

Dual Vs Cooperative Federalism: Performance and Challenges in India and the Usa Amid Global Health and Economic Crisis

Samridhi Adhikary¹, Dr. Bhavna Batra²
AMITY University

Abstract—This paper examines the theoretical foundations, practical effectiveness and difficulties of dual and cooperative federalism in India and the United States, during the global health and economic crisis caused by the Covid-19 pandemic. Dual federalism, marked by a strict division of authority between federal and state governments, and cooperative federalism, recognized for intergovernmental teamwork and collective policy duty, have both been challenged under extraordinary conditions. By means of comparative analysis, the study investigates the impact of each federal structure on crisis governance: the U.S. which underwent divergent state responses and policy fragmentation because of its dual federalism tradition, and India which had a centralized, quasi-federal model initially and maintained uniformity but quickly revealed deficiencies in state capacity and local adaptability during economic and humanitarian crises. Through case studies from each country and covering pandemic response strategies, resource distribution methods, and economic support initiatives, the study emphasizes on significant successes and failures resulting from the design of each federal model. According to the findings, cooperative federalism fosters a more coordinated response but may on the other hand, jeopardize state independence and customized solutions whereas dual federalism can foster policy innovation and local flexibility but frequently impedes national cohesiveness during crises. In order to improve resilience in future international crises, the report suggests reforms that blend centralized leadership with decentralized implementation, concluding that no single model alone was able to establish effective pandemic governance. Since the pandemic, federal systems have evolved to manage new governance challenges through mechanisms such as digital surveillance, climate emergencies, and data sovereignty. In both India and the United States, this is part of an "adaptive federalism" era where technology, public health, and fiscal decentralization impact intergovernmental collaboration. And as the post-pandemic world shows,

the effective governance of crises is in collaboration that shifts and evolves, innovation in policy, and transparent multi-level governance rather than constitutional rigidity.

Index Terms—federalism, cooperative federalism, state, India, United States (US), Covid-19

I. INTRODUCTION

One of the most important foundations for the governance of any country, including India and United States, is the principle and concept of "Federalism". Both may follow different paths, but the objective remains the same, i.e., the proper governance through this division of power. Historically, the United States adopted dual federalism, having allowed the states and the federal government separate and distinct areas or domains of power, although today's modern practices tend to favor the cooperative system, during the period of emergency. In its contrast, India has had a centralizing structure since its inception and has gradually shifted its attention to cooperative federalism over the past 10 years, particularly through organizations like NITI Aayog and the GST Council. Global health and economic crises like the COVID-19 pandemic which led to supply chain problems and inflation as well apart from the health concerns worldwide, have exposed the benefits and drawbacks of each type of a federal system. Conflicts between federal mandates and state autonomy have intensified in the US, particularly with regard to immigration, public health, and climate measures.

In India, disputes and disagreements over allocation of funds, pandemic responses and agricultural reforms still exist between the Union and the States. These challenges emphasize on the delicate balance between

the central authority and the state governments, raising questions about the resilience of federal systems in times of simultaneous crisis. This study examines the impact of various federal structures on the effectiveness of the governance, intergovernmental cooperation and citizen welfare in an increasingly unstable global context by contrasting India's cooperative federalism with the dual federal systems of the United States.

In the last five years (2020-2025), federal systems have had to respond to new challenges globally, in addition to the health and economic challenges, namely the new digital, climate, and artificial intelligence governance challenges. These instances highlight that federal systems are not static, as they are dynamic and responsive to the demands of the 21st century. Both India and the United States have seen an escalation in political polarization between the central and regional governments, forcing the use of cooperative mechanisms to maintain governance effectiveness.

II. THEORETICAL FRAMEWORK: DUAL vs COOPERATIVE FEDERALISM

Definitions of Federalism

As we all know that federalism is a constitutional system of governance in which the power is shared between a national and subnational (state or provincial) government for the purpose of running a nation. Each level has some rights protected under the constitution to legislate and govern the country within its designated area and within its scope, balancing unity and regional diversity at the same time. The crucial question is that how powers, responsibilities and resources are divided and shared in a rational manner between these tiers.

Key Theories of Federalism

- K.C. Wheare's Theory: Federalism was defined by Wheare as a way of dividing the powers between the central and regional governments equally, in a manner where it is equal and autonomous, within their respective domains. He emphasized on explicit, legally defined authority for every level of government, to avoid any overlap of such powers. This theory depicts the importance of the concept of two independent governments existing together, without any kind

of interference towards each other, hence promoting dual federalism.

- Daniel J. Elazar's Theory: This theory broadened the meaning of federalism as to something which is beyond rigid separation. He contended that American federalism is marked by a unique characteristic of blend of competition and cooperation, with national and state governments collaborating actively. It also acknowledges the changing perspective and dynamics of authority granted to the governments and emphasized on having collaborative solutions while dealing with the same. Elazer's concepts encouraged awareness of the transition to cooperative federalism in which governments collaboratively tackle policy issues.

Contemporary Theories of Federalism

Recently, scholars such as Ronald Watts, Michael Burgess, and Jenna Bednar have presented the idea of dynamic or network federalism, which puts an emphasis on flexibility, negotiation, and shared rule across multiple levels of government. Unlike the outmoded "layered" and "marble cake" metaphors, network federalism pictures governance as an interconnected web of shared competencies, policy innovation, and pooled resources. Fiscal federalism, developed by Richard Musgrave and Wallace Oates, is another important modern theory of federalism that highlights the mechanisms for responding to a crisis. The way in which revenue powers are divided can have a significant impact on how effectively the nation is able to recover from a crisis. Together, these theories of federalism, as modern theories of federalism can help understand how federalism is changing in a world of global economic interdependence; public health emergencies; and digitalization.

Dual Federalism Model

The Federalism Model, such as that of the UK differentiates both the federal and the state governments, working in distinct sovereign spheres, which can be called as like a "layered cake". Each tier controls certain separate policy domains with minimal overlap or interference.

Characteristics of Dual Federalism:

- Clear separation of powers, responsibilities and authority.

- Federal government is restricted in its powers with control over only the defense, foreign relations and interstate commerce.
- State governments are entrusted with the authority over the police, public health, education and local governance.
- State sovereignty is upheld by legal framework like the Tenth Amendment in the US.
- Central/federal government has minimal, limited powers or coercion in the affairs.

Dominant from the founding through the early 20th century, dual federalism began eroding with the New Deal in the 1930s when federal government enacted widespread social and economic programs that required state cooperation.

India's constitution incorporates elements reminiscent of dual federalism in the division of legislative powers across Union and State lists (Seventh Schedule), but with a pronounced centralizing bias allowing Parliament to legislate on state matters under certain circumstances, reflecting a "quasi-federal" system influenced by British colonial legacy.

III. COOPERATIVE FEDERALISM MODEL

Cooperative federalism, on the other hand, blurs the strict boundaries between levels of government, encouraging a system of shared policy responsibilities through collaboration, negotiation, and joint implementation, often depicted as a "marble cake" where federal and state powers are intertwined.

Characteristics of Cooperative Federalism:

- Blend in jurisdictions which leads to overlapping of powers.
- Federal government has been granted with the authority to grant, mandate and regulations to shape a state policy.
- Collaboration of both the Federal and the State governments when it comes to areas such as that of healthcare, welfare, educate and infrastructure.
- Emphasis on intergovernmental cooperation for national goals and complex problems.
- The public has multiple access points to influence various policies cross different levels.

Historical Evolution of Cooperative Federalism in the US and India

Cooperative federalism emerged during the New Deal period and expanded with programs such as Social Security. It then experienced social changes in the mid-20th century, such as the Civil Rights Acts and the War on Poverty. Conditional grants and federal requirements became standard tools for creating national benchmarks

In India, while the constitution sets a strong central government, it has still moved forward towards cooperative federalism by encouraging collaboration on economic reforms, social policy, and crisis responses (e.g., Covid-19) through its institutional mechanisms such as the NITI Aayog, hence, fostering participatory governance between center and the various states.

Hence, it can be said that the theoretical separation of the powers difference between dual and cooperative federalism highlights the very foundational debates about balance of power in federal systems. Wheare's theory of strict separation of the powers acts as a baseline for the preservation of the autonomy of any state from the central overreach, while Elazar's cooperative framework reflects the very reality of our society today, that modern governance often demands intergovernmental collaboration for addressing complex, interconnected changes in the policy. Both the United States and India have illustrated the dynamic interplay of these models, historically rooted in dual federalism but slowly evolving towards a more cooperative arrangement to meet the contemporary basic requirements, while facing ongoing tensions over authority and autonomy.

IV. FEDERALISM IN INDIA: HISTORICAL DEVELOPMENT OF FEDERALISM IN INDIA AND INSTITUTIONAL INNOVATIONS

Evolution since the time of Independence

Federalism in India was first developed from the colonial time and was formalized in the Constitution of 1950, creating a dual government framework that allocated power between the Union and the States through the three lists, i.e., the Union, State and Concurrent Lists (*Articles 245-255*). India, from the very incorporation of the Constitution, showed a tendency towards centralization of powers, especially during the early period, as the Centre frequently used

Article 356 to impose President's Rule and remove state governments. This inclination of the constitution towards centralization helped to maintain peace and cohesion in a country comprising of such linguistic, cultural and regional diversity.

The emergence of certain strong regional parties in the 1960's and some judicial actions such as the case of *S.R.Bommai (1994)*¹ put certain limitations on the abuses in the system because of this centralization of powers, and instead enhanced state independence. The 73rd and 74th Constitutional Amendments made in 1992, established a strong third tier-local, rural and urban governments and this economic liberalization of the 1990's strengthened the role of states and their importance by increasing their roles in growth and industry.

In the recent years, federalism has also evolved with significant political, fiscal and institutional changes hence, enhancing cooperative and competitive federalism models that balance independence and teamwork.

Innovations in Institutions of India

- **GST COUNCIL (since 2017):** The GST Council is an institution of fiscal federalism with the Centre and all States as equal participants in tax policy development. Since its implementation, the Council has maintained a stable revenue sharing mode, allowing states to receive approximately 71% of GST revenues, while the Centre keeps 29%. From 2017-18 to 2024-25, the Centre allocated Rs.6.52 lakh crore in GST compensation to states to erase the transition effects and bolster economics during crisis like COVID-19. This consensus-driven shared framework towards governance, improves cooperation federalism but sometimes encounters problems and issues such as conflicts over postponed payments and the standardized tax rates, impacting state independence.
- **NITI AAYOG (since 2015):** Replacing the Planning Commission, NITI Aayog promotes federal cooperation and competition by including Chief Ministers and the Prime Minister in its Governing Council. It formulates national

policies with state consultation and encourages competition through initiatives such as the Aspirational Districts Programme, measuring health, education, and governance indices to incentivize improvements. This approach aligns with Prime Minister Modi's "Sabka Saath, Sabka Vikas" vision, emphasizing development through unity. Niti Aayog's collaborative framework which is driven by data, connects the centre and states to align with the developmental goals of the nation at large.

- **FISCAL RELATIONS AND DEVOLUTION:** The recommendation given by the 14th Finance Commission led to an increase in the state's share of divisible tax revenue from 32% to 42%, improving the fiscal autonomy of the state. Transfers In order to improve fiscal autonomy, the 14th Finance Commission recommended raising the state's share of divisible tax revenue from 32% to 42%. Discretion plan payments have given way to formula-driven devolution in transfers, which increases predictability but also at the same time, increases conditionality and limits flexibility for state-specific goals. Recent concerns include rising cesses and surcharges retained by the Centre, not shared with states, effectively shrinking the divisible pool. States continue demanding greater revenue autonomy to address localized needs.

Contemporary Examples reflecting Federal dynamics Covid-19 Collaboration and Tensions: During the pandemic, cooperative federal mechanism proved to be very helpful for mobilizing the resources and coordinated vaccine distribution. However, there were issues with respect to lockdown policies and allocation of resources especially when the opposition-ruled states contest against the centre issues directives, further increasing the stress in Centre-State relations.

- a) **Agricultural Reforms and Protests:** The recent laws on agriculture which were passed by the central government led to the widespread farmer protests, most predominantly in Punjab and Haryana which further asserted state autonomy and also contesting the

¹ S.R. Bommai v. Union of India, AIR 1994 SC 1918, (1994) 3 SCC 1

policies made by the centre, perceived as encroaching on their jurisdiction. This kind of conflict shows and highlights the fragility and contestation within the cooperative federalism frameworks under stress.

b) GST Disputes and Reforms: Few states have reported problems and dissatisfaction with the GST compensation delays and decision-making processes, wanting reforms in dispute resolution and a greater level of transparency in the Council. These issues underscore the ongoing negotiation between both the governments with respect to sharing of decision-making and individual state interests with fiscal federalism.

Hence, India's federalism system has significantly transformed from a centralized model towards a more nuanced, cooperative, and competitive system, balancing the unity with diversity culture of the country. Certain institutional innovations like the GST Council and NITI Aayog shows the unique approach of India towards federal governance, harmonizing fiscal policy and encouraging state-led development while preserving their respective, collective goals. The recent events or incidents such as any crisis management and policy disputes reveal both the strengths and weaknesses of the evolving concept or arrangement, underscoring the continued importance of adaptive federal structures to meet India's complex governance challenges in 2025 and beyond.

Recent developments from 2021 to 2025

Federal relations have continued to evolve, including both cooperative and competitive aspects. The 15th Finance Commission reaffirmed the need for fiscal responsibility and increasing transparency in the devolution of resources to the states, though the debate continues around the Central government's increasing reliance on cesses and surcharges. India launched initiatives such as the One Nation, One Ration Card scheme and the National Education Policy (NEP) 2020 that entail digital and administrative forms of cooperative federalism by tying central government schemes to state-level implementation. Digital India and the Aadhaar service delivery model have introduced what scholars term "data federalism" whereby control and sharing of digital information to define the new centre-state balance.

Inter-state water issues, climate change Policy coordination (e.g., the National Green Hydrogen Mission), and attempts to adopt welfare schemes that

would work in one of the areas further highlight competitive federalism, as states attempt to outdo each other in proposals for innovation, investment, and public welfare outcomes.

V. FEDERALISM IN THE USA: DUALISM AND CHANGING PRACTICES

Federalism in the United States has historically, always been characterized by dualism in every way which is a model in which federal and state governments maintain distinct, non-overlapping spheres of authority. However, with time, it has started evolving in practice towards a more complex and dynamic system, with significant intergovernmental interaction and frequent reallocation of power.

Dual Federalism: Origins and Principles

Dual federalism (also called "layer-cake federalism") is grounded in the belief that the federal and state governments operate within separate and exclusive domains of authority, with each layer having its own set of powers and responsibilities that do not overlap. This arrangement is rooted in a narrow reading of the U.S. Constitution, emphasizing the Tenth Amendment's reserved powers clause and limiting federal authority mainly to foreign affairs, military, and interstate commerce.

Historical examples include exclusive federal control over currency and defence, and exclusive state authority over education, marriage, and policing. This theory of Dualism was very clear and evident in the interpretation of the American constitution, from the foundation of the country till the very 20th century, highlighting cases where the Supreme Court strictly divided the federal and state powers. The rise of the national regulatory policy, responses to the crisis situation such as the New Deal, and increased federal involvement in social and economic issues led to the decline of dual federalism, paving the way for a more cooperative federalism such as the marble-cake structure, where authorities and responsibilities are shared by both, and are often intertwined and mixed. However, in the recent decades, federalism in the US has become more of a transactional and administrative affair which is characterised by executive actions, judicial interventions and "conditional" kind of federal grants that often tend to blur the line of authority.

Some important Supreme Court decisions have with time to time resurfaced the boundaries between federal and state powers, hence both expanding and at the same time also restraining federal supremacy, depending on the problems and political climate as well.

- *McCulloch vs Maryland* (1819)²: The Supreme Court in this case held that the Congress had authority under the constitution to establish a national bank and that states like Maryland did not have the right to tax or impede the federal institution's operations at any given point of time. The court asserted the Necessary and Proper Clause to reaffirm the Congress's implied and unsaid powers, mentioning that when there is a clash between federal laws and state actions, the former will prevail. Chief Justice Marshall concluded by saying that "the power to tax involves the power to destroy" hence rendering the tax laid by Maryland, unconstitutional in nature.
- *Gibbons vs Oden* (1824)³: The Supreme Court in this case ruled that the Congress, under the Commerce Clause was blessed with the exclusive power to regulate interstate commerce which also includes navigation between the states. The court in this case invalidated the steamboat monopoly law of New York, holding that the federal law takes precedence over any kind of conflicting state legislation for that matter. This ruling expanded the federal authority significantly over economic activities, crossing state lines and set a key precedent for the supremacy of federal regulation in commerce.
- *Dred Scott vs Sandford* (1857)⁴: This case asserted state rights and the court held that the Congress could not put a ban on the slavery within the US territories, reinforcing state powers but at the end deepening the national conflict with respect to the distribution of powers. It was later overturned by constitutional amendment.

- *Schechter Poultry Corp vs United States* (1935)⁵: The court in this case struck down the New Deal legislation, ruling that federal regulation of local poultry businesses acted in excess of its constitutional limits since it was restricting federal commerce authority.
- *United States vs Lopez* (1995)⁶: The Supreme Court put a control on the federal regulatory reach, striking down the Gun-Free School Zones Act as exceeding Congress's Commerce Clause powers, hence reviving the constitutional limits on the federal authority.
- *Printz vs United States* (1997)⁷: The court upheld constitutional restraints on federal power under the Tenth Amendment by blocking federal mandates for state officials to implement the federal firearms background check procedures.

By providing the judicial remedies, restricting agency powers, and improving the processes by which states confront and challenge federal actions, the Supreme Court's recent terms, including 2024–2025, have fundamentally changed the balance of power between the federal and state governments.

Changing Practice: Recent Trends and Examples (2020s–2025)

Federalism in the 2020s has been severely impacted by the administrative presidency, especially because of the extensive use of executive orders by the recent Presidents (especially Biden and Trump), which has a direct effect on the federal-state relations, which should ideally be cordial but is affected by circumventing the legislative bench and imposing additional requirements on the states to receive funds from the federal government. In this case, the states have responded in multiple ways, often posing a challenge on the federal regulations in court and increasingly trying out and experimenting with various different policies on abortion, gun rights, immigration, and control on the technology, which has further complicated the federal-state relations. The recent issues include claims over Medicaid funding, environmental regulation, education policy (such as

² *McCulloch v. Maryland*, 17 U.S. (4 Wheat.) 316 (1819)

³ *Gibbons v. Ogden*, 22 U.S. (9 Wheat.) 1 (1824)

⁴ *Dred Scott v. Sandford*, 60 U.S. (19 How.) 393 (1857)

⁵ *A.L.A. Schechter Poultry Corp. v. United States*, 295 U.S. 495 (1935)

⁶ *United States v. Lopez*, 514 U.S. 549 (1995)

⁷ *Printz v. United States*, 521 U.S. 898 (1997)

Title IX enforcement) and also looking after the election process. The willingness of the Supreme Court to revisit the longstanding precedents affecting the electoral processes and the federal conditions on states further exemplifies these changes.

The post-2024 era features both a return towards dual federalism (with a certain push to devolve responsibilities to the states) and at the same time, move to centralize the power in the presidency and federal agencies, sometimes resulting in creation of new stress and even legal challenges between different levels of government. Hence, it can be concluded from the above that the dual federalism model was the historical foundation and the beginning of the federalism model in the USA, but today, it no longer can be said to be defining it in the best or even accurate manner. Contemporary American federalism however, can be shaped by complex negotiations, strong executive actions, judicial decisions and political polarization, leading to continuous changes and shifts in the division of powers and their exercise between the federal and state governments.

United States: Governance Performance and Economic Impact

Pandemic Response and Governance

- *A decentralised landscape form of policy making:* The response by USA to the covid-19 situation can be said to be broken into parts, with severe heterogeneity between states. States like New York, California and Washington were quick in shutting down the areas, making wearing mask a mandate and for conducting regular tests for covid at a mass level as well, while others were more laid back and delayed such measures, prioritizing their economic stability which led to a rapid reopening of the lockdown, leading to “waves” of infections at different times.
- *National-Local tensions:* The federal government in the USA kept on changing its perspective towards the measures which were needed to be taken in order to prevent covid. Initially, it showed reluctance towards mandating wearing masks in the public and the competition among states for a coordinated resource allocation for the necessary goods such as PPE kits and ventilators, also turned into a “federalism by default”. Massachusetts’

deployment of an NFL plane to procure N95 masks from China shows the lack of availability of resources in their own nation.

- *Rollout of vaccines:* Under the rule of Biden, the vaccination drive and campaign happened on a very large scale, i.e., by the mid of 2021, more than half of the Americans were completely vaccinated and safe, but still the regional and political gaps also continued to persist, resulting in a high number of outbreaks in under-vaccinated areas and regions.
- *Case Statistics:* As of the April month of 2021, over 30 million cases, 5,57,000+ deaths, with per capita death rates as high as 320 for per 1,00,000 in the city of New Jersey and also at the same time, as low as 57 per 1,00,000 in the city of Hawaii, further increasing the differences as a result of different policies adopted.

Economic Crisis and Fiscal Response

- *Unemployment and Inequality:* In April 2020, the rate of unemployment spiked up to 14.7%, marking the highest rate since the time of Great Depression. Over 22 million jobs were lost during that time, due to the new pandemic and at that period of time, the lower income group (lower middle-class) families and even minority households suffered the most with zero privileges and unstable or zero income also in certain cases.
- *Stimulus Packages:* Direct payments, extended unemployment benefits, and small company assistance were all part of the \$2 trillion CARES Act, which increased household income and stabilized financial markets. In 2020–21, the US fiscal reaction totalled almost 13% of GDP.
- *Recovery Patterns:* While GDP contracted 3.4% in 2020, a sharp “V-shaped” recovery happened in 2021 which was driven by stimulus and reopening. However, recovery was more of a “K-shaped”, i.e., towards technology, finance and corporate sectors which rebounded rapidly, but when it came to low-wage jobs, they lagged on the same.

VI. GLOBAL HEALTH AND ECONOMIC CRISIS:
GOVERNANCE PERFORMANCE (CASE
STUDIES ON COVID-19 RESPONSE AND
ECONOMIC CHALLENGES IN INDIA AND
THE USA)

When we talk about COVID-19, we know for a fact that different nations and their respective governments have been distinct in dealing with the pandemic, and their responses have been distinct as well in dealing with the crisis. The federal and state governments of India mobilized large-scale public health and welfare programs across the country, while USA's response highlights the complexity of federalism during national emergencies.

India: State-Level and Central Measures

Uttar Pradesh showcases the effects of extensive mobilization:

- The state created a tiered COVID care system (L1 for mild, L2 for moderate, L3 for critical cases), quickly increasing bed capacity by more than 50,000 in a matter of weeks and assigning particular hospitals for different care levels.
- Nearly 4,000 community kitchens provided daily meals to over 350,000 at-risk residents during lockdown, funded by the Relief Commissioner's office.
- Assistance for migrants was a top concern: more than 318 dedicated trains and 1,000 buses transported 384,000 migrant workers who faced loss of income and housing. Digital platforms ("Jansunwai") documented stranded workers to facilitate repatriation.

Gujarat's approach integrated active leadership, strong monitoring, and collaboration between public and private sectors.

- Home-to-home screenings, prompt contact tracing, and real-time dashboards facilitated swift containment in city clusters.
- Initially facing high risks, industrial clusters developed risk-mitigation strategies, with companies contributing to the establishment of PPE inventories and infrastructure.
- Collaboration with NGOs and the private sector increased vital medical supply manufacturing.

On a national level, the Ministry of AYUSH (traditional medicines) was incorporated into the strategy for protection of COVID, offering telemedicine, mobile applications for monitoring the immunity of the citizens and recommendations for natural preventive measures such as herbal and yoga , especially in containment and high-risk zones.

USA: Coordination at Federal, State and Local Levels
Decentralization of the System in the U.S.: The federal agencies in USA established general guidelines for the administration of the country and dealing with Covid-19, yet over 2,000 state and local health departments executed responses, which resulted in differences in the measures of testing, implementation of lockdown measures over the nation and public information initiatives.

- Federal assistance to the government, such as the CARES ACT amounted to \$3.7 trillion, providing stimulus payments, increasing the benefits to eh unemployed and even financing loans for small scale businesses. Nonetheless, under 2% was allocated to direct public health infrastructure like testing, PPE and contact tracing which put a stress on the availability of resources in severely affected regions.
- Significant innovation started emerging from local authorities and private enterprises: Municipalities such as that of New York established quarantine hotels for people who are infected or are at high chance of getting infected, while regional healthcare systems created telemedicine networks, with the help and assistance from the states.
- Examples of Economic Relations: The US government prolonged the benefits of employment , backed the payroll preservation via forgivable loans, and also implemented the eviction freezes. In spite of these actions, numerous aid programmes just ceased to happen all of a sudden, resulting in increases in poverty and homelessness.
- Wealth and racial inequalities became very evident, with minority communities facing greater challenges due to the limited access to the healthcare facilities, and more unstable jobs.

The post-COVID-19 period has also made evident the need for establishing institutionalized health federalism. Both countries are pursuing reforms to strengthen health security arrangements—India's National Digital Health Mission (NDHM) aims to harmonize and integrate central and state health databases, while the United States has suggested the National Pandemic Center to be the center for future emergency responses. Both examples illustrate the slow process of institutional learning, as systems incorporate cooperation into formal health governance processes.

VII. COMPARISON

Drawing a comparison between India and the USA helps us to delve into details of distinction between the constitutional designs of both the countries, their operating realities and their pandemic responses as well, each exposing strengths and vulnerabilities in the time of crisis management. These differences showcased how both the countries addressed the never seen before challenges during the time of Covid-19 in 2020, giving contrasting and different outcomes in policy agility, coordination, and protection of the public health at large.

When talking about the USA: the power house, its constitution establishes a federal system where specifically listed powers rests with the federal government itself, while all the other powers are reserved for the states under the Tenth Amendment. It has somewhere evolved now from the dualism to the systems of cooperative, competitive and even transactional federalism, influenced by political, legal, and administrative developments. This very federal kind of structure is upheld by the supremacy clause under the Constitution of USA, under *Article VI*, the commerce clause I and a robust framework for judicial adjudication and disposal of centre-state disputes.

In India, its constitution creates a federal kind of governance system, which can also be described as “quasi-federal” or “federal with a strong unitary bias”, giving the union more authority and power, especially during the emergency period. This division of legislative power between the Union and the States through the three lists mentioned under the Seventh Schedule, is observed by numerous provisions allowing the Centre to override states (Articles 249,

250, 253, 356 and the emergency powers). While cooperative federalism in India is emphasized in mechanisms like NITI Aayog, the system can be said to be more centralized than that of the US, with the centre often prevailing for any decision-making in times of crisis.

Key Statistics

US had registered more than 30 million cases and over then 5,57,000 deaths as of April 2021, with over 25,512,197 cases touched by January 2021 itself. There were over 6,00,000 deaths reported there by mid-2021, with the daily count of the cases being reported crossing 2,50,000.

Responses of the various states of USA

Covid 19 responses varied widely for different states of the Unites States, with states like New York and California enforcing strict lockdowns and necessary requirements like wearing masks and having extensive testing measures that reduced infection rates at large, but had significant economic and social consequences. On the other hand, various Southern and Midwestern states postponed imposing such restrictions or removed them rapidly as soon as the situation got a little better, later resulting in ongoing surges of infections. Mask mandates and shutting of business indicated very clearly the political division of USA: President Trumps open resistance towards masks, conflicted with state health initiatives, as many Republican-led states eased or defied CDC directives, while Democratic-led states upheld more stringent regulations. These decisions resulted in varying case counts and death rates, with proactive, science-based states like Vermont, Hawaii and Washinton experiencing significantly lower per capita morality rates compared to the other states like Mississippi, Alabama and Arizona. The pandemic also played a major role in triggering competition for even the basic resources during the shortages of spring 2020, with states competing against the federal government to obtain PPE kits- Massachusetts for example dispatched an NFL team to China, to get N95 masks. By early 2021, all thanks to the better and efficient federal collaboration under the administration of Biden, swift vaccination initiatives commenced, but the history of divisive communication resulted in ongoing vaccine reluctance and notable regional disparities. In the end, without a cohesive national plan

with them, US had to face some of the highest infection and mortality rates at the global level, despite having significant resources for health management and capacity as well, underscoring the significant shortcomings of a divided politicized federalism during a crisis.

India: Governance Performance and Economic Impact
 India's reaction to the COVID-19 pandemic was marked by an extremely centralized nationwide lockdown declared on March 25, 2020, that succeeded in postponing the virus's early peak—modelling estimated more than 800,000 cases by mid-April in the absence of the lockdown, but the reported figure stood at a mere 11,438. Initial attempts were thwarted by inadequate testing, albeit this capability grew more over time; in June 2020, over 300,000 tests were carried out per day, yet India's per capita rates lagged considerably behind international practice. There was divergence among states, with Kerala employing strong public health infrastructure to maintain low case numbers, whereas states such as Maharashtra and Delhi were hotspots, and the 2021 second wave critically overloaded health systems nationwide. The lockdown brought on unprecedented humanitarian issues, most notably for migrant workers, who saw millions lose jobs and income and encounter a humanitarian crisis; although relief interventions such as free food rations and cash transfers were in place, wide gaps and sluggish recovery remained, most notably for the informal sector. Economically, the nation suffered a sharp contraction as GDP declined by 24.4% in April-June 2020 and 7.3% for the 2020–21 fiscal year—the worst among major economies. Fiscal measures were moderate and mostly directed towards credit measures for eventual recovery, not immediate relief, leading to an uneven recovery in 2021–22; whereas real GDP increased 8.7% in 2021, formal and tech-oriented industries and the middle

class recovered more rapidly, but small entrepreneurs and low-income earners continued to experience inequality and unemployment.

Performance Analysis of India and USA (Side-by-Side)

- *US:* Advanced health innovation and effective stimulus averted mass destitution; fragmented governance and politicized public health response worsened outcomes, especially in vulnerable communities.
- *India:* Swift, decisive lockdown bought time, but with high immediate social and economic costs and lower fiscal firepower, it just prolonged hardship for the informal workforce. Successful pockets of local/state response (Kerala) contrast with nationwide stress during the 2021 second wave.
- *Common Lesson:* In conclusion, India and the United States show that the strength of federalism may not be found in an inflexible separation in a constitution but in an adaptable cooperation. With global crises - whether health, economic, climatic, or digital - becoming progressively interconnected, we need a hybrid model of governance that incorporates a centralized strategy and decentralized capacity to implement that strategy. In the next decade, "climate federalism" and "digital federalism" are likely to emerge as new and necessary approaches for sustainable growth and data governance and ethical tech. The effectiveness of future federal governance will rely on more than just good constitutional design, but be based on political trust, institutional capability and adaptability, and responsibilities are shared across the governing system.

Comparative Summary Table (INDIA & USA)

DIMENSION	INDIA	USA
Constitutional Model	Quasi-federal with unitary bias	Federal with reserved state powers (Tenth Amendment)
Fiscal Devolution	42% of divisible taxes (14th–15th Finance Commission); Centre retains cesses	Strong state taxation powers; conditional federal grants

Health Governance	Centralized pandemic response via Disaster Management Act; NITI Aayog coordination	Decentralized response; CDC guidelines, state autonomy
Judicial Role	Expands Centre's emergency powers (Art. 356) but upholds state rights (S.R. Bommai)	SC limits federal overreach (Lopez, Printz, Dobbs)
Emerging Trends	Digital and climate federalism, competitive state innovation	Tech and moral federalism, executive dominance

BIBLIOGRAPHY

United States Supreme Court Cases

- [1] *McCulloch v Maryland* 17 US (4 Wheat) 316 (1819)
- [2] *Gibbons v Ogden* 22 US (9 Wheat) 1 (1824)
- [3] *Dred Scott v Sandford* 60 US (19 How) 393 (1857)
- [4] *Schechter Poultry Corp v United States* 295 US 495 (1935)
- [5] *United States v Lopez* 514 US 549 (1995)
- [6] *Printz v United States* 521 US 898 (1997)

Indian Supreme Court Cases

- [1] *S R Bommai v Union of India* (1994) 3 SCC 1 (SC)

Indian Constitution and Statutes

- [1] Constitution of India 1950, art 249, 250, 253, 356, sch VII
- [2] Goods and Services Tax Act 2017 (India)

US Constitutional Provisions and Statutes

- [1] US Constitution amend X
- [2] US Constitution art VI, cl 2
- [3] Coronavirus Aid, Relief, and Economic Security (CARES) Act 2020, Pub L No 116-136, 134 Stat 281

Books and Scholarly Works

- [1] KC Wheare, *Federal Government* (4th edn, Oxford University Press 1963)
- [2] Daniel J Elazar, *Exploring Federalism* (University of Alabama Press 1987)

Reports, International, and Government Documents

- [1] Press Information Bureau (India) '14th Finance Commission: Recommendations and Impact' (2015)

- [2] World Health Organization, 'Weekly Epidemiological Update on COVID-19—21 April 2021' (2021)

- [3] International Monetary Fund, 'Policy Responses to COVID-19' (2020)

News/Periodicals

- [1] 'Unemployment Rate Rises to 14.7%', *The Wall Street Journal* (New York, 8 May 2020) A1