

FEDERALISM, FEDERAL POLITICAL SYSTEMS, AND FEDERATIONS

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ABSTRACT

Political events in various parts of the world during the past decade have attracted new attention to the strengths and weaknesses of federal solutions as a means of resolving political problems. Conceptual distinctions have been drawn between "federalism" as a normative term, "federal political systems" as a descriptive term referring to a broad genus of federal arrangements, and "federation" as a particular species within that genus. The extensive literature on the design and operation of federal systems is reviewed, with particular attention to asymmetry among constituent units, degrees of noncentralization, financial relationships, the impact of federative institutions and the courts, and the development of multi-tiered federal systems. Federal processes illustrated by patterns of formation and evolution, the significance of the increasingly global economy, intergovernmental relations, the impact of cultural, ethnic and national diversities, and the pathology of federal systems are also considered.

Political events in various parts of the world during the past decade have attracted new attention to the strengths and weaknesses of federal solutions as a means of resolving political problems. This has resulted in a considerable scholarly literature attempting to reassess the nature of federalism and to understand such issues as the theory and practice of federalism, the design and operation of various federal systems, and the processes of political integration and disintegration.

Among the developments contributing to this interest in North America have been Canada's three decades of political and constitutional crises, rooted

deeply in its fundamental cultural cleavages. In the United States, a reappraisal of federalism has been occasioned by the fiscal crisis affecting the relations between national and state governments, by the off-loading of responsibilities onto the states, and by patterns of federal preemption and coercive federalism. Supreme Court judgments such as *Garcia* (1985) and *United States v. Lopez* (1995) have also drawn much attention. Mexico's constitution is formally federal, and although one-party domination has in the past limited its reality, there are now signs of efforts to give Mexican federalism more meaning. The three South American federations, Argentina, Brazil, and Venezuela, are also undergoing significant changes, each in its own way.

In Europe, efforts to progress toward both wider and deeper integration in what has become the European Union have led to a heightened interest in federal ideas and an explosion of literature on the subject. Also contributing to European interest in federalism has been the movement toward new federal and quasi-federal forms in Belgium and Spain, the devolutionary trends in Italy and Britain, and the efforts in Switzerland to adapt traditional federal institutions and processes to contemporary pressures. An additional factor has been the impact of membership in the wider European Union on federal-state relations within such federations or quasi-federations as Germany, Belgium, Austria, and Spain. In the German case issues have also arisen from reunification. Eastern Europe, on the other hand, has illustrated the fragility of imposed federal solutions with the fragmentation of Yugoslavia, the USSR, and Czechoslovakia as well as the continuing stresses within the Russian Federation.

In Asia, Africa, and Australia federalism has also been undergoing a reassessment. India and Malaysia, marked by deep-rooted multilingual, multicultural, and multiracial diversity, have nevertheless managed to cohere for half and a third of a century respectively, but are at a critical phase in their development. Nigeria, despite its formally federal constitution, remains unable to throw off the military yoke. South Africa, on the other hand, has undergone a democratic transformation, and in 1996 adopted a quasi-federal constitution with a number of innovative features. As Australia approaches its centenary as a federation in 2001 and the issue of whether to change from a monarchy into a republic comes to the fore, the federal system is undergoing a review.

A major factor in the surge of interest in federalism, as a number of authors emphasize (e.g. the contributors to Laforest & Brown 1994), is that the world is paradoxically exhibiting simultaneously increasing pressures for integration and for disintegration. Because federalism combines a shared government (for specified common purposes) with autonomous action by constituent units of government that maintain their identity and distinctiveness, more and more peoples have come to see some form of federalism as the closest institutional approximation to the multinational reality of the contemporary world.

The renewed interest in federalism is illustrated by the expanding number of journals and academic organizations focusing on its study. For over 25 years, *Publius: the Journal of Federalism* has provided an outlet for scholarly work on federalism, predominantly about various aspects of federalism in the United States, but also regularly including articles or special issues on other federations or comparative themes. But in the past decade a number of other journals have been established that focused on issues related to federalism, especially in Europe. A particularly notable example is *Regional and Federal Studies: an International Journal*, which commenced in 1991 under the title *Regional Politics and Policy*.

The expansion of political and scholarly interest in federalism has also been fostered by the growth of centers for research in federalism and by international associations linking their work. The only two centers for research in federalism in existence 25 years ago were the Center for the Study of Federalism at Temple University in the United States and the Institute of Intergovernmental Relations at Queen's University in Canada. In 1977 an International Association of Centers for Federal Studies (IACFS) was formed; today its membership encompasses 22 centers and institutes in 15 countries on 5 continents. Each of its annual meetings has included a conference on some theme related to federalism, usually resulting in subsequent publications. In addition the IACFS has sponsored other publications, including a survey of federal concepts by Stewart (1984), a handbook on federal systems of the world edited by Elazar (1994b), an international dictionary of federalism edited by Saint-Ouen (1994), and an international bibliography on federalism to be made available on the Internet (IACFS, 1997).

Another international organization now linking individual scholars working on federalism is the Comparative Federalism and Federation Research Committee of the International Political Science Association, which has not only organized panels at each of the triennial IPSA World Congresses but has on occasion held its own conferences or round tables.

THE CONCEPTS OF FEDERALISM, FEDERAL SYSTEMS, AND FEDERATIONS

The longstanding debate on the definition of federalism is one of the focuses of the recent upsurge of scholarly interest. The distinction between "federalism" and "federation," first noted by King (1982), is an important one; however, there has been some variation and hence ambiguity in the ways it has been drawn. For some, such as King, "federalism" is a normative and philosophical concept, involving the advocacy of federal principles, whereas "federation" is a descriptive term referring to a particular type of institutional relationship. For others, such as Elazar (1987, 1993, 1994b) and some contributors to Bur-

gess & Gagnon (1993), both these terms are descriptive. For them, “federalism” refers to a genus of political organization encompassing a variety of species, including federations, confederacies, associated statehoods, unions, leagues, condominiums, constitutional regionalization, and constitutional “home rule.” In this schema, “federation” refers to one species within the wider genus of federalism. Indeed, the International Political Science Association Research Committee has accepted this distinction in titling itself the Research Committee on Comparative Federalism and Federation.

Given the potential confusion aroused by these two ways of distinguishing the terms federalism and federation, Watts (1994) suggested that for the sake of clarity three terms should be clearly distinguished: federalism, federal political systems, and federations. In this three-fold distinction, the term federalism refers to the normative concept advocated by King (1982).

As a normative concept, federalism may involve one of two general approaches. One is the advocacy of a pragmatic balancing of citizen preferences for (a) joint action for certain purposes and (b) self-government of the constituent units for other purposes. This approach is derived from *The Federalist* of Madison, Hamilton, and Jay (1788) and is typical of the subsequent advocacy of federalism in the English-speaking world. Notable examples are Wheare (1963) and Elazar (1987). The second approach is founded on a more ideological basis, typical of the many European advocates of federalism referred to in King (1982) and Burgess & Gagnon (1993). An example is the philosophy of federalism as a Utopian system typified by Marc (1987). Either of these approaches to the comparative study of federalism as an idea may also involve an empirical study of thinkers and of movements that have espoused federalism and of their political and historical influence. Recent writing about federalism as a normative or historical idea includes Elazar (1987), Ostrom (1986, 1991, 1995), Beer (1993), Burgess (1995), Buchanan (1995), and Kincaid (1995). Furthermore, Burgess & Gagnon (1993) have drawn attention to distinct North American and European traditions of federal thought, the latter derived from foundations unrelated to *The Federalist*. A noted feature of the European tradition of federalism is its linkage with the concept of subsidiarity as a principle for allocating functions, a concept considered by several contributors in Fleiner & Schmitt (1996).

The term federal political systems, distinct from federalism or federations, is the descriptive term referring to the genus of political organization that is marked by the combination of shared rule and self-rule. This genus encompasses a variety of species such as those Elazar (1987) has categorized: unions, constitutionally decentralized unions, federations, confederations, federacies, associated states, condominiums, leagues, and joint functional authorities. Furthermore, Watts (1996) has noted that the broad genus of federal political systems may include hybrids, because statesmen are often more

interested in pragmatic political solutions than in theoretical purity. Recent examples are South Africa, which in its 1996 constitution basically established a federation while retaining some quasi-unitary features, and the European Union after Maastricht, which is basically a confederation but, as Burgess (1996) describes, has some features of a federation. Further innovations may yet be developed, expressing new ways of combining shared rule and self-rule. It should be emphasized that the empirical study of federal political systems is not simply a matter of categorizing various species and subspecies in terms of their institutional structures; it also involves an examination of the various relationships found within species, including the processes and dynamics of their operation and the interrelation of their political structures with the social, cultural, and economic environment within which they operate.

The term federation in this three-fold distinction refers to a specific species within the genus of federal political systems. A federation is a compound polity combining constituent units and a general government, each possessing powers delegated to it by the people through a constitution, each empowered to deal directly with the citizens in the exercise of a significant portion of its legislative, administrative, and taxing powers, and each directly elected by its citizens. As Watts (1996) notes, according to these criteria there are currently 23 federations in the world. They vary widely, however, in the character of the underlying social diversity, in the form and scope of the distribution of legislative and administrative powers and financial resources, in the form and processes of the shared representative institutions, in the scope and role of the courts as constitutional umpires, in the character of intergovernmental relations, and in the processes for flexibility and constitutional adjustment. A number of authors, most notably Elazar (1987, 1994a, 1997), have emphasized the covenantal character of federations as a distinguishing feature, with the authority of each government derived from the constitution rather than from another government.

During the past decade interest has revived in the confederal form of political organization. Confederations have generally been distinguished from federations as a species of federal system in which the institutions of shared rule are dependent on the constituent governments, being composed of delegates from the constituent governments and therefore having only an indirect electoral and fiscal base. By contrast with federations, in which each government operates directly on the citizens, in confederations the direct relationship lies between the shared institutions and the governments of the member states. Historical examples include Switzerland for most of the period 1291–1847 and the United States 1776–1789. In the contemporary world, the European Union is basically a confederation, although it has increasingly incorporated some features of a federation.

Ever since *The Federalist* the confederal form of government has attracted a negative evaluation, but the recent evolutions of the European Union, of a variety of other contemporary international common markets and economic unions, and of various forms of international association have revived interest in confederal arrangements. Forsyth (1981) conducted an analysis of the theory and practice of confederation. More recently Elazar (1995, 1996) has suggested that since World War II, and especially since the late 1970s, we have been in the midst of a paradigm shift from a world of nation-states to a world of diminished state sovereignty and increasingly constitutionalized interstate linkages of a federal or confederal character. An illustration of the revived interest in the study of confederal relationships is the re-examination by Lister (1996) of the nature of confederal unions and the degree to which the European Union (in practice) and the United Nations (potentially) express confederal principles in an effective manner.

THE DESIGN AND OPERATION OF FEDERAL SYSTEMS

The Significance of Federal Institutions

The various federal systems undergoing creation, adaptation, and in some cases serious stress have drawn scholarly attention to the design and operation of institutions in federal systems, including both federations and confederations (in the latter case most notably relating to the European Union). Watts (1996) focuses comparatively on the structures and processes in a wide range of examples; the subject is more briefly addressed by Saunders (1995) and Nathan (1992). On the operation of the United States federation, the annual summer issues (No. 3) of *Publius: the Journal of Federalism* entitled "The State of American Federalism," as well as numerous articles in other issues, have provided a wealth of discussion of the latest developments. With regard to the European Union, numerous articles in *Regional and Federal Studies: An International Journal* have served a similar role. These studies have considered not only constitutional and legal structures but also political practice and the implications of federal structures and processes for policy making and policy outcomes.

Symmetry and Asymmetry Among Constituent Units

The issue of asymmetry among the constituent units within a federal system has attracted considerable attention from scholars in recent years. Fueling this interest has been the debate in the European Union about the concept of a Europe of "variable geometry" proceeding at "varying speeds," the debate in Canada about Quebec as a "distinct society" differing from the other prov-

inces, and the asymmetrical constitutional arrangements or practices within the Spanish, Belgian, Indian, Malaysian, and Russian federations.

Tarlton (1965) first drew attention to the notion of asymmetry within federal systems when he noted that differences in population and wealth among constituent units within federal systems have inevitably introduced asymmetry in the relative political power and influence of different units. This might be called political asymmetry, arising from the impact of cultural, economic, demographic, and social conditions affecting the relative power and influence of different constituent units, as well as their relations with each other and with the federative institutions. More recently, however, attention has focused on the instances and implications of constitutional asymmetry, the degree of non-uniformity in the constitutional powers assigned to the constituent units within a federal system.

Two types of constitutional asymmetry can be distinguished. One is asymmetry among the full-fledged constituent units within a federation or confederation. Canada, Malaysia, India, Belgium, Spain, Russia, and the European Union provide examples; among the extensive analyses of these are Milne (1991, 1993), Maclay (1992), de Villiers (1994), Watts (1996), and Agranoff (1996). Perhaps the most complex current example of this kind of asymmetry occurs in the variety of powers negotiated by the 89 republics and various categories of regions currently constituting the Russian Federation. In Canada's recent constitutional deliberations, the degree to which the current constitutional asymmetry might be increased to accommodate Quebec's concerns has been a major issue of contention. A review of the examples suggests there may be cases where constitutional asymmetry is the only way to resolve sharp differences when much greater impulses for decentralization exist in some regions of a federal system than in others. Furthermore, in such cases as Spain and the European Union, asymmetry has proved useful as a transitional arrangement accommodating constituent units at different stages of political development.

A second form of constitutional asymmetry is the relationship between a small or peripheral state (often a small island or group of islands) and a larger state (often a former colonial power), in which the smaller unit shares in the benefits of association with the larger polity but retains internal autonomy and self-government. Elazar (1987) has identified distinct species involving such asymmetry, which he labeled associated states, federacies, and condominiums, within the genus of federal systems.

Centralization, Decentralization, and Noncentralization

Characteristic of federal systems is the simultaneous existence of powerful motives for constituent units to be united (for certain shared purposes) and

their deep-rooted desires for self-government (for other purposes). Therefore, the distribution of constitutional powers between governments is a major feature of all federal systems.

Although federations have often been characterized as decentralized political systems, what distinguishes federations from decentralized unitary systems is not just the scope of decentralized responsibilities but the constitutional guarantee of autonomy for the constituent governments in the responsibilities they perform. Elazar (1987) and Osaghae (1990) have therefore preferred to describe federations as noncentralized, on the grounds that “decentralization” implies a hierarchy with power flowing from the top or center, whereas “noncentralization” suggests a constitutionally structured dispersion of power, better representing the essential character of federations.

Although this general characteristic distinguishes federations from unitary systems, nevertheless, as Nathan (1992) and Watts (1996) have pointed out, there is in practice enormous variation among federations in the extent of the powers, responsibilities, and resources assigned to the different levels of government. No single quantifiable index can adequately measure the scope of effective jurisdictional noncentralization and autonomy of decision making within them. Among the multiple indices, not all of equal weight, to be considered are the distribution of legislative and administrative jurisdiction, the allocation of financial resources, decentralization to nongovernmental agencies, constitutional limitations, and the degree of participation by the constituent unit governments in federal decision making.

In Europe, as previously noted, emphasis has been given to the principle of subsidiarity, the notion that responsibilities should be assigned to the lowest level government that can adequately perform them. Although philosophically appealing, this principle has proved difficult to operationalize legally because of the critical question of who ultimately determines the application of the principle.

On the issue of noncentralization, recent US literature devotes particular attention to the practice of federal preemption, most notably discussed in Zimmerman (1991, 1993); to the implications of the 1985 *Garcia* case, addressed by Pittenger (1992) among others; and to what Kincaid (1990, 1993) has characterized as a trend from cooperative to coercive federalism. At the same time Elazar (1990) notes that despite the apparently deteriorating constitutional framework, the states have been reasserting themselves as polities.

The Distribution of Financial Resources

The allocation of financial resources to each order of government within a federation is important for two reasons: First, these resources enable or constrain governments in the exercise of their constitutionally assigned legislative and

executive responsibilities; second, taxing powers and expenditures are themselves important instruments for affecting and regulating the economy. In practice it has proved impossible to design a federal constitution so that the allocation of autonomous revenue sources to each level of government will match its expenditure responsibilities precisely. Even if the match could be achieved initially, the relative value of different taxes and the costs of areas of expenditure inevitably shift over time, creating imbalances. This means that every federation has needed to resort to intergovernmental financial transfers to correct imbalances. In addition, most federations have attempted to correct imbalances relating to disparities in the revenue capacities of different constituent units.

These fiscal arrangements have been among the most contentious issues in intergovernmental relations, and the recent impact of fiscal constraint in most federations has accentuated these strains. Comparative studies of the experience of different federations with revenue sharing, conditional and unconditional grants, equalization arrangements, and the machinery and processes for adjusting fiscal arrangements have provided insight into the character of intergovernmental conflict and cooperation. Studies contributing to the understanding of these issues include Bird (1986), MacManus (1990), Nathan & Lago (1990), Walsh (1992), Banting et al (1994), Ball & Linn (1994), Peterson (1995), and Boothe (1996). One characteristic that appears to distinguish federations from confederations, noted by Leslie (1996), is the more restricted scope for redistribution that confederal institutions provide.

The Character of the Shared Institutions

Because a major objective of federal political systems is the maintenance and protection of territorially based constituent communities, there is usually a clash between the pressures for regional equality and citizen equality in the arrangements for representation in the shared institutions. As King (1993) has noted, most federations have sought to balance these two types of equality in representation within their shared institutions.

A crucial variable affecting the achievement of such a balance and the internal political dynamics of federations has been the executive-legislature relationship within the shared institutions. The different forms of this relationship—exemplified by the separation of powers in the presidential-congressional structure in the United States, the fixed-term collegial executive in Switzerland, and the executive-legislative fusion with responsible parliamentary cabinets in Canada, Australia, Germany (with some modifications), Belgium, India, and Malaysia—have shaped not only the character of politics and administration within the shared institutions, but also the nature of intergovernmental

relations and the generation of cohesion or conflict within federations. Among studies examining the significance of these differences in the form of executive-legislature relations have been Smiley & Watts (1985), Saunders (1989), Olson & Franks (1993), Sproule-Jones (1993), Galligan (1995), Verney (1995), and Watts (1996).

The “democratic deficit” has caused much debate within the European Union. Watts (1994) suggests that by their intergovernmental character the shared institutions within a confederation are more likely to exhibit a democratic deficit than those in federations, which are normally directly elected by the citizens. Indeed, the pressures within the European Union to reduce the democratic deficit by enhancing the role of the European Parliament and by increasing the extent of voting by majority within the Council have been making the Union less confederal in nature, moving it toward incorporating features more characteristic of federations. This experience raises the question of whether, given the contemporary predominance of democratic ideals, confederal systems are likely to be transitional rather than permanent systems.

The Role of the Courts

With the exception of Switzerland, where the legislative referendum plays a major adjudicating role in defining the limits of federal jurisdiction, most federations, along with the European Union, rely on the courts to play the primary adjudicating role in interpreting the constitution and adapting the constitution to changing circumstances. Therefore, most analyses of the operation of federations have included extensive examination of the impact of the courts. For example, *Publius: the Journal of Federalism* frequently contains articles on the judgments and role of the US courts, particularly in its special annual “State of the Federation” issues. The *Garcia* case (1985) and more recent cases beginning with *United States v. Lopez* (1995) have occasioned considerable comment. Russell et al (1989) in Canada and Coper (1989) in Australia analyzed the impact of the courts on the operation of these federations. In a more general and comparative vein, Bzdera (1993) attempted to document the tendency of nationally appointed federal courts of appeal through judicial review to augment the powers, values, and institutions of the national governments at the expense of the constituent units.

The autonomy of territorial subunits within a federal system is one way of protecting territorially concentrated minorities, but most federations have also protected minorities by including a constitutional provision for individual and in some cases group rights. The addition of the Charter of Rights and Freedoms to the Canadian Constitution has fostered discussion of the interrelation of federal arrangements and constitutional rights and of the extent to which the Char-

ter has weakened the institutions of consociational democracy and elite accommodation, thereby diminishing the influence of all the provinces and contributing to the strength of the secessionist movement within Quebec (see for example Russell et al 1989, Cairns 1992, and Morton 1995).

Multi-Tiered Federal Systems

Traditionally, the analysis of federations has centered on relations between federal and state governments. But the European Union contains both full-fledged and emerging federations: Germany, Belgium, Austria, and Spain. This has aroused interest in the operation of multi-tiered federal systems. Membership in the European Union has affected not only the functions of federal governments in these member federations but also the functions of their constituent units. The effect of European Union membership on internal relationships within the member federations has occasioned a considerable literature relating to Germany, of which Hrbeck (1991), Jeffery & Sturm (1992), Leonardy (1993), and Gunlicks (1994) are examples. These complex relationships have also produced much discussion of the regional dimension as a third level within Europe, a subject considered in a special issue of *Regional and Federal Studies: an International Journal* (1996) and in Hooghe & Marks (1996), Christiansen (1996), and Burgess (1996). Even such a loose arrangement as the North American Free Trade Agreement (NAFTA) linking the three federations of the United States, Canada, and Mexico has had implications for the roles of their states and provinces.

The development of multi-tiered federal systems has created a more complicated context for the operation of these federations. However, as Pennock (1959) long ago suggested, multi-tiered federal systems do represent ways of maximizing citizen preferences (or reducing frustrations) through multiple levels of organization, each operating on a different scale in order to perform its particular functions effectively.

FEDERAL PROCESSES

Patterns of Formation and Evolution

It is now generally recognized that understanding the establishment, operation, and evolution of federal systems requires an examination of more than the formal constitutional and governmental structures. Indeed, it requires analysis of the interactions of societies, institutional structures, and processes. As Gagnon (1993) has emphasized, the study of the interaction between issues occasioned by homogeneity and diversity within society and particular institutional structures provides us with a better understanding of the cooperative and competi-

tive relationships that characterize federal systems. Equally important is analysis of the complex relationship between structures and processes, expressed particularly in the dynamic interplay of intergovernmental negotiations and relations.

There has been considerable analysis of the processes by which federal systems and federations have been established. Among others, the studies of Wheare (1963), Friedrich (1968), Riker (1975), Dikshit (1975), Watts (1981), and more recently Elazar (1987, 1994a) and Hesse & Wright (1996), have considered the interrelation among geographical, historical, economic, ecological, security, intellectual, cultural, demographic, and international factors in promoting both unity and regionalism, and the significance of these factors in the consideration of unitary, federal, and confederal alternatives. Also significant, as Friedrich (1968) and Buchanan (1995) have noted, is whether the process of establishment has involved aggregation, devolution, or a mixture of both. Furthermore, Pinder (1993) has pointed out the significance of whether the creation of the federal system was achieved all at once or by stages. An important aspect of the establishment of federal systems is the degree of elite accommodation and public involvement in the process. In the contemporary era, when the importance of democratic processes is increasingly emphasized, elite accommodation by itself may no longer be sufficient for legitimizing new political systems; this has complicated the patterns of negotiation for the establishment of federal systems, as the development of the European Union has demonstrated.

Once established, federal systems are not static structures. They are dynamic, evolving entities. This is clear from the various historical accounts of each federal system, such as those on the United States by Beer (1993), Elazar (1994c), Riker (1987), Walker (1995), and Zimmerman (1992); on Canada by Simeon & Robinson (1990) and Russell (1993); on Australia by Galligan (1990, 1995); on Germany by Gunlicks (1989) and Jeffery & Sturm (1992); on Belgium by Alen & Ergec (1994); on Spain by Agranoff (1996); and on Europe in Burgess (1996). Examples of recent comparative general studies of patterns in the evolution of federal systems can be found in Elazar (1987, 1994a), Duchacek (1987), Orban (1992), and Watts (1996). More specific comparisons of the evolution of pairs of federations have also been done, such as those on Canada and the United States by Watts (1987) and on Canada and Australia by Hodgins et al (1989). Other comparative studies have focused on particular aspects affecting the patterns of evolution, such as judicial review (see Bzdera 1993) and fiscal relations (referred to above). These various analyses have contributed to an understanding of how the interactions of social, political, economic, and ethnic factors have shaped institutional structures and political processes, producing trends toward centralization in some federal systems and decentralization in others.

Federal Systems and the Global Economy

The emergence of the global economy has had a major impact on the roles and activities of national and subnational governments and has led to a reassessment of the changing character of federal systems in such works as Brown & Smith (1991), Galligan (1993), Knop et al (1995), and Boeckelman & Kincaid (1996). The global economy has unleashed economic and political factors strengthening both international and local pressures at the expense of the traditional nation-state. As a result, governments increasingly face the paradoxical desires of their people to be both global consumers and local citizens. Courchene (1993) has labeled this trend “glocalization.” In such a context, various forms of federal relationships between different interacting levels of government seem to provide a way to mediate the variety of global and local citizen preferences.

These issues have also attracted a new interest in the relationship between the study of federal systems and theories of integration and of international relations. In the 1950s and 1960s such studies attracted some of the brightest scholars but this attention seemed to evaporate in the 1970s. Dynamic scholarly interest in this area now seems to have revived, a trend accentuated by developments within Europe and in North America, as illustrated by Michelman & Soldatos (1994) and O’Brien (1995).

Intergovernmental Relations

Within federal systems the inevitability of overlaps and interdependence in the exercise by governments of their constitutional powers has generally required extensive intergovernmental consultation, cooperation, and coordination. The institutions and processes for intergovernmental collaboration have served two important functions: resolving conflict and providing a means of adapting pragmatically to changing circumstances. Typically, these processes have involved interrelations both between federal and constituent unit governments and among constituent units. Furthermore, within both the federal-state and interstate dimensions, these relations may involve all the constituent units or regional groupings of units, or they may be bilateral.

Within a number of federations, most notably the United States, Canada, Australia, Germany, and India, there have been extensive studies of intergovernmental relations. This has been the case particularly in the United States, where Wright (1982) produced the classic work on this subject. Virtually every issue of *Publius: the Journal of Federalism* has contained articles focusing on some particular aspect of intergovernmental relations and the impact on policy outcomes. Scharpf’s (1988) analysis of Germany’s strong emphasis on coordination through joint decision making has attracted widespread attention by identifying the resulting reduction in opportunities for flexibility and vari-

ety, which he labeled “the joint decision trap.” Comparative analyses of the processes of intergovernmental relations have been less numerous, although Warhurst (1987) and Watts (1989) do provide examples.

From the numerous studies of intergovernmental relations, four points stand out. As Watts (1989) and Sproule-Jones (1993) have noted, the particular form of executive established—whether involving the separation of powers between executive and legislature as in the United States and Switzerland, or the fusion of the two as in the parliamentary federations such as Canada, Australia, and Germany—has an impact on the character of intergovernmental relations. “Executive federalism,” in which relations between the different executives are predominant, generally characterizes the latter group.

Second, although many earlier studies of intergovernmental relations within federations concentrated on “cooperative federalism,” some recent literature, such as Dye (1990) and Kenyon & Kincaid (1991), has emphasized the importance of competition between federal and state governments and among state governments. Breton (1985) has even gone so far as to argue that citizen preferences are likely to be better served by such competition than by “collusion” between governments. In any federal system there will in fact be both cooperative and competitive relations in the intergovernmental bargaining. Each federal system therefore has had to develop an appropriate balance between cooperation and competition in its intergovernmental relations.

Third, the complexity of intergovernmental administrative and fiscal relations has also raised the issue of the extent to which they may undercut democratic accountability. This issue has been raised not only in Canada by Breton (1985), but in Australia by Wood et al (1989).

A fourth focus, since Riker (1964, 1975) first emphasized it, has been the analysis of the role and impact of political parties, including their number, their character, and the relations among federal, state, and local branches, to understand the dynamic relationships within federations. Specific studies of the role of political parties have appeared in Sharman (1994) comparing Australian and Canadian parties; in Marsh & Uhr (1995) regarding Australia; and in Gunlicks (1989) relating to parties in Germany, Switzerland, and Austria. These studies tend to indicate that the impact of parties on the operation of federations is more complex than Riker had suggested, and that parties have reinforced both intergovernmental cooperation and competition.

Unity and Diversity

There has been considerable literature on the significance of political subcultures in federal systems. Indeed, under the influence of Elazar (1984, 1994c), a whole school of analysis of regional subcultures has developed in the United States; a significant example is Wirt (1991).

In many other cases the cultural differences within federations have been much deeper and have even reached the level of ethnic nationalism. The contemporary world has been marked not only by global pressures for larger economic and political units, but also in certain regions by strong pressures for ethnic nationalism. As Forsyth (1989) and Wiessner (1993) have noted, the uniting of constituent units that are based on different ethnic nationalisms into some form of federal system appears to be one way of containing nationalist pressures for political fragmentation. But multi-ethnic federations have been among the most difficult to sustain, as Nigeria, Pakistan, India, Malaysia, Canada, Belgium, and Spain, as well as the effort to federalize Europe, have illustrated. This has led some commentators, such as Elazar (1993), to question whether federations composed of different ethnic units simply run the risk of eventual civil war. There is no doubt that fundamentally monocultural federations, such as the United States, Australia, and Germany have faced fewer difficulties. Nevertheless, the persistence of federations in Switzerland and Canada for well over a century, in India for half a century, and in Malaysia for over three decades, suggests that under certain conditions multi-ethnic federations can be sustained. Given that the management of ethnic nationalism is one of the most common arguments for federation or confederation today, there is a need for comparative studies of the difference between multi-ethnic and ethnically homogeneous federations, and of the particular structures and processes required to enable federations and confederations to accommodate ethnic nationalism in the long term. As Gagnon (1996) has suggested, a decoupling of the notions of nation and citizenship may be an important starting point.

A much-debated issue is whether federal systems and federations in the long run encourage integration or, by emphasizing regional interests and autonomy, induce political divisiveness. Fear of the latter has made some statesmen devising new constitutional arrangements, for instance in South Africa and Britain, hesitant to adopt a full-fledged federation or even increased devolution. In practice it appears that, in most federations, both the impulses for federation-building and state-building have been encouraged and reinforced in parallel over time. This perhaps helps to explain why the Australian federation has persisted, even though its basis is periodically questioned, as for instance by some elements within the Australian Labor Party and by Riker (1964).

In the analysis of conflict resolution within federal systems and federations, Gagnon (1993) is right to remind us that such political systems should be assessed not by whether they can eliminate conflict, but rather by their ability to manage conflict. Conflict is an inherent component of all societies; federal systems that have persisted have done so not because they have eliminated it but because they have managed it. As Landau (1973) has appropriately pointed out, it is the multiple safety valves within federal systems that have enabled

them to persist when crises have erupted. Another important factor in managing internal conflict, as emphasized by Elazar (1993), is the existence of a supportive federal political culture emphasizing constitutionalism, tolerance, and recognition of distinctive regional groups.

The traditional view has been that federal political systems, including federations, are based on a territorial matrix. This view is set out in Duchacek (1987), Elazar (1993), and Gagnon (1993). It raises the question, however, whether non-territorial federal arrangements for power sharing might be possible. Elkins (1995) has explored this possibility, focusing on a range of non-territorial organizations to unblock thinking tied to the territorial state. Furthermore, the Belgian combination of territorial and community organization appears to break new ground, although it is still too early to judge its efficacy. Within Canada, too, there have been pressures for non-territorial federal arrangements to provide those aboriginal peoples not concentrated on reserves with some form of self-government. The full possibilities and limits of non-territorial federal organizations, however, remain to be developed.

THE PATHOLOGY OF FEDERAL SYSTEMS

Much of the literature on federal political systems has concentrated on their establishment and operation. It is true that many federations continue to be remarkably effective and that many of the world's longest-standing constitutional systems, still operating under their original constitutions, are federations. Examples are the United States (1789), Switzerland (1848), Canada (1867), and Australia (1901).

But the period since 1945 has seen not only the proliferation of federal systems and federations but also the failure of significant numbers of them in the Third World and more recently in Eastern Europe. Furthermore, some federations still in operation, such as Canada, Belgium, India, and Pakistan, are currently displaying signs of considerable internal stress. Accordingly, the earlier literature on the conditions and processes leading to the breakdown of federations found in Franck (1966), Watts (1977), and Hicks (1978) has been augmented by an extensive body of more recent analyses. Among these have been Gleason (1992), Weaver (1992), Kramer (1993), Dorff (1994), Cox & Franklund (1995), Young (1995), Dion (1995), and Watts (1996). The special difficulties of dyadic federations and confederations in bicomunal societies and their tendency toward political polarization have been examined by Duchacek (1988). All these studies point to the importance of avoiding a cumulative reinforcement of political cleavages resulting in the development of increasingly polarizing processes that undermine support for tolerance and compromise.

CONCLUSIONS

The extensive recent literature on federalism, federal systems, and federations points to three broad conclusions. First, in the context of the contemporary global scene, federal political systems combining shared rule and self-rule do provide a practical way of combining the benefits of unity and diversity through representative institutions, but they are no panacea for humanity's political ills. Second, the effectiveness of a federal political system depends on the degree of public acceptance of the need to respect constitutional norms and structures, and on a spirit of compromise and tolerance. Third, within the broad genus of federal systems and even within the narrower species of federations there are many variations in the application of the federal idea. Consequently, the extent to which a given federal system can accommodate political realities depends not merely on the adoption of federal arrangements but on whether the particular form of federal system or federation that is adopted or evolved, and the processes it incorporates, give adequate expression to the demands of that society. Ultimately the application of federalism involves a pragmatic, prudential approach, and its continued applicability in different or changing circumstances may well depend on further innovations in the institutional variables adopted. Although no panacea, federal arrangements and the idea of federalism have shown that they can provide a means for reconciliation in the world. The challenge for scholars is to contribute, by critical, objective, and comparative analyses, to a better understanding of how new federal systems may be established or existing ones made more effective.

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