

Comparison between unitary and federal system

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Doi: <https://doi.org/10.3126/hisan.v10i1.74823>

Abstract

The title 'Comparison between Unitary and Federal System' is the focus research topic for the critical analysis of the Comparative Politics or political race to sustain in the lens of unitary and federal systems. The objective of this research is to generate a political ideology based on the unitary and federal system and its base foundation and fundamental understanding of politics. To conduct this research in terms of methodological paradigm. Where, the secondary data and information have been taken from the various scholarly works, based on Unitary and Federal, such as the different forms of unitary and federal systems based on their origin, design and jurisdiction and the types of government and constitution. There are many merits and demerits of unitary government. It is useful in the term that rules and regulations in this government system remain consistent and equal throughout the country

Keywords: Constitution, Federal Systems, Government, jurisdiction, Unitary System,

Introduction

A unitary government is a kind of government system in which a single power, which is known as the central government, controls the whole government. All powers and administrative divisions authorities lie at the central place. Today most of the government systems in the world are based on a unitary system of government. It is slightly different from the federal model of government. In a unitary government, the central government has the power to increase or curtail the power of sub-national units. It can create and abolish the same. UK, Afghanistan, Italy, China, Saudi Arabia, Spain, etc., are important examples of unitary government. The unitary government system is based on the concept of consistency, unity, and identity which is why the centralization of power and authority system remains the top priority. The decision-making power rests with the central government which is shared by the government with the lower-level government when needed. There are not so many options for change and innovation as the people have a very limited voice in this government system.

Methods

As mentioned above, as the primary sources, Observation, questionnaire survey, interview and focus group discussion tools will be adopted for obtaining the required data in fulfilment of the objective of the proposed study. The list will be prepared to survey the opinions and perceptions of the disputing federal and unitary political systems. Civil

society is supposed the watchdog for working democracy and local government. Therefore, their observation on working the federal democracy in Nepal special focus on the difference between the federal and unitary political systems. The unitary government and its function will be significant for a proposed research study. At least three focus group discussions will be organized in three different governments of Nepal. So far secondary sources of data will be surveyed and collected by using authentic books, magazines, censuses, and journals.

Discussion and Results

It is less expensive as compared to the federal government because the number of powerful people remains very low. In a time of emergency, it makes timely decisions as compared to the federal government system. But at the same time, the concept of freedom of speech and expression always remains a low priority which is why most of the principles of unitary government are similar to that of a dictatorship system of government. Its distinctive feature. A unitary government is one in which all the powers of administration are vested in a single centre. The centre is omnipotent. A unitary state may be divided into small units for the sake of administrative convenience but the units do not have any constitutional status of their own. In other words, the Constitution does not confer any powers on the units. It is the central government which delegates certain powers to the units on its own accord. The units are, therefore, subordinate agents of the centre. The powers enjoyed by them are the gifts of the centre and as such these can be taken back at any moment. The units are thus not autonomous and independent in any way. In a unitary government, there is a single set of governmental apparatus. There is a single supreme legislature, a single executive body and one supreme judiciary. England, for example, is a unitary state. It has one parliament as its legislature, the King-in-Council as the executive and the judicial committee of the House of Lords as her supreme judiciary.

A unitary government may or may not have a written constitution. For example, England and France are unitary states. France has a written constitution but England has none. Unlike a federation, a unitary state may or may not have a rigid constitution, e.g., the constitution of England is flexible but that of Nepal and France is slightly rigid. There is no need to have a special judiciary with wide powers of judicial veto in a unitary government. Even the highest court of the U.K., for example, cannot sit in judgment over the law passed by Parliament.

Federalism is a system of government in which the same territory is controlled by two levels of government. Both the national government and the smaller political subdivisions have the power to make laws and both have a certain level of autonomy from each other. The example of the federal system is that where, power is shared by a powerful central government and states or provinces that are given considerable self-rule, usually through their legislatures. Examples: The United States, Australia, and the Federal Republic of Germany. In the same way, there is the erection of a federal government, in which one can observe that; a federal government is a system of dividing up power between a central

national government and local state governments that are connected by the national government. Some areas of public life are under the control of the national government, and some areas are under the control of the local governments. The debate on the definition of federalism is one of the focuses of the researcher's interest units for other purposes. This approach is derived from the federalist of Madison, Hamilton and Jayrations, (1788). The term federal political systems, distinct from federalism or federations, is a descriptive term referring to the genus of political organization that is marked by the combination of shared rule and self-rule. This genus encompasses a variety of species such as those have categorized: constitutionally decentralized unions federations, confederations, federations, associated variety of species such as those Elazar (1987) has categorized as: unions, constitutionally decentralized unions, federations, confederations, federalizes, associated states, condominiums, leagues and joint functional authorities. Furthermore, (Watt, 1996) has noted that the broad genus of federal political systems may include hybrids because statesmen are often more interested in pragmatic political solutions than in theoretical purity (Daphne & John, 1991). Recent examples are South Africa, which in its 1996 constitution established a federation while retaining some quasi-unitary features, and the European Union after Maastricht, which is a confederation. (Burgess, 1993) describes, has some features of a federation. Further innovations may yet be developed, expressing new ways of combining shared rule and self-rule. It should be emphasized that the empirical study of federal political systems is not simply a matter of categorizing various species and subspecies in terms of their institutional structures; it also involves an examination of the various relationships found within species, including the processes and dynamics of their operation and the interrelation of their political structures with the social, cultural, and economic environment within which they operate (Preston T. King, 1982). Liberalism is the belief in freedom, equality, democracy and human rights. The Greek civilization began with a system of Equality of each citizen. The Citizens are participating in political affairs. People's rule in the form of direct democracy in Athens that has later since the 17th century advanced into the form of representative democracy shift of democracy from 'general will.' Many people into ruled by the majority. The majority is an in-built ingredient of liberal democracy. **Federalism mode of political organization that unites separate states or other political within an overarching political system. In a way that allows each to maintain its integrity. Federal system do this by requiring that basic policies be made and implemented through negotiation in some form so that all the members can share in making and executing decisions. The political principles that animate federal systems emphasize the primacy of bargaining. They stress the virtues of dispersed power centres as a means for safeguarding individual and local liberties.**

Thus, the features of the federal system are reflected as; Dual government polity. Division of powers between various levels. The rigidity of the the constitution and independence of the judiciary as well as dual citizenship along with bicameralism. All federations might not have all the above features. Some of them may be incorporated depending on what type of federation it is.

A crowned republic is an informal term that has been used to refer to a system of monarchy where the monarch's role may be seen as almost entirely ceremonial and where nearly all of the royal prerogatives are exercised in such a way that the monarch personally has little discretion over executive and constitutional issues. The term has been used by a small number of authors (below) to informally describe governments such as Australia and the UK, although these countries are classified as constitutional monarchies. A crowned republic may refer also to a historical republic with a doge as the head of the state.

As an informal term, "crowned republic" lacks any set definition as to its meaning, and the precise difference between a constitutional monarchy and a "crowned republic" remains vague. Different individuals have described various states as crowned republics for varied reasons. For example, James Bryce wrote in 1921.

By Monarchy I understand the thing not the Name i.e. not any State the head of which is called King or Emperor, but one in which the personal will of the monarch is constantly effective, and in the last resort predominant, factor of government. Thus, while such a monarchy as that of Norway is a Crowned Republic, and indeed a democratic republic, the monarchy was in Russia before 1917, and in Turkey before 1905, and to a lesser degree in Germany and the Austro-Hungarian Monarchy until 1918, an appreciable force in the conduct of affairs (Bryce, 1921).

In 1763, John Adams argued that the British Empire was a form of republic: The British constitution is much more like a republic than an empire. They define a republic to be a government of laws, and not of men. If this definition is just, the British constitution is nothing neither more nor less than a republic, in which the king is the first magistrate. This office being hereditary, and being possessed of such ample and splendid prerogatives, is no objection to the government's being a republic, as long as it is bound by fixed laws, which the people have a voice in making, and a right to defend. An empire is a despotism and an emperor is a despot, bound by no law or limitation but his own will; it is a stretch of tyranny beyond absolute monarchy. The Australian Republic Advisory Committee described the country as a crowned republic" and stated it was "a state in which sovereignty resides in its people, and in which all public offices, except that at the very apex of the system, are filled by persons deriving their authority directly or indirectly from the people so it may be appropriate to regard Australia as a crowned republic (Patmore, 2009). Australian founding father Richard Chaffey Baker did not use the term crowned republic but has been identified as one of the first to articulate this view. He "proudly proclaimed his loyalty to the Queen in the same breath as he declared himself a republican", holding that republicanism did not solely revolve around the absence of monarchy. In the Kingdom of Greece, the term Vasilevomeni Dimokratia, literally crowned democracy or crowned republic became popular after the 23 October 1862 Revolution, which resulted in the introduction of the 1864 constitution. The Constitution of 1952 enshrined the concept into law by declaring the form of government that of a Crowned Republic. This is sometimes translated as "Crowned

Democracy (Markesinis, 1973). Women are the major components of the society. The society cannot be perfect and civilized without women's support. They have occupied half the space of the sky. So that women and men are the essential factors of a human political society.

We have realized the basic nature of the society. Women are participating in the federal, provincial and local development in Nepal. In this study, women play a vital role in three types of government. Nepal has adopted a new journey as a federal state after the successful completion of local, provincial, and federal elections in 2017 (Samjhauta Nepal, 2018). Women's role in decision-making is one of the most important questions for the consideration of their empowerment. Women's participation Keeping in mind the of importance decision making. The constitution of Nepal has provided 33 per cent of women participation on the different levels of the government. The women are empowered by the federal, provincial and local (Constitution of Nepal, 2015). The features of unliterary political systems are Centralization of power in the hand of a single central government, LGs existing at the will of the central government, LGs run in centralized (i.e. Bangladesh) or decentralized (Norway), or federacy (UK) principle, The constitution can be written (in most cases) or unwritten (UK), Flexibility of the constitution (Watts, Ronald L., 2008). Single uniform administration, Unicameral legislature, some exceptional cases UK, Nepal (1959-60, 1990-2017) etc. (Federal system must have bicameral in general), Uniformity of laws and the single judicial system (Unlike duel court system in some federal countries, i.e. USA), Decentralization, but not division of power, Despotism attribute (unlike federal system, no check to the Centre' unlimited power (Stepan, 1999). The United Kingdom consists of four countries: England, Wales (1535-1542), Scotland (1707) and Northern Ireland (1801); separation of Ireland in 1922). Territorial coverage of E (53%), Scotland (32%), Wales (9%), and NI (6%). The UK doesn't fall into the territory of enjoys sovereign rights but is subject to the right to self-determination to the extent of the declaration of an independent state. Including British overseas territories and Crown dependencies World power before the 2nd world War (Atkeson, 2001).

Women have a fundamental right to participate in all political decision-making, including peace processes at all levels. There is strong evidence that women's participation in politics is beneficial to both their communities and societies and broader peace and stability (Almond & Powell, 2005). But despite the existence of many international conventions and legal frameworks guaranteeing women's political rights, we remain far from the goal of gender parity. This needs to change. The inclusion of women in political processes is a key element in achieving a truly inclusive democracy, and women must have the chance to exercise their political rights and participate in all political decision-making.

Women's participation in local governance is not only related to the 'Right to Vote', but it relates to participation in: the decision-making process, political activism, political consciousness, etc. Women at the local level participate in voting and run for public offices and political parties at lower levels than men (Benoit, 2003). Political activism and voting are the strongest areas of women's political participation. To fight gender inequality in politics, the Nepal Government has instituted reservations for seats in the Federal Government.

Conclusion

We conclude that the experience of classical unitary and federations in the recent past, the characteristics of new federations, formed in the light of these recent experiences of classical unitary and federations have exhibited their issues. The necessity of interdependence between national and regional governments and certain compelling economic issues results in the creation of a strong national government. Others the process of evolution of a strong national government affects the regional sentiments in the federal set-up. This fuelled the growth of secessionist forces in the unitary system. To encounter these problems in the present-day unitary and federation of the world. Hence, each theory of unitary and federalism contains some elements of validity. Some principles are useful, though they suffer from gaps and inadequacies. For a proper understanding of unitary and federalism are different principles. As a system, we may conclude that all three theories are separate but, at the same time interrelated and complementary to each other. The first one seeks to explain what unitary is when viewed from a legal angle; the second provides explanations of the forces and factors that play an active part in the origin and formation of unitary systems; and the third and the last provide an analytical framework to study unitary not as a rigid legal structure but as a dynamic and flexible process of cooperation. In present contrast: the unitary and federal systems share the levels of government.

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