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The Concept of Cooperative Federalism: A Glance from Old Era to Modern

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ABSTRACT

Cooperative federalism is a concept in political science and governance that refers to a system of federalism in which the federal government, state governments, and local governments work together to achieve common goals and solve problems.

In a cooperative federalism system, there is a sharing of power and responsibility between the different levels of government rather than a strict division of authority. This means that each level of government has its own powers and responsibilities, but they also work together to address issues that require a coordinated effort.

Under a cooperative federalism system, rather than a rigid separation of authority, multiple levels of government share power and responsibilities. This implies that while each level of government has its own rights and responsibilities, they also collaborate to handle situations that necessitate a collaborative effort.

Cooperative federalism is often contrasted with dual federalism, which emphasises the separation of powers and responsibilities between the federal government and state governments. In a dual federalism system, the federal government has limited powers and is primarily responsible for national defence and foreign policy, while state governments have more autonomy and control over domestic issues.

Cooperative federalism is a model of governance that describes the relationship between the federal government and state governments in a federal system. Under this model, the federal government and state governments work together to achieve common goals and address issues of national importance. The concept emphasises the sharing of responsibilities and resources and collaboration on policies and programs that benefit both levels of government and their citizens. The model allows for a degree of flexibility in how states implement federal policies and programs while providing funding and guidance from the federal government. Cooperative federalism is an alternative to other models of federalism, such as dual federalism, where the federal and state governments operate independently.

Keywords: *Federalism, Cooperative, Government, Centre-State Relations.*

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I. INTRODUCTION

Cooperative federalism is a concept that describes the relationship between different levels of government, specifically between the federal government and state governments in a federal system.

In cooperative federalism, the federal government and state governments work together to achieve common goals and address issues of national importance. This is achieved through the sharing of responsibilities and resources and by collaborating on policies and programs that benefit both levels of government and the citizens they serve².

Under cooperative federalism, the federal government provides funding and guidance to state governments but also allows for a degree of flexibility in how states implement federal policies and programs. This can lead to variations in policy and implementation across different states, but the overarching goal is to work together to achieve shared objectives.

Cooperative federalism can be contrasted with other models of federalism, such as dual federalism, in which the federal and state governments operate independently and with little collaboration³.

II. BACKGROUND

The notion of cooperative federalism has a long history, stretching back to the founding of the United States as a federal form of government. The concept was that the central government and state governments would share policy implementation duties in order to create a more effective and efficient governance structure.

Cooperative federalism was mostly theoretical throughout the early years of the United States, with state governments enjoying considerable autonomy and independence from the central government. But, as the country evolved and expanded, the necessity for increased collaboration and coordination among all levels of government became clear.

The idea of cooperative federalism gained momentum in the United States during the 1930s, when the country was in the midst of the Great Depression. **President Franklin D. Roosevelt's New Deal programs** involved a significant expansion of federal power and resources, with the federal government taking on a more active role in policy implementation. The federal government provided funding and support for state programs and services, with the expectation

²<https://www.niti.gov.in/cooperative-federalism> (accessed 5th March, 2023.)

³<https://bluebox.creighton.edu/demo/modules/en-boundless-old/www.boundless.com/political-science/definition/cooperative-federalism/index.html> (accessed 5th March, 2023.)

that state governments would collaborate and work with the federal government to achieve common goals.

The idea of cooperative federalism also influenced the development of federal systems of governance in other countries around the world, such as Canada and Australia. In these countries, the federal government and state/provincial governments also share responsibilities for policy implementation, with the aim of promoting collaboration and coordination between different levels of government⁴.

The New Deal era marked a significant shift in the balance of power between the federal government and state governments in the United States. Prior to this time, state governments had been largely responsible for policy implementation, with the federal government playing a limited role. However, with the expansion of federal power and resources during the New Deal era, the federal government became a more active and influential partner in the governance of the country.

Cooperative federalism also influenced the development of federal systems of governance in other countries around the world. In Canada, for example, cooperative federalism has been a central feature of the country's federal system of governance since its founding in 1867. The Canadian Constitution provides for a division of powers between the federal government and the provincial governments, with both levels of government sharing responsibilities for policy implementation⁵.

Similarly, in Australia, the federal system of governance is based on the principles of cooperative federalism. The Australian Constitution provides for a division of powers between the federal government and the state governments, with both levels of government sharing responsibilities for policy implementation. The federal government and state governments work together to develop and implement policies and programs that benefit the country as a whole.

In India, cooperative federalism has been a central feature of the country's federal system of governance since independence in **1947**. The Constitution of India provides for a division of powers between the central government and the state governments, with both levels of government sharing responsibilities for policy implementation.

The early years of India's independence were marked by a series of challenges, including the partition of the country and the integration of princely states into the new Indian state. In this

⁴Schuetze, Robert. (2009) Cooperative Federalism Constitutionalized. 10.1093/acprof:oso/9780199238583.003.05

⁵ Bader, Christopher. (2012). A Dynamic Defense of Cooperative Federalism. SSRN Electronic Journal. 10.2139/ssrn.2189920.

context, cooperative federalism played a critical role in the development of the country. The central government worked closely with the state governments to address these challenges and to promote economic and social development.

During the early years of independence, the central government played a dominant role in policy implementation, with the state governments playing a more subordinate role. However, over time, the role of state governments in policy implementation increased, as the country's federal system of governance evolved and matured.

One important development in the evolution of cooperative federalism in India was the establishment of the Planning Commission in 1950. The Planning Commission was tasked with developing and implementing economic plans and policies for the country, with the aim of promoting economic development and social welfare. The Planning Commission worked closely with state governments to develop and implement these plans, and provided funding and support for state programs and services.

Another important development in the evolution of cooperative federalism in India was the adoption of the recommendations of the Sarkaria Commission in 1983. The Sarkaria Commission was appointed to review the relationship between the central government and the state governments, and to make recommendations for improving the functioning of the federal system of governance⁶. The Commission's recommendations included measures to promote greater collaboration and coordination between the central government and the state governments, and to ensure that state governments were given a greater voice in the decision-making process.

The notion of cooperative federalism has received fresh interest in India in recent years, as the country has confronted a number of issues pertaining to economic growth, social welfare, and governance. To address these problems, the central government has collaborated closely with state governments and established a variety of programmes to foster greater collaboration and coordination across different levels of government. One significant example is the Goods and Services Tax (GST), which was imposed in 2017 with the goal of creating a national market. The GST, which was designed in partnership with state governments, marks an important step forward in India's history of cooperative federalism.

Overall, cooperative federalism has been crucial in the establishment of India's federal government structure. It has made it possible for the federal government and state governments

⁶ Jha, Prakash. (2022). India's Cooperative Federalism during Covid-19 Pandemic. *Indian Journal of Public Administration*. 68. 001955612110725. 10.1177/00195561211072568.

to collaborate in order to address common concerns and promote economic and social growth. While the relationship between the central and state governments has changed over time, the notion of shared duties and collaboration remains a key aspect of India's federal form of administration. The concept of shared duties and collaboration between levels of government is still a crucial premise of modern governance, and it is likely to define governance systems in the future.

III. HOW DOES COOPERATIVE FEDERALISM WORKS?

Cooperative federalism works through a system of shared responsibilities and collaboration between the federal government and state governments in a federal system⁷. The basic idea is that the two levels of government work together to address national issues and achieve common goals, while also respecting each other's autonomy and authority.

- i. Funding:** The federal government provides funding to state governments to implement federal programs and policies. This funding is often provided in the form of grants, which allow states to customize programs to meet their unique needs.
- ii. Flexibility:** States have some flexibility in how they implement federal policies and programs, as long as they meet certain federal guidelines and goals. This allows states to tailor programs to their specific circumstances and needs.
- iii. Collaboration:** The federal government and state governments work together to develop and implement policies and programs. This collaboration can take many forms, such as joint planning, shared decision-making, and information-sharing.
- iv. Coordinated implementation:** The federal government and state governments work together to coordinate the implementation of policies and programs. This coordination helps to ensure that programs are delivered efficiently and effectively, and that they achieve their intended goals⁸.

Overall, cooperative federalism seeks to balance the power and authority of the federal and state governments, while promoting collaboration and shared responsibility. This approach can lead to more effective policy implementation, and can help address national issues in a way that reflects the needs and priorities of individual states.

⁷ Inman, R.P. &Rubinfeld, Daniel. (2011). Federalism. Production of Legal Rules. 339-365.

⁸Fischman, Robert. (2005). Cooperative Federalism and Natural Resources Law. New York University Environmental Law Journal. 14.

IV. COOPERATIVE FEDERALISM IN THE WORLD⁹

Cooperative federalism is a model of governance that is found in several countries around the world, particularly in federal systems of government. Here are some examples of countries that have adopted cooperative federalism:

- i. United States:** The United States is a federal system of government where the federal government and state governments share responsibility for policy implementation. The relationship between the federal government and state governments in the US is often described as cooperative federalism, where the two levels of government work together to achieve common goals.
- ii. Canada:** Canada is another federal system of government where the federal government and provincial governments share responsibility for policy implementation. Like the United States, the relationship between the federal government and provincial governments in Canada is often characterized as cooperative federalism.
- iii. Australia:** Australia is a federal system of government where the federal government and state governments share responsibility for policy implementation. The relationship between the federal government and state governments in Australia is often described as cooperative federalism, where the two levels of government work together to achieve common goals.
- iv. Germany:** Germany is a federal system of government where the federal government and state governments share responsibility for policy implementation. The relationship between the federal government and state governments in Germany is often characterized as cooperative federalism, where the two levels of government work together to achieve common goals.

Overall, cooperative federalism is a model of governance that is found in several federal systems of government around the world. While the specifics of how it is implemented may differ from country to country, the basic idea of shared responsibility and collaboration between the federal and state governments is a common thread.

V. COOPERATIVE FEDERALISM IN CONTEXT TO INDIA

Cooperative federalism is a significant feature of India's federal system of governance, which

⁹Schuetze, Robert. (2010). From Dual to Cooperative Federalism: The Changing Structure of European Law. From Dual to Cooperative Federalism: The Changing Structure of European Law. 1-432. 10.1093/acprof:oso/9780199238583.001.0001.

is enshrined in the Constitution of India. The Constitution of India provides for a division of powers between the central government and the state governments, with both levels of government sharing responsibility for policy implementation.

Cooperative federalism in India involves collaboration and cooperation between the central government and the state governments in the implementation of policies and programs. This is achieved through various mechanisms, such as the Inter-State Council, which is a constitutional body that facilitates cooperation between the central government and the state governments on matters of common interest.

There are also several financial arrangements in place to support cooperative federalism in India, such as the Goods and Services Tax (GST), which is a unified tax system that replaced several state and central taxes¹⁰. The GST system is designed to promote cooperation between the central government and the state governments by providing a common tax base and revenue-sharing mechanism.

Cooperative federalism in India has several benefits, including:

- i.** Greater coordination and collaboration between the central government and the state governments, leading to more effective implementation of policies and programs.
- ii.** Better alignment of policies and programs with local needs and priorities, as state governments have a greater say in policy implementation¹¹.
- iii.** Improved resource allocation, as cooperative federalism allows for better coordination of resources and funding between the central government and the state governments.
- iv.** Greater respect for state sovereignty and autonomy, as the federal government works in partnership with the state governments rather than imposing policies and programs from the top down.

Overall, cooperative federalism is a vital aspect of India's federal system of governance, and it plays an essential role in promoting collaboration and coordination between the central government and the state governments.

VI. ADVANTAGES OF COOPERATIVE FEDERALISM

There are several advantages to cooperative federalism, including:

¹⁰Rajan, N.Pakshi. (2017). Critique of Dialectical Reason to Welcome GST in India. 1.

¹¹ Isaac, T.M. & Mohan, R. & Chakraborty, L.. (2019). Challenges to Indian fiscal federalism. Economic and Political Weekly. 54. 33-40.

- i. Increased Efficiency:** Cooperative federalism can lead to more efficient delivery of services and programs, as both the federal and state governments work together to coordinate and implement policies¹². This can reduce duplication of efforts and improve resource allocation.
- ii. Customization of Programs:** Under cooperative federalism, state governments have some flexibility in how they implement federal programs, allowing them to customize these programs to better meet their unique needs and circumstances. This can lead to more effective outcomes and better alignment with local priorities.
- iii. Shared Responsibility:** By sharing responsibility for policy implementation, both the federal and state governments can work together to address national issues, while still respecting state sovereignty. This can lead to better policy outcomes and a more cohesive approach to problem-solving¹³.
- iv. Improved Coordination:** Cooperative federalism encourages the federal and state governments to work together and coordinate their efforts. This can lead to more effective delivery of services and programs, as well as better alignment of resources.
- v. Better Representation of Local Interests:** Cooperative federalism allows states to have a greater say in the development and implementation of policies that affect their citizens. This can lead to policies that better reflect local interests and priorities.

Overall, cooperative federalism can lead to more effective policy outcomes, improved coordination, and better alignment with local priorities, while still respecting state sovereignty and autonomy.

While cooperative federalism has its advantages, there are also some potential disadvantages, including:

- i. Lack of Uniformity:** Since states have some flexibility in how they implement federal policies and programs, there can be variations in policy and implementation across different states. This can lead to a lack of uniformity in how programs are delivered, which can make it difficult to compare outcomes and evaluate program effectiveness.
- ii. Potential for Conflict:** Cooperative federalism relies on the cooperation and collaboration of both the federal and state governments. If there is a breakdown in

¹² Chakrabarty, P & Srivastava, Nidhi. (2015). GREEN FEDERALISM: EXPERIENCES AND PRACTICES.

¹³ Am, Jose & Chathukulam, Jos. (2022). New Cooperative Ministry in India An Analysis of the Implied Strategy of (...) - Mainstream Weekly.

communication or conflict between these levels of government, this can impede policy implementation and lead to inefficiencies.

- iii. Power Imbalances:** The federal government may have more resources and influence than state governments, which can create power imbalances in the cooperative federalism relationship. This can lead to the federal government exerting more control over state policies and priorities, which may not always align with local needs and interests.
- iv. Funding Challenges:** While federal funding can help support state programs and services, it can also be subject to political fluctuations and changes in funding priorities. This can create uncertainty for state governments and make it difficult to plan and implement programs over the long term.
- v. Bureaucratic Complexity:** Cooperative federalism can lead to a complex bureaucratic process for implementing policies and programs, with multiple layers of decision-making and coordination required. This can create delays and inefficiencies in program delivery.

VII. CONCLUSION

Eventually, cooperative federalism is a governance structure that promotes collaboration and shared duties among different levels of government. Several countries throughout the world, including India, the United States, and Canada, have accepted this method. Cooperative federalism offers several advantages, including the capacity to create more collaboration and coordination across different levels of government, as well as to ensuring that policies and programmes are responsive to the needs of local communities. At the same time, cooperative federalism has significant drawbacks, such as the possibility of coordination issues and disagreements between different levels of government.

Overall, the success of cooperative federalism is dependent on different levels of government's capacity to collaborate successfully and balance their individual obligations in a way that promotes the common good.

The notion of shared duties and collaboration between the federal government and state governments has been crucial in encouraging economic and social development in India. A number of historical and institutional circumstances, notably the founding of the Planning Commission and the implementation of the Sarkaria Commission's recommendations, have affected the history of cooperative federalism in India. The notion of cooperative federalism has

received fresh attention in recent years, as the country has confronted a number of issues relating to economic growth, social welfare, and governance. Nevertheless, the notion of shared duties and collaboration between levels of government is a basic aspect of India's federal system of governance, and it is expected to continue to play an important role in the country's growth in the years ahead.

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