

The Move towards a de Facto Unitary State*

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Federalism is one of the basic features of the Indian Constitution. In the Constituent Assembly Professor K.T.Shah wanted the term “federal”, together with the term “secular”, included in the Preamble itself, but Dr.Ambedkar rejected it on the grounds that the federal and secular character of the republic was understood and did not need specification. The Constitution in its seventh schedule spelt out the jurisdictions of the Centre and the states in two lists, and areas of common jurisdiction in a third list. Since then the Centre has always tended to encroach on the domain of the states, but this tendency has now acquired a strength where the claim that the country is being pushed towards a de facto unitary State appears to be no exaggeration.

Having persuaded states to give up their Constitutionally-mandated taxing powers by substituting for their main revenue source, the Sales Tax, a Goods and Services Tax, administered by a GST Council dominated by the Centre, with the promise that their revenue shortfall will be made good, the Centre has now coolly reneged on that promise. States at present have no taxing powers (except over just three commodities); and the promised compensation from the Centre has not materialized.

But it is not just control over resources that has been centralized; decision-making too is being centralized against the provisions of the Constitution. Education for instance is in the Concurrent List; but the Centre has recently come out with a New Education Policy, without any consultation with the states. The states are simply expected to fall in line and implement the New Education Policy. Agriculture belongs to the State List; and yet the Centre has just rushed three bills through the parliament, with no consultation with state governments, making far reaching changes in the country’s agricultural arrangements, which, apart from their impact upon the peasantry, would also mean significant revenue losses for states.

It is not just the states’ domains that are being encroached upon; their very being can now be unilaterally altered by the Centre. This became clear when the state of Jammu and Kashmir was carved into two separate Union Territories without the consent of the state legislature. The state’s consent to this bifurcation was supposed to have been obtained through the consent of the Centre-appointed governor, since the state was placed under governor’s rule at the time. With this precedent, any state can cease to exist as a state and can be carved up into any number of fragments any time, by placing it under governor’s rule, and taking the consent of the governor who is hand-picked by the Centre as being legally equivalent to the consent of the state legislature. When the very existence of a state becomes a matter of Central discretion, a substantial step has been taken towards a unitary State.

Converting India into a de facto unitary State is the agenda of both the Hindutva forces and the corporate-financial oligarchy integrated with globalized finance capital; it constitutes therefore a prominent element on the common agenda of the corporate-Hindutva alliance that is currently dominating Indian politics.

The federal nature of the Indian State follows from the dual national consciousness that characterizes every Indian, the consciousness of belonging to a particular regional-linguistic group, that is, being an Odiya, or a Bengali, or a Malayali or a

Gujarati, or a Tamil; and a consciousness that is pan-Indian. Both kinds of consciousness got strengthened during the anti-colonial struggle; the post-colonial State accordingly sought to accommodate both, through a political arrangement that was federal in character. Maintaining this federal character is essential for preserving the delicate balance between the two. The arbitrary prioritization of one over the other disturbs this equilibrium; and that disrupts the country's unity. Excessive centralization for instance, by riding rough-shod over the regional-linguistic consciousness, tends to encourage its opposite, namely a tendency towards separatism and secession.

The Hindutva elements however do not understand this complex reality of India. Since they had nothing to do with the anti-colonial struggle, and since for them India is not a nation-in-the-making but a land of the "Hindus" that has constituted a "Hindu nation" from time immemorial, they poo-hoo the regional-linguistic consciousness, and the composite pan-Indian consciousness built upon it; they seek to impose from the Centre a uniformity, such as "one language", and "one culture" on everyone. They assume an immanent, essential, and (philosophically) "idealist" unity from which every deviation then becomes "anti-national". The negation of the federal character follows from this: federalism on this perception weakens the "nation".

The Hindutva elements in short are for centralization not only for opportunistic reasons (which of course are there and important); but they are also intrinsically and immanently anti-federal, in favour of a unitary State (as indeed all theocratic States tend to be).

Likewise, the corporate-financial oligarchy also favours centralization. The monopoly capital over which this oligarchy presides, represents centralization in the sphere of the economy; and for realizing its ambitions it requires the support of the State that must also be centralized. A centralized State is the weapon that monopoly capital needs to further its ambitions.

There is however an important exception to this. There may be situations where the central government in a federal polity is less benign towards monopoly capital, including metropolitan capital, than the government of some particular regions within the country. In such a case monopoly, or metropolitan, capital (we are using the two terms interchangeably because the contemporary world is not characterized by intense inter-imperialist rivalry) would want a weakening of the Centre and a strengthening of the regions; it would in short want greater devolution of powers, resources and decision-making within the federal structure. Eventually of course it would encourage secessionism on the part of these regions, so that it can use the newly-formed centralized States, through the break-up of the larger federal State, for its own purposes.

The break-up of Yugoslavia is the obvious example here. German capital encouraged the break-up of Yugoslavia because it had little hope of establishing its hegemony over the central government in a united Yugoslavia, since Serbia with its history of anti-Nazi struggle and deep suspicions about the ambitions of German capital, was a powerful entity in any such united country.

But of course where the central government is itself amenable to furthering the interests of the corporate-financial oligarchy, as in India, this oligarchy favours a

weakening of the federal structure, and a centralization of powers, resources and decision-making, so that its ambitions are furthered without its having to deal with a range of state-level governments: the latter could have ideas about entrusting projects to local producers, or to the public sector, or about compensation to peasants for lands being taken over from them, which are inconvenient to the corporate-financial oligarchy. The recently-enacted Agriculture Bills which open the way for corporate encroachment on peasant agriculture through contract farming and unregulated markets, would never have been permitted by several state legislatures; they are being thrust down the throats of the states through central legislation whose very legality is suspect. The fact that such legislation is imposed despite suspect legality is of course indicative of the degree to which the judiciary has lost its independence vis-à-vis the central government.

On the question of converting India to a de facto unitary State therefore there is a convergence of views between the Hindutva forces and the corporate-financial oligarchy; the current BJP government at the Centre which represents a corporate-Hindutva alliance, is engaged, not surprisingly, in carrying this project forward. It is not only in Centre-state political and economic relations that this tendency is manifest. Even in the spheres of culture and education, there is a strong parallel tendency. The subtle attempt to impose Hindi on non-Hindi speaking states in the New Education Policy may have been thwarted for the time being; but it will revive. The curriculum in the New Education Policy is supposed to be centrally prescribed with no consultations with states. All these are pointers to the imposition of the “one culture” idea in the place of the diversity that marks India.

The country however will have to pay a heavy price for this thrusting of a uniformity that ignores and over-rides completely the reality of regional-linguistic consciousness, for it will create its very opposite in ways that are dangerous for our future.

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