

CLASH OF CULTURES IN A FEDERATION

Relevant for: International Relations | Topic: Effect of policies and politics of developed & developing countries on India's interests

Though probably the most equitable form of governance for multiracial, multicultural countries, there are only a few confederations in the world, such as Canada and Switzerland. India and the European Union (EU) are unions. However, India is a federation because powers are divided between the Union and the States, and the EU a supranational organisation that defies definition, with both confederal and federal aspects. It is this division of powers in India and the EU that brings the unions into conflict with their constituent parts.

The EU is variously criticised as a “political dwarf”, “a hobbled giant” distracted by internal bickering and competing national agendas, and an aggregate of secondary powers in search of primary status through collective agency. Despite the EU being one of the largest economies of the world, the 27 leaders squabble over issues from fisheries to budget allocations. The union finds it easier to promote universal standards in areas like climate change and food and bio-safety than domestic values. The latest controversy with Hungary and Poland on gay and lesbian rights is a case in point. Gay marriage is not recognised by Budapest and only heterosexual couples can legally adopt children. The LGBTQ law that took effect in July outlaws information perceived as promoting homosexuality or gender change to children under 18. This led to strong criticism from 17 liberal EU nations who believe the Hungarian law undermines the principle that discrimination on the basis of sexuality, ethnicity and gender is not permissible within the union.

Explained: India's asymmetric federalism

Hungarian Prime Minister Victor Orbán has countered by proposing a national referendum on the law. He has been re-elected thrice, commands two-thirds of the legislature, and has diminished institutions designed to limit the powers of the state, such as free media, universities and an independent judiciary. Mr. Orbán also regularly frustrates EU's unity on foreign policy, such as on refugees in 2016, opposing criticism of China's actions in Hong Kong, and the call for a ceasefire between Israel and Hamas. Hungary was the first EU member to accept Russian and Chinese COVID-19 vaccines before approval by the EU medicines regulator.

The European Parliament voted overwhelmingly to haul Hungary before the European Court of Justice over its LGBTQ law, and while there is an EU provision to remove voting rights from an offending country, penalties require unanimous agreement from EU states. This will never be forthcoming since Hungary and Poland support each other and the union cannot expel a member state without the unanimity requirement.

Poland's Catholic-conservative governing party takes a similar stance on LGBTQ with by-laws that have designated one-third of the nation as 'LGBT-free zones'. Budapest and Warsaw are supported by Slovenian Prime Minister Janez Janša, who condemns Brussels for imposing “imaginary European values” without paying heed to local tradition. All three countries' leaderships have expressed doubts, and placed restrictions, on the functioning of judicial independence.

Although none of these leaders believe they can convince their EU colleagues to follow their social policies, they do not wish to separate from the union, since EU membership is supported by a huge majority. Hungary is the second-largest net beneficiary of the EU budget, receiving €5 billion more than it contributes each year. The measures introduced by the three nations are for

domestic popularity in a combined population of nearly 50 million with cultural traditions different from more liberal EU member states. The crisis represents a clash of cultures, which underlines why integration towards a closer union is unlikely to materialise.

The upcoming crisis in Indian federalism

In India, the Centre and Opposition-controlled States have a historically fractious relationship. Prime Minister Jawaharlal Nehru in 1959 dislodged the Communist government in Kerala on specious grounds. Ever since, the pattern of the Union government attempting to subvert Opposition States by stimulating defections, ordering selective raids by investigative agencies, electronic surveillance, and delaying or refusing financial entitlements has become the unsavoury norm, now taken to extremes by Hindutva ideologues in control of the Centre. The tensions between New Delhi and the Opposition-led periphery are magnified by differences in values, perceived arrogance on the part of the Centre and the victimhood card played by Opposition parties. The homogenising bias of the union clashes with the particularism unique to individual States, resulting in the clash of cultures. The term 'cooperative federalism', coined by Prime Minister Narendra Modi, has been reduced to an oxymoron.

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To reassure Indian Muslims, the PM needs to state that the govt. will not conduct an exercise like NRC

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