitary states of Algeria, Libya, and Swaziland are unfree non-democracies. The Republic of Sudan is an example of an unfree and non-democratic federal state.

Examples of Unitary States

Of the 193 member countries of the United Nations, 165 are unitary states. The United Kingdom and France are two well-recognized examples.

United Kingdom

The United Kingdom (UK) is composed of the countries of England, Scotland, Wales and Northern Ireland. While technically a constitutional monarchy, the UK functions as a unitary state, with total political power held by Parliament (the national legislature located in London, England). While the other countries within the UK each have their own governments, they cannot enact laws that affect any other part of the UK, nor can they refuse to enforce a law enacted by Parliament.

France

In the Republic of France, the central government exercises total control over the country’s nearly 1,000 local political subdivisions, which are called “departments.” Each department is headed by an administrative prefect appointed by the French central government. While they are technically

governments, France's regional departments exist only to implement the directives issued by the central government.

Some other notable unitary states include Italy, Japan, the People's Republic of China, and the Philippines.

Unitary States vs. Federations

The opposite of a unitary state is a federation. A federation is a constitutionally organized union or alliance of partially self-governing states or other regions under a central federal government. Unlike the largely powerless local governments in a unitary state, the states of a federation enjoy some degree of independence in their internal affairs.

The US government structure is a good example of a federation. The U.S. Constitution establishes a system of federalism under which powers are shared between the central government in Washington, D.C., and the governments of the 50 individual states. The power-sharing system of federalism is defined in the 10th Amendment to the Constitution: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

While the U.S. Constitution specifically reserves some powers for the federal government, other powers are granted to the collective states, and others are shared by both. While the states have the power to enact their own laws, the laws must comply with the U.S. Constitution. Lastly, the states have the power to collectively amend the U.S. Constitution, provided that two-thirds of state governments vote to demand it.

Even in federations, the distribution of power is often a source of controversy. In the United States, for example, disputes over states' rights—the constitutional division of power between the federal and state governments—is a common subject of rulings issued by the U.S. Supreme Court under its original jurisdiction.

Unitary States vs. Authoritarian States

Unitary states should not be confused with authoritarian states. In an authoritarian state, all governing and political power is vested in a single individual leader or small, elite group of individuals. The leader or leaders of an authoritarian state are not chosen by the people, nor are they constitutionally responsible to the people. Authoritarian states rarely allow freedom of speech, freedom of the press, or freedom to practice non-state approved religions. In addition, there are no provisions for protecting the rights of minorities. Nazi Germany under Adolf Hitler is typically cited as the prototypical authoritarian state; modern examples include Cuba, North Korea, and Iran.

Pros and Cons

The unitary state is the most common form of government in the world. This system of government has its benefits, but as with all schemes of dividing power between government and the people, it also has drawbacks.

Advantages of a Unitary State

Can act quickly: Because decisions are made by a single governing body, the unitary government is able to respond more quickly to unexpected situations, whether they are domestic or foreign.

Can be less costly: Without the multiple levels of government bureaucracy common to federations, unitary states are able to operate more efficiently, thus potentially reducing their tax burden on the population.

Can be smaller: The unitary state can govern the entire country from a single location with a minimal number of elected officials. The smaller structure of a unitary state allows it to meet the needs of the people without involving a massive workforce.

Disadvantages of Unitary States

Can lack infrastructure: Although they may be able to make decisions quickly, unitary governments sometimes lack the physical infrastructure needed to implement their decisions. In national emergencies, like natural disasters, the absence of infrastructure can endanger the people.

Can ignore local needs: Because they can be slow to develop the resources needed to respond to arising situations, unitary governments tend to focus on foreign affairs while keeping domestic needs on the back burner.

Can encourage abuse of power: In unitary states, a single person or legislative body holds most, if not all, governmental power. History has shown that power, when placed in too few hands, is easily abused.