

THE FEDERALISM REPORT

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From the Editors

We are pleased to bring back *The Federalism Report* after a brief hiatus necessitated by some reorganization matters. *The Report* is available in both hard-copy print and electronic format, which, together, serve a large international audience. The people who study federalism specifically make up a fairly small and even intimate community worldwide, but the number of people who encounter and address issues of federalism in relation to law, public policy, political theory, political behavior, and the like is huge. Given that federal countries encompass nearly 40 percent of the world's population and that federal-like arrangements encompass even many more people, federalism is, necessarily, a leading-edge issue in the twenty-first century.

The Report intends primarily to share information about activities about individuals and organizations so as to enhance participation and communication among those engaged in the study of federalism. Most recently, for example, the International Association of Centers for Federal Studies held its annual meeting in Tübingen, Germany. The Research Committee on Comparative Federalism and Federation hosted two panels at the triennial meeting of the International Political Science Association in Fukuoka, Japan.

In order to make *The Federalism Report* fully and broadly informative, we invite news from you about your relevant activities and publications. Send news, as well as address changes, to Dr. John Kincaid; Meyner Center for the Study of State and Local Government; 002 Kirby Hall of Civil Rights; Lafayette College; Easton, PA 18042-1785, USA. The fax is 610-330-5648; the e-mail address is <meynerc@lafayette.edu>.

CSF at the Meyner Center expresses appreciation for assistance from the Earhart Foundation in helping to support *The Federalism Report*. The views expressed herein are not necessarily those of the Earhart Foundation, Lafayette College, or Morehead State University.

John Kincaid, Editor
Michael W. Hail, Associate Editor

CSF Notebook

Robert B. and Helen S. Meyner Center for the Study of State and Local Government

Structuring International Conferences on Federalism to Enhance Learning

By Raoul Blindenbacher and Andrea Iff

In 2002, the Swiss federal government and 26 cantons organized an international conference on "Federalism in a Changing World--Learning from Each Other." This conference was the follow up to an international conference on federalism held 1999 in Mont Tremblant, Quebec, the theme of which was "Federalism in an Era of Globalization." For 2002, three themes were discussed by participants from all over the world: (1) federalism and foreign relations, (2) federalism, decentralization, and conflict management in multicultural societies, and (3) the assignment of responsibilities and fiscal federalism. The results of the proceedings have been published in two books and a film.¹

This essay is a further outcome; it highlights some of the most important and recurring topics explored during the conference. It extracts some significant insights, which, while not representative of every subject discussed, were shared by many participants. Below, we first describe how the conference was structured. This is important both because the structure influenced the results and because the conference was oriented around a concept known as the "knowledge spiral." In the following section, the data chosen for our analysis will be discussed, and our approach to data analysis, as well as our applied method of qualitative content analysis, will be explained briefly. Thereafter, we present the results and some conclusions.

Conference Concept as Knowledge Spiral

The structure used a process whereby participants expand their individual as well as their institutional knowledge through a "knowledge spiral." This was accomplished in three interconnected stages in which knowledge was first disseminated, then internalized, and finally externalized. Here, and in the other conference proceedings, we offer the results of the conference for

the ongoing process of the spiral in a fourth "transformation stage."

The first stage, the "combination stage," occurred before the conference and introduced participants to new thinking in the three aforementioned core themes. Key ideas were further highlighted in four subthemes developed for each theme.² To achieve this introduction, scholars prepared background papers and presented state-of-the-art information on each theme and subtheme, as well as important questions surrounding them. These papers were published as a conference reader that was sent to all participants.

The second "internalization stage" enabled participants to reflect on their experiences in light of the research provided in the combination stage. This took place during the conference in a series of work sessions where each subtheme was elaborated upon using specific case studies. Scholars, federal and state politicians, administrators, and business people presented these case studies from a variety of angles.

During the "externalization stage," participants shared their reflections and identified patterns and new insights from the prior stage. This was enabled by dialogue tables that, after the different work sessions, brought together all participants from each of the three themes to debate the issues that had arisen and to formulate new ideas and solutions. The goal of this stage was for participants to share the knowledge gained from their reflections in the work sessions and to discover new patterns.

Finally, to ensure that the knowledge gained at the conference is not limited to those who participated in it, the knowledge spiral must move to a "transformation stage." This stage integrates the reflections from the work sessions and the insights gained at the dialogue tables into an integrated whole. Besides the conference proceedings, this article is one more example of how to create opportunities to use material for this next twist of the knowledge spiral.

Data and Method of Analysis

At the conference, "scientific summary writers" attended all work sessions and dialogue tables to record discussions. Their reports provided the data for the following analysis. The reports are published in full, together with the background papers and plenary speeches of the heads of states, in *Federalism in a Changing World - Learning from Each Other*. These reports reflect the dialogues at the work sessions and dialogue tables. They are especially valuable because the participants were a carefully selected group of some 600 decision-makers and opinion-leaders from more than 60 countries in the fields of politics, administration, science, and economics with high levels of theoretical and/or practical experience in federal contexts. The diversity of both countries and viewpoints offered participants broad understandings of topics. In structuring the conference as a knowledge spiral, the participants shared experiences gained from their reflections and from the "to and fro" at the dialogue tables.

Our approach to the data is taken from the "grounded theory" first developed by Anselm Strauss and Barney Glaser in 1967. Strauss and Glaser begin from the fact that any given data should be viewed without a particular commitment to specific kinds of data, lines of research, or theoretical interests. Different analytical steps have to be developed according to the needs of the data, and the methodological process should follow a pattern of organic growth rather than a predefined structure. The idea behind this strategy is to analyze the scientific summary reports unconditionally and without any given theory or model of federalism in mind.

With this approach, we chose qualitative content analysis, with inductive category formation, in order to extract the most recurring conference statements. In taking a triage approach to the data, we first defined the 300 most recurring statements. In the second step, categories were developed and defined against the background of these statements, and the statements were subsumed under several broad categories. In the process, certain statements or categories were eliminated in order to gain a more comprehensible number of categories. Categories comprising less than five of the numbered statements from the original data

were eliminated because they were not sufficiently representative of the conference's overall direction. By using content analysis as our third step, the statements were compressed into a short text retaining their essential propositions. In this way, repetitions were removed from the categories, leaving a clearer, more succinct summary of the conference's seminal points.

We also found that all categories could be combined to form four groups. Hence, in the fourth step, we ordered the categories and defined four groups. The results represent four groups with sub-categories, summarizing the most recurring statements made during the dialogues. Among the results, the reader will find some subjective statements because, due to the methodological approach explained above, opinions of different participants were transferred into the final results. These opinions do not always match authors' views.

Results of the Content Analysis

The four groups identified are as follows. One is identity, defined as self-identification with a specific order of government in regard to its different and sometimes contradicting loyalties to the other orders and entities. This group was formed by the sub-categories of multiculturalism and solidarity. The second is responsibility, defined as awareness that a specific order of government should be accountable for finding a solution to a given problem. This group was formed by the four sub-categories of autonomy, efficiency, cooperation and competition, and corruption. The third, mutuality, is defined as acceptance by different governmental orders and entities of each other's rights. This group was formed by the three sub-categories of inclusiveness, trust, and rules. The fourth is pragmatism, defined as the freedom of different orders of government to consider and, if useful, to pursue every problem-solving process that conforms to the applied law. This was formed by the sub-categories of complexity, informality, and uniqueness.

Identity

Multiculturalism: Every individual or group in a federal system enjoys more than one identity, and these identities almost always overlap. A successful federal

approach ties the identities together so that they reinforce rather than contradict each other, to create multiple identities and loyalties. This can extend as far as a sense of different nationalities: one nation with several nationalities.

Although a federal structure can never be a complete safeguard against armed conflicts sparked by struggles for regional independence, federalism expects a culture to endorse what the French call *respect de la difference*. With this approach, it becomes clear that multiculturalism is not a problem per se. The federalist approach demands that multiple cultures not merely tolerate each other but also understand and even appreciate each other. This means that one group not only speaks another group's language, but also understands its culture.

It has often been said that regional autonomy is threatened by the development of supra-national institutions (e.g., the European Union) that make decisions previously regarded as belonging in the domestic sphere. Two interesting observations can be made in this regard. First, federal states that are members of supra-national organizations do not perceive their federal structure to be threatened by their membership in a larger entity. Second, the relationship between the national government and the constituent units becomes more intense and substantial when a country joins a supra-national institution; this is mostly because constituent units are often forced to cooperate to maintain political vigor within larger institutions. At the same time, this leads to a major role for constituent units in the bargaining process. Additionally, involvement in a supra-national organization seems to make it more necessary for constituent units to establish cross-border agreements.

Solidarity: Most participants felt that to achieve mutual understanding and accommodation of multiple identities, every citizen must enjoy the same conditions in every part of the federation. This is often achieved through fiscal equalization, which can take a variety of forms, depending on the level of commitment to "solidarity" as a working principle. One way to strive toward greater solidarity is to implement equalization transfers that preserve regional and linguistic identities and ensure that all groups get high-quality public services

everywhere in the country, thus contributing to political stability. This interregional transfer can ameliorate self-perpetuating regional disparities, especially if low income-levels are due to a lack of infrastructure or education.

Responsibility

Autonomy: Autonomy is a key feature of federal systems. Federal entities are only able to maintain their political significance according to their constitutionally guaranteed rights if they participate effectively in the federation's governance. For example, it was generally agreed that regional and local autonomy are prerequisites for effective cross-border relationships. Without the domestic autonomy of regional units, the advantage of such agreements would be impossible to deliver. It is noticeable that these agreements rarely exist outside federal polities. When subnational units are allowed to develop their own policies in areas of specific concern, the flexibility of the policy area of the state as a whole can be increased. However, not all subnational units are created equally, and those that have the power to forge ahead with a given policy do so. Those that cannot are left behind. This "creative destruction" will have a serious impact on the development of federal governance, especially when one considers the nation-state in the global era.

Corruption and Efficiency: Between the development of federalism and democracy, there exists a clear relationship. For example, in less developed countries, corruption and weak infrastructure as well as unhealthy competition can have a negative impact on poorer regions. Strong democracy in the local arena is therefore a vital condition for a federalist system to function as a check on the national government. However, problems in interpreting complicated legal documents by local governments can lead to "elite capture" of the process by those who can understand them, and corruption then appears to prevail in each order of government and not only in the federal government.

The principle that "whoever pays, decides" is well known. There was general consensus that public services should be allocated to the different orders of government so that citizens obtaining benefits from,

paying the costs of, and deciding on public services belong to the same group. Therefore, the government responsible for a particular service should have the capacity to levy taxes to pay for that service. However, there seems to be a gradual erosion of effective spending responsibilities across federal countries, with the national government or supra-national organizations more frequently dictating norms and standards. The revenue-raising powers of subnational governments are still rather limited in many nations, and do not match their spending responsibilities. A more effective application of the above principle would promote autonomy and accountability and, thereby, likely promote greater public sector efficiency.

The capacity of many regional and local governments to implement projects or financial planning and budgeting is often inadequate. If one wants to empower local government, money should not come from the top but should be sourced from local residents as much as possible. Where it is not possible for the state/provincial and local governments to raise their own money, central revenue-sharing needs to be both clearer and less unilateral. All governments must face the financial consequences of their decisions in order to ensure fiscal discipline.

Cooperation and Competition: One function of federalism is to create some competition among subnational entities. Therefore, even though a certain degree of equalization is necessary to foster solidarity, many participants agreed that full compensation of poor regions through equalization grants should be avoided.

Equalization should be designed with great care because poorly thought-out regional balancing can reduce local revenue-raising efforts, as well as motivation among local authorities to seek innovative ways to spend revenue efficiently. While matching grants offer incentives for efforts in tax collection, there is a contradiction in the regional balancing principle because those with high revenue-raising capacities receive more grant funds. Matching grants tend to reward relatively rich provinces for additional tax effort. Fiscal equalization based on actual, rather than potential, fiscal capacities can result in "unhealthy" tax competition. It could be said that cooperative federalism is a kind of collusion, aiding governments instead of citizens.

An excess of competitive federalism can lead to intergovernmental conflict, and to fear and anger destructive of a federation. Excessively competitive fiscal policies, whether or not they are stimulated by equalization, often produce undesirable results. But while most tax competition is aimed at attracting investment, this is only a secondary factor in investment decisions, although firms can sometimes respond unpredictably, undergoing corporate restructuring in order to take advantage of fiscal concessions.

Mutuality

Inclusiveness: As discussed above, respect for diversity is a cornerstone of a democratic polity, and even more so in a federal system. Minority rights and cultures should not only be sheltered but also secured by the state. Therefore, group rights must be protected through a country's constitution.

In making such a constitution, it is vital to respect another cornerstone of democracy: that the people, not the elite, should make decisions. For example, to ensure the representativeness of the constitution-making body, it is necessary to involve the people, notably through public debates. The inclusiveness of constitution-making is decisive for developing a common identity underlying nation-building. In addition, the more people who are involved in consultations or negotiations leading to new laws, and the better informed they are, the more motivated they will be to implement those laws.

This is also true of the involvement of subnational units in the federal decision-making process. In federal polities where those responsible for implementing agreements at the subnational level are involved in the negotiation process, implementation records are better. The participation of subnational units in shaping the foreign policy of a federal country whenever their powers or essential interests are concerned strengthens that country's foreign policy. In addition, subnational units bring know-how and experience relevant to the negotiations, which are often lacking among national actors. As a rule, the participation of the subnational units is crucial for the federal government. The federation needs the cooperation of the federated entities in order to implement its foreign policy and international law.

Trust: Federalism does not provide a panacea for all the ills of a multicultural society, but it does offer greater capacity for solving problems. However, a federalist model that works in one country cannot be transferred wholesale to another. The success of any federal solution depends on how a given polity copes with the group rights and cultural rights of its diverse people, and how it creates a feeling of security among them. Any power-sharing arrangement must empower the minorities and reduce their fear in the face of the power of the majority. This is especially true when a country has suffered from a violent conflict. In such cases, tremendous efforts are needed by all parties to work for reconciliation and reconstruction of the country while building trust. In this trust-building phase, particular emphasis must be placed on the political process. Also, the role of human rights is crucial, and they often cannot simply be defined in the abstract, but require mutual respect and negotiated agreement among the various members of diverse societies.

Balance: While looking at federalism as a way to solve multicultural conflicts, one has to be aware that federalism is not only a device for self-rule, but also a structure for shared rule. This shared rule is equally important. If federalism is understood as a license for self-rule without at the same time fostering a cooperative spirit of living together, it can lead to local tyranny. A concept and vision of federalism have to exist, according to which a commitment to power sharing is at least as important, if not more important, than the legitimate quest for autonomy. Federalism can only bring about good governance if it finds a middle path between self-determination and living together, fiscal autonomy and solidarity, and respect for cultural identity and a commitment to a mutually agreed-upon common good.

Consequently, it is necessary to understand federalism as a system of mutual checks and balances. Both the nation-state and the constituent units need to have a strong position in the constitution. This notion of balance is crucial. Minimally, it gives expression to two manifestations of popular will: national and regional. However, the checks and balances must also be supported by a strong, respected, and independent court system - albeit a court system that is itself reflective of diversity.

Pragmatism

Complexity: Federalism is a process that aims to create a more complex system in order to simplify things. Like the engine of a Formula 1 car, it is efficient but complicated, encompassing financial, economic, political, legal, and even ethical components. The greatest possible coordination between the different positions of the subnational units and the federation often leads to a complex compromise. For example, during the process of decentralization, the emergence of parallel national, regional, and local administrations and bureaucracies often leads to a more complex system in which there are no clear-cut allocations of responsibility. This can facilitate elite capture by politicians who tend to make short-term decisions, whereas most of the features and incentives of a successful federal system are long-term issues. Although federalism is usually complicated to arrange, difficult to manage, and cumbersome to operate, it is the price some federal countries have to pay in order for their citizens to live together.

Informality: In policymaking, discussions in a federal system are often driven less by an insistence on getting it right than by a spirit of getting along. One possible explanation is the complexity mentioned above. Additionally, each level is empowered to design its own policies, which often result in informal and pragmatic solutions. For example, if a policy needs regulation by the national government, it often becomes stuck, and the subnational units have to adopt a less formal response to the matter. Or, if a national border is a hindrance to the successful delivery of policies, subnational units develop cross-border relationships, with or without the involvement of the federal government. Hence, different examples show that explicit authorization by law is less important than the political power of a state in the federation. However, the conference discussions demonstrated that it is wise to distinguish between formal agreements and informal arrangements (*arte di arrangiarsi*). Some participants felt that as long as solutions continue to exist in a legal limbo, they lack the necessary power to have a significant impact.

Uniqueness: Federalism is not cast in stone; it grows differently in different soils. Its success in one place

may not be replicable in another. There is no single model, and it is difficult to transfer elements from one country to another. Historical and cultural traditions mean that the same conclusion pertains to the transferability of entire policy systems. Each polity must develop its own unique and pragmatic approach, if necessary with the help of the international community and transnational institutions.

Conclusion³

A major issue running through most of the conference sessions was the importance for effective federations of the presence of a supportive political culture and public attitudes. Whether in the conduct of foreign relations, the management of decentralization and conflict in multicultural societies, or the fiscal arrangements, effectiveness in practice has depended not just on appropriate institutions and processes, but even more on widespread respect for the values inherent in federalism. This is illustrated by the frequency with which the conference deliberations refer to the importance of respect for regional and cultural differences, for inclusiveness, trust for balance, acceptance of flexibility, pragmatic responses to particular circumstances, and genuinely democratic practices. A major conclusion with significant relevance for future discussions, therefore, is the need for further analysis of how such values, so necessary for effective federalism, can be fostered.

A second major theme emerging from the conference is the importance of the financial arrangements not only for economic efficiency but also for their impact on political policies and decision-making. Particularly important are the features of equalization and the extent to which they contribute to, or undermine, the preservation of regional and linguistic identities and the promotion of "solidarity" within a federation.

¹ Raoul Blindenbacher and Arnold Koller, eds., *Federalism in a Changing World - Learning from Each Other* (Montreal & Kingston: McGill-Queen's University Press, 2003) and U. Abderhalden and Raoul Blindenbacher, eds., *Future Challenges for Federalism in a Changing World - Learning from Each Other: The Youth Perspective* (St Gallen, Switzerland, 2003) and the film *Speaking of Federalism*,

directed by J. Neuenschwander and produced by Raoul Blindenbacher, Switzerland, 2004.

² Subthemes of Theme I: Foreign Relations of Subnational Units, Participation of Subnational Units in the Foreign Policy of the Federation, Implementation of International and Supra-national Law by Subnational Units, and Federal Structures and Foreign Policy of International and Supranational Organizations; Theme II: Constitution-Making and Nation-Building, Decentralization and Good Governance, Communities, Civil Society, and Conflict Management, and International and Regional Action Regarding Conflicts in Multicultural Societies; and Theme III: Fiscal Federalism and Political Decision Structures, Problems of Equalization in Federal Systems, Fiscal Competition, and Fiscal Decentralization in Transition Economies and Developing Countries.

³ The authors thank Ronald L. Watts for his support to finalize the conclusion of this article.

Raoul Blindenbacher is vice president at the Forum of Federations and director of global programs. He was the executive director of the International Conference on Federalism 2002. Andrea Iff is a researcher at the Institute of Political Science at the University of Berne, Switzerland. She worked as project manager at the International Conference on Federalism 2002.

Global Dialogue on Federalism

The Global Dialogue on Federalism, a joint project of the Forum of Federations and International Association of Centers for Federal Studies, has published the first two volumes of its projected series of books on comparative federalism. The published books are:

John Kincaid and G. Alan Tarr, eds., *Constitutional Origins, Structure, and Change in Federal Countries* (Montreal & Kingston: McGill-Queen's University Press, 2005).

Akhtar Majeed, Ronald L. Watts, and Douglas M. Brown, eds. *Distribution of Powers and Responsibilities in Federal Countries* (Montreal & Kingston: McGill-Queen's University Press, 2006).

Forthcoming volumes will cover executive, legislative and judicial governance in federal countries; fiscal federalism; federalism and foreign relations; and local governments and metropolitan areas in federal systems.

John Kincaid will present results from the constitutional volume at a meeting of the International Standing Panel and Federal System Panel of the National Academy of Public Administration, Washington, D.C., September 20, 2006, 12:30-2:30 p.m.

Publius: The Journal of Federalism

After 25 years of editing and managing *Publius: The Journal of Federalism*, John Kincaid has retired as editor of the journal. As of the start of 2006, *Publius: The Journal of Federalism* is being edited by Carol S. Weissert at Florida State University. Carol Weissert and John Kincaid worked together on a transition during 2005 and also arranged to have the journal published by Oxford University Press. The journal's outstanding reputation induced many publishers to bid on publishing *Publius*. Oxford was selected as best able to promote and enhance the journal. In addition, the Organized Section on Federalism and Intergovernmental Relations of the American Political Science Association has become a sponsor of the journal. *Publius* was founded by Daniel J. Elazar in 1971. John Kincaid joined the journal in 1980 and took administrative and managerial responsibility for the journal in 1981 while co-editing the journal with Elazar. *Publius* continues to be supported by the Center for the Study of Federalism located at the Meyner Center at Lafayette College.

The contents of the most recent issue of *Publius: The Journal of Federalism* (36:3, Summer 2006) are:

John Dinan and Dale Krane, "The State of American Federalism, 2005: Federalism Resurfaces in the Political Debate."

Mary Grisez Kweit and Robert W. Kweit, "A Tale of Two Disasters."

Matthew H. Bosworth, "'An Innate Sense of Fairness': State Responses to the U.S. Supreme Court's Sovereign Immunity Decisions."

Christina Rivers, "'Conquered Provinces'? The Voting Rights Act and State Power."

Richard L. Cole and John Kincaid, "Public Opinion on U.S. Federal and Intergovernmental Issues in 2006: Continuity and Change."

Papers of James L. Martin National Governors' Association

The Special Collections Department of Lafayette College's Skillman Library has opened the James L. Martin Papers for research. The Martin Papers (17 cubic feet) document Martin's role as the chief lobbyist for the National Governors' Association (NGA) in Washington, D.C., during the 1980s and 1990s. As the legislative counsel and director of NGA's Office of State-Federal Relations, Martin focused a significant part of his lobbying on the relationship between the federal government and the states, particularly as it pertained to federalism and intergovernmental relations. The Martin Papers contain correspondence, memoranda, position papers, background materials, meeting notes, and policy statements relating to major legislative issues such as the federal budget, government financing, taxation, health care, education, mandates, regulatory reform, and welfare reform.

A guide to the collection is available online at <http://www2.lafayette.edu/~library/special/Manuscripts.html>. For information or research use, please contact Diane Shaw, College Archivist, at 610-330-5401 or shawd@lafayette.edu.

Scholars' News

Both John Kincaid and Joseph F. Zimmerman contributed chapters on federalism to the current *Book of the States*.

John Kincaid, "State-Federal Relations: Federal Dollars Down, Federal Power Up," *The Book of the States* (Lexington, KY: Council of State Governments, 2006): 19-25.

Joseph F. Zimmerman, "Congressional Preemption and the States," *The Book of the States* (Lexington, KY: Council of State Governments, 2006): 26-29.

International Association of Centers for Federal Studies (IACFS)

The following papers were presented at the annual meeting of the International Association of Centers for Federal Studies held at the European Centre for Research on Federalism, Tübingen, Germany, and hosted by Director Rudolf Hrbek, June 28 - July 1, 2006.

Xavier Arbós, *Institute for Autonomous Studies (Spain)*: "The Spanish Low Chamber: An Intergovernmental Arena? The Representation and Integration of Territorial Interests within the *Congreso de Los Diputados*"

Peter Bussjaeger, *Institute for Federalism (Austria)*: "The Austrian "Länder": The Relationship of Regional Parliaments to the Executive Powers against the Background of Europeanisation"

Beniamino Caravita di Toritto, *Associazione Osservatorio sul Federalismo e Processi di Governo (Italy)*: "Regional Parliaments in Federal Systems"

Antonio D'Atena, *Istituto di Studi sui Sistemi Regionali Federali (Italy)*: "Second Chambers, Update on the Situation in Italy"

Simon Evans, *Centre for Comparative Constitutional Studies (Australia)*: "The Australian Senate"

Anna Gamper, *Institute for Federalism (Austria)*: "The Austrian Bundesrat"

Robert Hazell and Akash Paun, *Constitution Unit (United Kingdom)*: "Parliamentary Scrutiny of the Executive after Devolution in Britain"

Rudolf Hrbek, *European Center for Research on Federalism (Germany)*: "Parliaments in EU Multi-level Governance"

John Kincaid, *Center for the Study of Federalism at the Robert B. & Helen S. Meyner Center for the Center of State and Local Government (USA)*: "The Eclipse of the States in the U.S. Senate"

Christian Leuprecht, *Institute of Intergovernmental Relations (Canada)*: "Preliminary Findings of Our Comparative Study on Federal-Municipal Relations"

Marius Roth, *Institute for Federalism (Switzerland)*: "Publication of Legislation on the Internet in Switzerland (lex-go)"

Vincenzo Sanantonio, *Istituto di Studi sui Sistemi Regionali Federali (Italy)*: "Regional Parliaments, Update on the Situation in Italy"

Jaap de Visser, *Community Law Centre (South Africa)*: "Career Patterns of Parliamentarians in a Multi-level System"

Ronald L. Watts, *Institute of Intergovernmental Relations (Canada)*: "Federal Second Chambers Compared"

Organized Section on Federalism and Intergovernmental Relations of the American Political Science Association (APSA)

2006 APSA Federalism Section Panels

28-1 Intergovernmental Management for the 21st Century

Date: Saturday, Sep 2, 10:15 AM (Co-sponsored by 24-2)

Chair: Paul L. Posner, *George Mason University*

Author(s):

Performance Management and Federal Grants: Some Second Thoughts
Beryl A. Radin, *American University*

Updating Theories of American Federalism
Richard P. Nathan, *SUNY-Albany*

NCLF: The Centralization of Standards Meets Mr. Jefferson's System
Kenneth K. Wong, *Brown University*

State and Local Finance and Authority in a Global, Electronic Economy
Ray Scheppach, *National Governors Association*

Discussant(s): Timothy J. Conlan, *George Mason University*
Samuel H. Beer, *Harvard University*

28-2 Federalism and the Social Safety Net

Date: Saturday, Sep 2, 8:00 AM (Co-sponsored by 25-6)

Chair: Mark Carl Rom, *Georgetown University*

Author(s):

Spatial Inequality in the Safety Net
Scott W. Allard, *Brown University*

Political Evolution of the SSI Childhood Disability Program
Colleen L. Barry, *Yale University*
Susan H. Busch, *Yale University*

Rethinking Devolution and Privatization in American Social Policy
Steven Rathgeb Smith, *University of Washington*

The Bottom Line, the Business Model and the Bogey: Performance Management, Sanctions and the Brave New World of Welfare-to-Work in Florida
Richard C. Fording, *University of Kentucky*
Sanford F. Schram, *Bryn Mawr College*
Joe Soss, *University of Wisconsin, Madison*

Discussant(s): Pamela Winston, *Urban Institute*

28-3 Katrina, Terrorism, and Intergovernmental Management

Date: Friday, Sep 1, 8:00 AM (Co-sponsored by 24-10)

Chair: Robert Montjoy, *University of New Orleans*

Author(s):

Disaster Management and Presidential Leadership in an Intergovernmental Context: U.S. Hurricane Response from Frederic to Wilma
David B. Cohen, *University of Akron*
Brian J. Gerber, *West Virginia University*

Having Your Cake and Eating It Too: Financing Both Homeland Security and Natural Disaster Preparedness at the Local Level
Kiki Caruson, *University of South Florida*
Susan A. MacManus, *University of South Florida*

Challenges to Federalism: Homeland Security, Disaster Response, and the Local Impact of Federal Funding Formulas and Mandates
Carmine P. Scavo, *East Carolina University*
Richard C. Kearney, *East Carolina University*
Richard J. Kilroy, *East Carolina University*

The Dynamics of Policy Learning: Catastrophic Events in Real-Time
Louise K. Comfort, *University of Pittsburgh*

Discussant(s): Sandra K. Schneider, *Michigan State University*

28-4 Federalism and the Courts

Date: Thursday, Aug 31, 4:15 PM (Co-sponsored by 27-9)

Chair: Susan Gluck Mezey, *Loyola University Chicago*

Author(s):

The Roberts Court and New Federalism Jurisprudence
Christopher P. Banks, *University of Akron*
John C. Blakeman, *University of Wisconsin at Stevens Point*

Interstate Conflict and the Growth of National Power in the U.S. Federal System
Sean Nicholson-Crotty, *University of Missouri, Columbia*

Federalism, Regional Diversity and Drug Policy
J. Mitchell Pickerill, *Washington State University*
Paul Chen, *Western Washington University*

Federalism: An Overlooked Dimension of Supreme Court Decision Making?

Paul M. Collins, *University of Houston*

Discussant(s): John Kincaid, *Lafayette College*
Susan Gluck Mezey, *Loyola University Chicago*

28-5 Federalism and State Policymaking

Date: Friday, Sep 1, 10:15 AM (Co-sponsored by 29-3)

Chair: John Portz, *Northeastern University*

Author(s):

Changing State Responses to Environmental Contamination: The Case of Brownfield Cleanup and Redevelopment

Richard C. Hula, *Michigan State University*

Transforming American Educational Policy, 1980-2001: Ideas and the Rise of Accountability Politics

Jal Mehta, *Harvard University*

The Politics of Perpetual Crisis: Child Welfare Policy in the States

Juliet F. Gainsborough, *Bentley College*

Discussant(s): William T. Gormley, *Georgetown University*
Susan B. Hansen, *University of Pittsburgh*

28-6 New Perspectives on Power, Federalism, and Policy Change in Education

Date: Friday, Sep 1, 2:00 PM (Co-sponsored by 25-13)

Chair: Jeffrey R. Henig, *Columbia University*

Author(s):

How Governance of K-12 Education Influences Policy Outputs and Student Outcomes in the United States

Paul Manna, *College of William & Mary*

Power, Federalism, and Policy Change in Education: The Student Tutoring Mandate of the No Child Left Behind Act

Sandra Vergari, *University at Albany, SUNY*

Stimulant or Salve? The Politics of Adequacy Implementation

Frederick M. Hess, *American Enterprise Institute*

Local Democracy in Education: The Current Situation and Future Prospects

Michael Mintrom, *University of Auckland*

'Expanding the Moral Community' or 'Blaming the Victim?': The Politics of State Education Accountability Policy

Kathryn Ames McDermott, *University of Massachusetts, Amherst*

Discussant(s): Jeffrey R. Henig, *Columbia University*
Melissa J. Marschall, *Rice University*

28-7 Power, Policy, Federalism, and Hurricane Katrina

Date: Thursday, Aug 31, 10:15 AM

Chair: Robert K. Whelan, *University of New Orleans*

Author(s):

Katrina: National Emergency Management Policy, Chaos and Pervasive Risk

Lenneal J. Henderson, *University of Baltimore*

Keeping Order During Chaos: Federalism and the Public Safety Policy Responses to Katrina

Matthew O. Thomas, *California State University, Chico*

Peter Burns, *Loyola University, New Orleans*

Katrina's Political Roots and Divisions: Race, Class, and Federalism in American Politics

Paul Frymer, *University of California, Santa Cruz*

Incrementalism, Inter-organizational Cooperation, and Disaster: The Case of Katrina

John James Kiefer, *University of New Orleans*

Robert Montjoy, *University of New Orleans*

Discussant(s): Paul Kantor, *Fordham University*
J. Phillip Thompson, *Massachusetts Institute of Technology*

28-2 The Bush Administration and Federalism

Date: Thursday, Aug 31, 2:00 PM (Co-sponsored by Publius: The Journal of Federalism)

Chair: Carol S. Weissert, *Florida State University*

Participant(s):

Martha Derthick, *University of Virginia*

Paul L. Posner, *George Mason University*

Laura S. Jensen, *Virginia Tech*

Dale A. Krane, *University of Nebraska, Omaha*

Sidney M. Milkis, *University of Virginia*

Kenneth K. Wong, *Brown University*

2006 Section Business Meeting

Federalism & Intergovernmental Relations Business Meeting

Date: Saturday, Sep 2, 12:00 PM

Comparative Federalism and Federation Research Committee (RC 28) of the International Political Science Association (IPSA)

The Research Committee on Comparative Federalism and Federation fielded two panels at the triennial meeting of the International Political Science Association in Fukuoka, Japan, July 8-13, 2006. The

committee also initiated an electronic election of a slate of new officers. Members of the committee should be sure to vote via e-mail.

Institute for Regional Analysis & Public Policy

The Institute for Federalism and Intergovernmental Relations (IFIR)

IFIR, a partnership of The Martin School of Public Policy and Administration at the University of Kentucky (UK) and the Institute for Regional Analysis and Public Policy at Morehead State University, is a research institute that supports the study of public policy issues by faculty and advanced students at its host institutions.

IFIR Organizational Structure

IFIR is managed by a Director, David Wildasin, from the University of Kentucky, and an Associate Director, Michael Hail, from Morehead State University. In addition to Wildasin and Hail, the IFIR Executive Committee also consists of the Director of the Martin School, Edward Jennings.

The principal faculty associates of IFIR are its Research Fellows, of which there are presently 15. These are faculty with current (or recent) positions at IFIR's two host institutions with research interests in federalism and intergovernmental relations.

IFIR Research

In order to disseminate its academic research to the wider community, IFIR has initiated a Working Paper series. This series, which is offered through the IFIR web site, provides an opportunity for IFIR Research Fellows, Visiting Scholars, and others affiliated with IFIR to make their ongoing research available for interested researchers and students throughout the world. To date,

a dozen papers have been contributed to the IFIR working paper series. This series is listed in the online archive RePEc (Research Papers in Economics), which includes major working paper series in Economics issued by academic departments and research institutions throughout the world.

IFIR sponsored two principal workshop series during the past year. The first, the IFIR Brown Bag workshop series, took place during the Fall semester of 2005. There were eight presentations by faculty from UK and Morehead State in this workshop, which met over the lunch hour on Wednesdays.

In addition to the Brown Bag workshops, IFIR hosted a Visiting Speakers series. This series began in the Fall semester, with two external speakers, and continued during the Spring semester with twelve more speakers. One of these visitors made presentations both at UK and at Morehead, and one made a presentation only at Morehead. The remainder of the workshops took place on the UK campus, normally during the time period from 1:30--2:45 on Wednesdays.

Both workshop series were multidisciplinary and wide-ranging in coverage. About half of the speakers in both series were economists, and about half were political scientists. Speakers addressed both US and international issues in federalism. Several presentations were devoted to taxation, subnational government borrowing, and intergovernmental fiscal relations, while others examined education, welfare, health, and homeland security policy. Regulatory, constitutional, and judicial issues were the foci of a number of discussions.

Most of the presentations drew attention to some aspect of the interplay between politics, institutional structures, and fiscal and regulatory policies.

There was a high level of participation by faculty and students, both in the Brown Bag series and in the Visiting Speakers workshops. The workshops were well attended by faculty and Ph.D. students from the Martin School, the Department of Economics, and the Department of Political Science.

One highlight of the Visiting Speakers series was the visit by Professor Wallace E. Oates of the University of Maryland, who gave the IFIR Distinguished Scholar lecture. Professor Oates has been a leading authority in the field of federalism for many years, and continues to shape the field through his ongoing research.

The past year of Brown Bag and Visiting Speakers Workshops included the following:

IFIR Brown Bag Workshops

David E. Wildasin, *Martin School of Public Policy, University of Kentucky*: "Emergent Research Issues in Fiscal Federalism"

William Hoyt, *Department of Economics, University of Kentucky*: "The Optimal Division of the Tax Base in a System of Hierarchical Governments"

Michael Hail, *Institute for Regional Analysis and Public Policy, Morehead State University*: "Evaluating Devolution: A Comparative Study of State Economic Development through Third Party Federalism."

Matthew Gabel, *Department of Political Science, University of Kentucky*: "Do Governments Sway European Court of Justice Decision-making?: Evidence from Government Court Briefs"

James Marton, *Martin School of Public Policy, University of Kentucky*: "Cash and Health Benefits for the Poor: Intergovernmental Fiscal Transfers and Cross-Program Substitution"

Eugenia Toma, *Martin School of Public Policy, University of Kentucky*: "Charter Schools and Support for Public Schools"

Richard Fording, *Department of Political Science, University of Kentucky*: "Putting Sanctions into Practice: Devolution, Discretion, and Local Variation in the Florida TANF Program"

Dwight Denison, *Martin School of Public Policy, University of Kentucky*: "Property Tax Exemptions and Tax Exempt Bonds: Do Federal Income Tax Exemptions Influence Municipal Capital Finance?"

IFIR Visiting Speakers Series

Marian Lief Palley, Professor, Political Science and International Relations and Core Faculty of MPA Program, *University of Delaware*
Title: "Federalism, Fragmentation and Health Care: The Case of Women's Reproductive Health Care"

Howard Chernick, *Department of Economics, Hunter College, City University of New York*: "Redistribution at the State and Local Level: Consequences for Economic Growth"

Charles Shipan, *Political Science Department, University of Iowa*: "Diffusion, Preemption, and Venue Shopping: The Spread of Local Anti-smoking Policies"

Ben Lockwood, *Economics Department, The University of Warwick, Coventry, United Kingdom*
IFIR Visiting Scholar: "Fiscal Decentralization and Political Accountability"

Paul Rothstein, *Economics Department, Washington University*: "Fiscal Cooperation and the Permission to Tax"

John Huber, *Department of Political Science, Columbia University*: "Religious Belief, Religious Participation, and Social Policy Attitudes Across Countries"

Craig Volden, *Department of Political Science, Ohio State University*: "The Diffusion of Successful TANF Policies"

William Fischel, *Department of Economics, Dartmouth College*: "Why Voters Veto Vouchers: Public Schools and Community-Specific Social Capital."

David Figlio, *Department of Economics, University of Florida*: "Cramming: The Effects of School Accountability on College Study Habits and Performance."

Mark Hallerberg, *Department of Political Science, Emory University*: "Fiscal Governance in Europe."

Ralph A. Rossum, *Government Department, Claremont McKenna College*: "Scalia's Federalism and the New Federalism Jurisprudence" and "The Seventeenth Amendment and Founding Fathers Federalism."

Robin W. Boadway, *Department of Economics, Queen's University, Kingston, Ontario, IFIR Visiting Scholar*: "The Principles and Practice of Federalism: Lessons for the EU?"

Wallace E. Oates, *Department of Economics, University of Maryland*
IFIR Distinguished Scholar Lecture: "On Fiscal Decentralization in Theory and Practice"

Mark Murphy, *Philosophy Department, Georgetown University*: "War, Massacre, and the Natural Law"

Conference Activities

IFIR hosted a "Forum on Homeland Security and Intergovernmental Relations" in July 2005, a day-long event on the UK campus at which policymakers and academics reviewed recent experience and outstanding policy issues in the area of homeland security.

An upcoming conference on "New Directions in Fiscal Federalism" will take place in Lexington in September, 2006. This three-day conference is co-sponsored with the research institute CESifo of Munich, Germany, and will feature presentations of current research by scholars from around the world. Please visit the following website for registration and information: <http://www.ifigr.org/workshop/IFIR-CESifo.html>

Another upcoming conference is the Kentucky Political Science Association, where IFIR Associate Director Michael Hail is serving as President for 2007. The call for papers will be released this fall and please visit the following website for registration and information: <http://www.kpsaweb.org/>

More Federalism News

New Books of Interest

Alm, James, Jorge Martinez-Vazquez, and Sri Mulyani Indrawati, eds. *Reforming Intergovernmental Fiscal Relations and the Rebuilding of Indonesia: The "Big Bang" Program and its Economic Consequences*. Northampton, MA: Edward Elgar Publishing, 2004 (1-84376-451-2).

Amorettoi, Ugo M. and Nancy Bermeo, eds. *Federalism and Territorial Cleavages*. Baltimore: Johns Hopkins University Press, 2004 (0-8018-7408-4).

Bahl, Roy and Paul Smoke, eds. *Restructuring Local Government Finance in Developing Countries*. Northampton, MA: Edward Elgar, 2003 (1-84376-204-8).

Committee of the Regions, *Procedures for local and regional authority participation in European Policy Making in the member states*. Luxembourg: Office for Official Publications of the European Communities, 2005 (92-895-0352-1).

- Crosston, Matthew. *Shadow Separatism: Implications for Democratic Consolidation*. Burlington, VT: Ashgate, 2004 (0-7546-4090-6).
- Frey, Bruno S. and Reiner Eichenberger, *The New Democratic Federalism for Europe: Functional, Overlapping, and Competing Jurisdictions*. Northampton, MA: Edward Elgar Publishing, 2004 (1-84376-901-8).
- Gimpel, James G. and Jason E. Schuknecht. *Patchwork Nation: Sectionalism and Political Change in American Politics*. Ann Arbor: University of Michigan Press, 2004.
- Johnson, Calvin. *Righteous Anger at the Wicked States: The Meaning of the Founders' Constitution*. Cambridge: Cambridge University Press, 2005.
- Kincaid, John and G. Alan Tarr, eds., *Constitutional Origins, Structure, and Change in Federal Countries*. Montreal & Kingston: McGill-Queen's University Press, 2005 (0-7735-2916-0).
- Magone, José. ed. *Regional Institutions and Governance in the European Union*. Westport, CT: Praeger, 2003.
- Majeed, Akhtar, Ronald L. Watts, and Douglas M. Brown, eds. *Distribution of Powers and Responsibilities in Federal Countries*. Montreal & Kingston: McGill-Queen's University Press, 2006 (0-7735-3004-5).
- Martin, Terry. *The Affirmative Action Empire: Nations and Nationalism in the Soviet Union, 1923-1939*. Ithaca, NY: Cornell University Press, 2004.
- Oates, Wallace. *Environmental Policy and Fiscal Federalism: Selected Essays of Wallace E. Oates*. Northampton, MA: Edward Elgar Publishing, 2004 (1-84376-2).
- Ortino, Sergio, Mitja Zagar, and Vojtech Mastny, eds. *The Changing Faces of Federalism: Institutional Reconfiguration in Europe from East to West*. Manchester: Manchester University Press, 2005.
- Pascal, Elizabeth. *Defining Russian Federalism*. Westport, CT: Praeger, 2003.
- Phares, Donald, ed. *Metropolitan Governance without Metropolitan Government?* Williston, VT: Ashgate, 2004 (0-7546-10381).
- Ramat, Sabrina P. *Thinking About Yugoslavia: Scholarly Debates and the Yugoslav Breakup and the Wars in Bosnia and Kosovo*. Cambridge: Cambridge University Press, 2005.
- Smith, Jennifer. *Federalism* (Vancouver: UBC Press, 2004).
- Smoke, Paul, George E. Peterson, and Eduardo J. Gomez, eds. *Decentralization in Asia and Latin America*. Northampton, MA: Edward Elgar Publishing, 2005 (1-84542-030-6).
- Steytler, Nico. ed. *The place and role of local government in federal systems*. Johannesburg: Konrad-Adenauer Stiftung, 2005 (0-9584936-8-5).
- Watkins, William J., Jr. *Reclaiming the American Revolution: The Kentucky and Virginia Resolutions and Their Legacy*. Oakland, CA: The Independent Institute, 2004.



Institute for Federalism & Intergovernmental Relations

We are pleased to announce the creation of the Institute for Federalism and Intergovernmental Relations, a collaborative effort between the Martin School at the University of Kentucky and the Institute for Regional Analysis and Public Policy at Morehead State University.

The institute is devoted to advanced academic and policy research, education, and service that promotes understanding of issues facing national and subnational governments. It will support:

- Conferences and Workshops
- Graduate and Professional Education
- Publications and Grants
- Visiting Scholars

Please visit <http://ifigr.org> for additional information or email ifir@federalism-institute.org



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