

Advanced Constitutional History II : The History of Federalism

Module 1: Definition and Origins of Federalism in India

1. What is federalism?
2. What is Indian federalism?
3. Origins of Indian federalism in the twentieth century.
4. Roots of Indian federalism in Gandhian thought.

Module 2: Distribution of Power I

1. Talks leading to vertical distribution of power in the Indian constitution.
2. Talks leading to division of powers in the legislative lists: union, state and concurrent.
3. Union's executive authority and the long arm of the union, i.e. the emergency provisions in the Indian constitution.
4. History of the emergency provisions.

Module 3: Distribution of Power II

1. History of the discussions leading to the need for national planning in India.
2. The establishment of the Planning Commission and its structure: [a.] Jawaharlal Nehru's role in it, and [b.] the roles of other early members of the Planning Commission such as V.T.Krishnamachary and Prasanta Chandra Mahalanobis.
3. Redefining of the linguistic provinces in India in the 1950s and the history of the language wars.
4. Integration of the Indian Princely States in the Indian union.

Module 4: History of the Legislative System in India:

1. Introduction of the parliamentary system in India in the twentieth century.
2. The development of the parliamentary system through the three Indian Councils Acts of the twentieth century: the Morley-Minto Reforms [1909], the Montague-Chelmsford Accord [1919] and the Government of India Act [1935].
3. Development of representative government and the system of power sharing, especially the introduction of the diarchy system and provincial autonomy.
4. Role of the Council of States in the Indian federal system.

Course Booklist

- Austin, Granville, *The Indian Constitution: Cornerstone of a Nation*, [Delhi: Oxford University Press, 1966]
- , *Working of a Democratic Constitution*, [Delhi: Oxford University Press, 1999]
- Bagchi, Amiya Kumar, *Private Investment in India, 1900-1939*, [London, 1972]
- Bakshi, P.M., *The Constitution of India: With Comments and Subject Index*, [Delhi, 1991]
- Basu, Durgadas, *Introduction to the Constitution of India*, [New Delhi, 1995]
- , *Shorter Constitution of India*, [Calcutta, 1959]
- Bhargava, Rajeev, [ed.], *Politics and Ethics in the Indian Constitution*, [New Delhi: Oxford University Press, 2008]
- Bose, Tarun Chandra, *Indian Federalism: Problems and Issues*, [Calcutta, 1987]
- Chandra, Bipan, et al., *India's Struggle for Independence*, [Delhi: Penguin, Viking, 1991]
- , *India after Independence*, [Delhi: Penguin, Viking, 2000]
- Chaube, S.K., *Constituent Assembly of India: Springboard of Revolution*, [Delhi: 2000; 2nd edition; 1973]
- Copland, Ian and John Rickard, *Federalism: Comparative Perspectives from India and Australia*, [New Delhi, 1999]
- Coupland, Reginald, *The Indian Problem*, Three Volumes, [London, 1944]
- DeSouza, Peter Ronald, 'Decentralisation and Local Government: The 'Second Wind' of Democracy in India', in Zoya Hasan, E. Sridharan, R.Sudarshan, *India's Living Constitution: Ideas, Practices, Controversies*, [New Delhi, 2002]
- Dhavan, Rajeev and Thomas Paul, *Nehru and the Constitution*, [Bombay, 1992]
- Gauba, O.P., *Constitutionalism in a Changing Perspective*, [New Delhi, 1996]
- Ghai, K.K., *Indian Government and Politics*, [New Delhi, 2003]
- Kashyap, Subhas C., *Our Constitution: An Introduction to India's Constitution and Constitutional Law*, [New Delhi, 1994]
- Keith, Arthur Berriedale, *A Constitutional History of India, 1600-1935*, [Delhi, 1930]
- Kohli, Atul, [ed.], *The Success of India's Democracy*, [New Delhi, 2001]
- Krishnaswamy, Sudhir, *Democracy and Constitutionalism in India: A Study of the Basic Structure Doctrine*, (New Delhi, 2009)
- Mohanty, Manoranjan, 'Does India Need a New Constitution? [A Democratic Right Perspective on Constitutional Discourse]', in Surya Narayan Misra, Subhas Chandra Hazary and Amareshwar Misra, [ed.], *Constitution and Constitutionalism in India*, (New Delhi, 1999)
- Park, Richard L. and Irene Tinker, *Leadership and Political Institutions in India*, [Princeton, 1959]
- Pylee, M.V., *Our Constitution, Government and Politics*, [Delhi, 2002]
- , *An Introduction to the Constitution of India*, [Calcutta, 1995]
- Seervai, H.M., *Constitutional Law of India: A Critical Commentary*, [Bombay, 1991]
- Shankar, Shylashri, *Scaling Justice: India's Supreme Court, Anti-Terror Laws, and Social Rights*, [New Delhi: Oxford, 2009]