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United in Diversity? Asymmetry in Indian Federalism

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Abstract

Many studies highlight constitutional asymmetry as a desirable feature of federal systems in multinational countries. This article looks at India which,

mainly because of the special provisions for Kashmir in the 1950 constitution and the status of newer small states in the north-east, is generally described as asymmetrically federal. I show that, while India exhibits considerable *de facto* asymmetry, asymmetry in the constitutional powers granted to individual states has (i) not been important for India's ability to 'hold together' as often assumed and (ii) not entailed special protection of cultural or national minorities. I thus cast doubt on the normative political philosophy, particularly informed by Canadian and Spanish debates, that advances the idea of asymmetrical federalism as a model of governance in potentially divided societies.

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