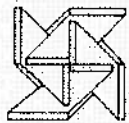


THE FEDERALISM REPORT — Volume 19, Number 1 Fall 1993

CONTENTS

CSF NOTEBOOK	1
IACFS NEWSLETTER	6
APSA FEDERALISM/INTERGOVERNMENTAL RELATIONS UPDATE	13



CSF NOTEBOOK

FROM THE EDITOR

As this issue indicates, the past quarter has been a very active one. The Center for the Study of Federalism has concluded its project sponsored by the U.S. Information Agency and initiated another sponsored by the National Endowment for the Humanities. *Publius* continues to publish strongly; the contents for a special issue on Federal Preemption are featured inside, along with a call for papers for two more special issues. The IACFS conducted its annual meeting in South Africa. Its International Bibliography project is up and running. For those interested in a Canadian's perspective of that country's recent elections, Douglas Brown of the Institute of Intergovernmental Relations provides some interesting commentary. Finally, the APSA's Section on Federalism and Intergovernmental relations conducted its annual meeting at the APSA convention. As you can see from the minutes of this meeting, the section is expanding its activities by increasing the number of awards it presents and the number of short courses it conducts.

• PLEASE NOTE •

Our readers are encouraged to submit articles for publication in future issues of *The Federalism Report*. If you are interested in presenting an op-ed piece or have a research note that you would like to share with the scholarly community interested in federalism and intergovernmental issues, please contact the editor.

REBUILDING RUSSIAN CIVIL SOCIETY

The final phase of the Center's nine month project aimed at applying federal principles in Russia was capped by a three day conference held in Novosibirsk, Siberia from September 15-17, 1993. Once again, this United States Information Agency-sponsored conference was co-hosted by the Siberian International Center for Regional Studies of the Siberian Branch of the Russian Academy of Sciences.

Fifteen of the regional and local public officials who participated at the conference traveled to the United States during the second phase of the project in May and July. Each individual gave a presentation based upon some aspect of this trip. In general, the group rejected the notion of importing American-style federalism into Russia at this time. They did note that the American system offers many appealing aspects which might be useful in the Russian system. Some of these aspects included:

- the ability of the American states to raise their own revenues;
- the respect for the rule of law in the United States;
- the constitutional protection offered to both state and local governments;
- the professionalism of the civil service in state and local governments;

- the degree of governmental accountability that exists in the United States;
- the variety and activities of nongovernmental organizations that exist.

The participants concluded that a federal system is desirable for Russia, but this system must be designed by Russians taking into account the historical experience and political culture of that nation.

A monograph of the presentations made by each participant is being prepared and will be edited by Dr. Viacheslav Seliverstov, the Director of the SICRS. This monograph will be published by the USIA and will be distributed throughout Russia.

In order to demonstrate its commitment to this project the United States Government sent an unusually strong contingent to this meeting. It included Robert McCarthy, Director, USIA Public Affairs; Benedict Duffy, Assistant Director Cultural Affairs, USIA; Kathleen Kavalec from the Political Office of the State Department; Daniel Tambuli of the Economic Office of the State Department; and Joanne Gaynes and Ruth O'Sullivan of the United States Agency for International Development. Non-governmental representatives included G. Alan Tarr of Rutgers University, Mark Freeman of Meridian International Center, Karl Kurtz of the National Conference of State Legislatures and Joseph Marbach of the Center for the Study of Federalism.

INTERNATIONAL VISITORS



Recent visitors to the Center included:

■ **MR. MOHAMED BAZOUM**, National Deputy, President (P.N.D.S. Group) and Second Vice President, National Assembly of Niamey, Niger;

MR. MOCTAR HAJIB, National Deputy President, Foreign Affairs Committee (CDS), National Assembly of Niamey, Niger; and **MR. YACQUEBA MOUMOUNI**, National Deputy, President ANDP Group, President Committee on General and Institutional Affairs, National Assembly of Niamey, Niger.

Niger's diversity is evidenced by its legislature, which consists of four major political parties.

These representatives were selected to participate in "Legislators and the Democratic Political System," a 28-day project sponsored by the United States Information Agency. The goal of this single-country project was to introduce the legislators to the function and role of a legislature. Because of the relative newness of Niger's assembly, the objectives of the project were to expose the participants to the fundamentals of the democratic process including the constitutional guarantees which protect minorities, the ethical dimensions of being a legislator within a multiparty system, and the relationship of the legislature to the executive and judiciary branches of government.

■

Dr. SUREYA SAKINC of the Celal Bayar University of Manisa, Turkey has been granted permission to extend his stay at the Center's Visiting Scholar. Dr. Sakinc is currently working on issues of constitutional political economy and fiscal federalism. He is also working on federal-type solutions for dealing with Turkey's Kurdish population, using the Basque model of Spain. Dr. Sakinc is also gathering materials to assist in the creation of the Center for the Study of Local Governments at Celal Bayar University. The contribution of relevant books or journals would be appreciated. If you would like to contact Dr. Sakinc, he can be reached by calling or writing the Center.

UPCOMING CONFERENCES

1994 NEH SUMMER INSTITUTE

The Center has been awarded a grant from the National Endowment for the Humanities to conduct a four-week, residential summer institute for secondary school teachers. The theme of this institute will focus on "The Classic Works of American Federal Democracy." The 30 participants will examine how the development of American federalism has formed a coherent political theory which undergirds the American constitution. They will explore this theme by reading the original texts responsible for shaping American federalism.

The place and dates of the institute have yet to be determined. However, the site has been narrowed to a location in Colorado. We plan to

conduct the institute during July and August 1994.

The faculty for the institute will include: Daniel J. Elazar, Temple University and Bar Ilan University; Ellis Katz, Temple University; John Kincaid, U.S. Advisory Commission on Intergovernmental Relations and North Texas University; Donald Lutz, University of Houston; and Stephen L. Schechter, Russell Sage College.

If you would like any additional information or would like to recommend potential participants, please contact Joseph Marbach at 215/204-1460.

LIBERTY FUND SYMPOSIUM

The Center will host an upcoming invitational colloquium sponsored by the Liberty Fund that will examine "The Bible in the Political Thought of Spinoza." This meeting will be held January 29 - February 1, 1994 at the Plaza Hotel in San Antonio, Texas. Conference participants will read Spinoza's *TRACTATUS THEOLOGICO-POLITICUS* translated by Samuel Shirley (Brill, 1991).

This is the second in a series of conferences examining the impact of the Bible upon the philosophy of the major political philosophers of the seventeenth century. The first conference in this series examined the Bible's influence on Thomas Hobbes.

PUBLIUS: THE JOURNAL OF FEDERALISM

1993 SUBSCRIPTION RATES AND INFORMATION

U.S. RATES

One year individual \$25
Two year individual \$48
One year institution \$35
Two year institution \$70

FOREIGN RATES

One year individual \$30
Two year individual \$58
One year institution \$40
Two year institution \$80

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Volume 23, Number 4 Fall 1993

Articles

Preemption in the U.S. Federal System
by *Joseph F. Zimmerman*

The Rehnquist Court and Federal Preemption: In Search of a Theory
by *Sandra B. McCray*

State Adoption of Model Insurance Codes: An Empirical Analysis
by *Ross E. Cheit*

Federal Preemption and State Regulation of Transportation and Telecommunications
by *Paul Teske, Michael Mintrom, and Samuel Best*

ADA, Disability Rights, and Evolving Regulatory Federalism
by *Stephen L. Percy*

From Coercion to Partnership in Federal Partial Preemption: SMCRA, RCRA, and OSH Act
by *Michael J. Scicchitano and David M. Hedge*

Other Features

Breaking Into the Intergovernmental Matrix: The Lumbee Tribe's Efforts to Secure Federal Acknowledgement
by *David E. Wilkins*

In Memoria: William H. Riker (1921-1993)

Book Reviews

Publius Table of Contents

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If you are interested in purchasing a Publius:

The Journal of Federalism Table of Contents, send \$5.00 for a disk or \$10 for a hard copy to the Center for the Study of Federalism.

*Make your check payable to the Center and send it to our Philadelphia address
ATTN: Carol Haufler.*

Special Issue on Interstate Relations. *Publius* invites strong empirical articles, illuminating case studies, and pertinent historical articles for a special issue on interstate relations in the United States and other federal systems. The U.S. Constitution, for example, contains provisions for interstate dispute settlement, comity among the states, and interstate cooperation in the forms of compacts and other agreements; yet, relatively little research has been conducted on these tools in recent decades. This issue seeks to examine comprehensively current and historical interstate relations and their significance for the effective functioning of federal systems. Submit articles on interstate compacts and agreements; extensions by states of full faith and credit to the statutes, records, and judicial proceedings of other states; state extensions of privileges and immunities to citizens of other states; uniform state laws; licensing, police, proprietary, and tax powers; trade barriers; multi-state taxation of business firms; differential state sales and excise taxes; interstate reciprocity; and informal interstate cooperation. Proposals or works in progress should be sent to guest editor Joseph F. Zimmerman, Graduate School of Public Affairs, State University of New York-Albany, 135 Western Avenue, Albany, NY 11222. Tel: 518/442-5379; Fax: 518/442-5293. Proposals deadline is September 30, 1993. Complete manuscripts for review will be due by March 1, 1994, with final manuscripts due by November 1, 1994.

Future of Central Cities. *Publius* invites strong empirical articles, illuminating case studies, and insightful theoretical articles on the "Future of Central Cities in the Federal System." The position of central cities in the federal system has changed dramatically in recent decades as strong Democratic machines have died out, voters have moved to the suburbs, federal aid has shifted from places to persons, and massive federal deficits have constricted fiscal assistance. This issue seeks to examine the changing position and significance of central cities in the federal system and the impacts on central cities of changing patterns of intergovernmental relations (i.e., federal-, state-, and inter-local). Submit articles on such issues as the effects of changing federal and state aid and tax rules on central cities (e.g., tax-exempt bond financing); the impacts of federal and state mandates and other regulations on central cities; the impacts of federal and state constitutional and statutory law, court orders, rulings, and other legal and administrative changes on central cities; the influence of central cities on the federal, state, and county governments through representation and lobbying; central-city relations with home counties and surrounding suburbs; interjurisdictional competition in metropolitan areas; central-city participation in regional and metropolitan-wide governance and service-delivery arrangements, such as interlocal contracts and agreements and special districts; and the roles of neighborhood groups, public employee unions, and other interest groups in shaping the position of central cities in the federal system. Especially of interest in articles that explain successful adaptations to change that allow some central cities to thrive while others experience severe crises. Proposals or work in progress should be sent to guest editor Richard L. Cole, Dean, School of Urban and Public Affairs, University of Texas-Arlington, Box 19588, Arlington, TX 76019-0588. Tel: 817/273-3071; Fax: 817/794-5008. Deadline is December 1, 1993. Complete manuscripts suitable for review will be due by May 31, 1994, with final manuscripts due by February 1, 1995.



IACFS

NEWSLETTER
BULLETIN
d'INFORMATION
RUNDSCHREIBEN

MINUTES

The 1993 annual meeting of the directors of the IACFS was held on Monday afternoon, August 2, 1993 at the Hippo Room of the Kwa Maritane Resort, South Africa under the presidency of RON WATTS.

Members present:

- Ronald Watts, President, Canada
- Cliff Walsh, Vice-President, Australia
- Nicolas Schmitt, Secretary/Treasurer, Switzerland
- Frank Delmartino, Belgium
- Isawa Elaigwu, Nigeria
- Habu Galadima, Nigeria
- Christine Fletcher, Germany
- Brian Galligan, Australia
- Charlie Jeffrey, Great Britain
- Bertus De Villiers, South Africa

New Members:

Isawa Elaigwu, Nigeria
Habu Galadima, Nigeria

Excused Members:

- John Kincaid, United States
- Ferdinand Kinski, France
- Daniel Elazar, Israel

Observers:

- Uwe Leonardy, Germany
- Roland Sturm, Germany

WELCOME

The President welcomed the participants and thanked Cliff Walsh and Nicolas Schmitt for the work they did during the time he was working with the Canadian government on their constitutional deliberations.

■

AGENDA

The agenda of the meeting was submitted to the participants. Nobody wishing to introduce another topic, the agenda was accepted.

■

EXCUSED MEMBERS

The President informed the members that the former IACFS President Daniel Elazar was unable to attend due to the death of his father.

Unanimously, the delegates voted a formal motion of condolences. They asked the President to write a letter of sympathy to Dan Elazar on behalf of all.

■

MINUTES OF THE 1992 MELBOURNE MEETING

The Secretary asked the members who were in Melbourne to confirm whether or not the Institute of Novosibirsk was accepted as a new IACFS member. The impression of members was that it had not been accepted but the President agreed to check the matter with Daniel Elazar. The members present unanimously accepted the

Minutes of the last meeting. [Subsequent to the meeting, the President was informed by Daniel Blazer that he had informed the Novosibirsk Institute that it had been accepted for membership].

■

INDIVIDUAL WORKING REPORTS IN THE CENTERS

All participants reported on their respective activities of their institutes or centers; it was clear that the IACFS members deal with almost all possible issues concerning federalism. It was agreed therefore that the creation of a leaflet about our Association would be useful.

■

IACFS PUBLICATIONS AND PROJECTS

The president recalled that one goal of the IACFS is to promote the exchange of publications between members. But those present mentioned that the exchanges should be in both directions and focus upon the most useful items. The South African Centre would welcome any material for comparison purposes. It was noted that John Flacard's ACIR publishes much more documentation than all other members and that this information is very useful. The conclusion of the discussion was that it was agreed that lists of available publications would be exchanged as much as possible.

Federal Systems of the World

Among the IACFS projects is the large study edited by Dan Elazar, *Federal Systems of the World*. It is a "best seller" and virtually sold out in August. The editor asked all IACFS members to submit corrections they consider useful for the next edition. In counterpart, they would like to receive copies of the book. Ron Watts reminded members accuracy is a must. All members present agreed to revise the current texts.

International Bibliography of Federalism

The success of this project depends upon the fruitful information contributed by the different Centers on the literature existing in their countries. The idea is to publish every five years a compilation of the major and most informative items, rather than every possible entry, with a maximum of 300 entries per country. Above this number, please contact Ron Watts. Important items published outside publication dates (Jan. 1938-Dec. 1992) must be listed separately. Countries with several centers: Philadelphia will be responsible for American entries and there will be a coordination for Australian entries.

Conference Proceedings

Papers presented at the 1991 Conference held in Kingston, Canada about "Higher Education in Federal Systems" has been published. The papers of the 1992 Conference on

"Economic Integration in Federal-Type Systems" are now ready for publication. The proceedings of the 1993 conference "Federalism - A Comparative Perspective" will be published as soon as possible under the direction of the Centre for Constitutional Analysis, South Africa.

■

FINANCIAL REPORT

As a result of the 1991 elections, the new Secretary/Treasurer of the IACFS is Nicolas Schmitt. Annual subscriptions should now be paid to the following address: Account No. 66-831.651.1; Societe de Banque Suisse; Rue de Romont 35; 1700 Fribourg; Switzerland. Members who have not yet paid their fee for 1992 have been informed. It is very important for the Association to receive the fees from each member institute. The more members the Association has means the more funds it gets, and the more funds it gets means the more productive the Association projects can be. It was agreed that the treasurer send invoices every year to serve as a reminder to pay.

■

LEAFLET

In order to introduce the International Association and its activities, it was decided at the Melbourne meeting to prepare a leaflet describing the activities of the IACFS. The secretary complained that he received from only a few

members the requested short statement (about half a page) presenting in a few words the work of that Institute and the most relevant fields of its research activities. The members asked the secretary to send them a reminder. The goal is to have the leaflet ready for the next meeting in Fribourg.

■

MEMBERSHIP

It was agreed that the creation of a membership application form would be on the agenda for the next meeting. Ron Watts, Cliff Walsh and Nicolas Schmitt agreed to take the responsibility to have the drafts ready for the next meeting and also to gather a consolidation of the statutes for the Association.

The INDIAN INSTITUTE OF FEDERAL STUDIES in New Delhi, India, whose Director is Prof. Rasheed Khan, applied for membership, but Ron Watts has not received the material he requested; therefore no action was taken. This application has been deferred to the Fribourg meeting in 1994 pending receipt of additional information on the scope of their activities, legal basis of establishment and funding.

The President, on the other hand, received a considerable amount of material from the NIGERIAN COUNCIL FOR INTERGOVERNMENTAL RELATIONS, directed by Prof. Isaac Ebiagwu. The Council was established last year in August. It concerns

relations between federal and state, and state and local governments. To date, they have been seeking books from all around the world. Prof. Ebiagwu expressed an interest in hosting the 1996 IACFS meeting. Answering questions and comments, the President explained that the Nigerian center was somewhat parallel to the role of the US ACIB.

The motion concerning the application of the Nigerian Institute was unanimously accepted, and it is now an IACFS member.

Roland Sturm spoke on behalf of the applicants of the center in Tübingen. The idea of the center was born in 1991 and the final decision was taken in 1992. It is a European center for research on federalism. Its work began late in 1992. A first meeting devoted to the concept of federalism in different EC member-states would be held in December this year in Tübingen.

Because the application of the EUROPEAN CENTER FOR THE STUDY OF FEDERALISM in Tübingen was not complete, final consideration was deferred to the Fribourg meeting in 1994 meeting pending receipt of additional information on the scope of its activities, legal basis of establishment, and funding.

■

ANNUAL IACFS CONFERENCES

1994: This will be organized by the Institute of Federalism of the University of Fribourg, Switzerland, directed by Prof. Thomas Fleiner. Dates are April 13-15, and the theme of the Congress is "Toward a European Constitution."

1995: To be organized by the Center for the Study of Federalism, Temple University, Philadelphia. The President will undertake a confirmation with Prof. Blazar [subsequent to the meeting, this was confirmed].

1996: It was agreed to accept the invitation by Isawa Ebiagwu that this conference be held in Abuja, Nigeria. Neither the date nor the topic have been definitely adopted, yet.

■

1994 THREE-YEAR TERM ELECTION

The next elections will be held in Fribourg. A Nominating Committee is to be chosen by the President. It might consist of four or five members, including one each from Europe, North America, Australia and Africa. It was suggested that the executive committee might then consist of President, Vice-President, Secretary/Treasurer and active past Presidents.

CONFERENCES

From October 20-23, 1993, the Center for the Advanced Study of India at the University of Pennsylvania and the Centre for Policy Research in New Delhi, India co-sponsored a conference entitled "Federalism in Diverse Societies" in Philadelphia, Pennsylvania. Participants from the United States, India, Canada and the United Kingdom met to discuss and compare practices in their respective nations.

Members of the IACFS who attended included its President Ronald L. Watts, Institute of Intergovernmental Relations; John Kincaid, U.S. Advisory Commission on Intergovernmental Relations; Murray Forsyth, Centre for Federal Studies; and Joseph R. Marbach, Center for the Study of Federalism.

Papers presented included: Douglas Verney, *Are All Federations Federal? The United States, Canada and India*; Ajit Mazumdar, *The Political Economy of Modern Federalism: A Comparative Perspective*; Balveer Arora, *"Asymmetrical" and "Third Tier" Federations*; James Manor, *The Role of Regional Parties in Federal Systems: India in Comparative Perspective*; S. Guha, *The Federal Dimension of India's New Economic Policies*; Seryj Radin, *A Landscape of Contradictions: American Federalism and Public Policy*; Ved Marwah, *India's Experience with Internal Security Problems: The Use of Emergency Powers*; and Govinda Rao, *Indian Federalism from a Comparative Perspective*.

For further information on this conference or to request copies of the papers presented, please contact Dr. Francine Frankel, Director, Center for the Advanced Study of India, University of Pennsylvania, Philadelphia, PA. 19104-6213. Tel: (215) 898-6247; Fax: (215) 573-2373.

Alexandre Marc of the Centre International de Formation Européenne reports that the VII Congress of Researchers specializing in the study of federalism inspired by Proudhon, will meet at the University of Tübingen from March 24-26, 1994.

For more information, please contact Prof. Franz Knipping, University of Tübingen; Seminar für Zeitgeschichte; Wilhelmstrasse 36-40-7460; Tübingen; Tel: (0706) 929993.

• Project •

INTERNATIONAL BIBLIOGRAPHY OF FEDERALISM

The IACFS has indicated its approval in principle to proceed with an international bibliography project, under the general direction of the Institute of Intergovernmental Relations. The proposed bibliography will be comparative in nature and will cover federalism and federations, the latter being those federal states covered by

the constituent members of the IACFS. The bibliography would cover the period from 1987 to 1992. All items submitted for inclusion would have been published between January 1, 1987 to December 31, 1992. Entries are restricted to English and French.

Although the exact designations for these categories is subject

to revision, they will be grouped in six sections:

- *Federalism and Federal Countries*,
- *Basics of Community, Territory and Ethnicity*,
- *Constitutions and Courts*,
- *Intergovernmental Relations*,
- *Policy Issues and Power*,
- *Politics and Government*.

Each section is organized in alphabetical order by author. Each entry appears only once in the bibliography; in those cases in which an item could have been placed in some or even all of the chapters, access to a given item can be gained through the author, title and subject indexes at the back of the work. The subject index will attempt to combine controlled-vocabulary and keyword approaches to the material.

Each Centre will be responsible for funding their own portion of this project. Time and personnel costs will vary greatly from Centre to Centre. For the purposes of most Centres, perhaps one person could handle most of the data collection and entry requirements, under the general supervision of the Director of their Centre.

The following is a suggested schedule for those IACFS members who will be participating in the project:

I. Data collection phase:
September - December 1993

II. Bibliographic database production phase: December - June 1994

III. Publication phase: July - September 1994.

For more information, contact Douglas Brown, Associate Director of the Institute of Intergovernmental Relations, Queen's University, Kingston, Canada, K7L 3N6.

THE CANADIAN ELECTION AND NATIONAL UNITY

by Douglas Brown, Institute of Intergovernmental Relations



The explosive volatility of the Canadian electorate showed itself again on

October 25. In reaction to both the style and substance of the Mulroney government of nine years, Canadians delivered a stunningly complete defeat to the national Progressive Conservative Party. In the process we have a convincing Liberal majority with representation from all parts of the country. The vote reveals, as did the referendum results of a year ago, that we are well on our way to changing the way we do politics in Canada. But it also reveals deeply disturbing divisions in Canada which could haunt the next Parliament.

The most important result for Canadian unity in the election is that, for the time being, Canada is down to only one national party in the House of Commons. The Conservative vote splintered in dramatic fashion to the Bloc Québécois in Quebec and the Reform Party in the west. The Bloc is dedicated to Quebec sovereignty and ran candidates only in Quebec. Reform is a right-wing populist movement, and ran candidates everywhere but Quebec. The coalition which Brian Mulroney created in Quebec for his 1984 and 1988 election victories is buried. Having relied at least in the first election of 1984 on

organization support from the Parti Québécois, the PC lost their ally, and PQ partisans were an important factor in getting out the Bloc vote. The perceived lack of an alternative also helped the Bloc -- there was a visceral reaction against Liberal leader Jean Chrétien born of his role in the 1981 constitutional deal and the Meech Lake fiasco three years ago.

In the rest of the country, the alternative to voting Liberal was taken up by Reform. The party came a fitting second in many Ontario ridings and got 20 percent of the vote overall in that province, clearly ahead of the PCs and a potential beachhead for the next time. Unfortunately for them, the electoral system showed them only one seat in Ontario -- all the rest were in the four Western provinces. This may prove costly for the party as it will not be able to avoid the perception and reality of the regional concentration of their parliamentary caucus. When push comes to shove in parliamentary debate, the Reform, no less than the Bloc, will hang together on regional issues. The NDP are also reduced to their western base. Their role in Parliament is likely to shore up the western Liberals in countering Reform's right wing agenda, although this role will be much less powerful than it might

have been in a minority Parliament.

This of course leaves the Liberals as the only national party. Not since 1968 have they achieved such balanced electoral support with representation from all parts of the country. What is more important, they will not be hostage to the two regional blocks for its parliamentary agenda. The most obvious difference from past Liberal governments is that, except for Chrétien's own seat of St-Maurice and a few others, the Bloc has taken almost all of the seats in Quebec where francophones are the majority. Chrétien's cabinet will include French-speaking Quebecers, but unlike Mulroney's, no nationalists. This in itself is not surprising, but what it confirms is that there is virtually no support in francophone Quebec for the Trudeau vision of federalism. Prime Minister Chrétien will have to proceed cautiously with Quebec, and is likely to rely on the pre-Trudeau pragmatism of cooperative federalism to achieve his goals.

Another aspect of the result is that the Liberals are themselves looking very much like the party of Ontario plus its dependencies . . . they got a majority of the seats in Ontario plus have-not provinces (the four Atlantic provinces and Manitoba). This may reinforce the perception in Alberta and B.C. that once again the federal government is dominated by Ontario and its big-spending and high-taxing allies. The small "C"

conservative support of Reform is concentrated in those two richest provinces in Canada, which have the strongest economies coming out of the recession. This will put a distinctively regional flavour to debates about deficit reduction and job creation.

Despite these results, the rise of the new regional parties will not immediately throw Canada into constitutional chaos. The Liberal majority guarantees that. Chrétien repeated on election night that his priorities are elsewhere. And so did Lucien Bouchard indicate that his goal is to leave constitutional engineering to the election of a sovereigntist government in Quebec — which he hopes will take place in 1994. Reform leader Preston Manning has pledged to pursue a "new federalism." The trouble is, his agenda and Bouchard's do not coincide, except that Bloc's goal may be said to be to take Quebec out of Canada, while the Reform reaction may well be to bid them good riddance. Whether Chrétien, unlike Mulroney before him, will be able to resist the pressure to demonstrate to Quebecers that the federal system can be reformed, remains to be seen. My guess is that he will not try to amend the constitution in advance of the Quebec election, but that does not mean that the federal government will not attempt through various means, including bilateral arrangements, to demonstrate to Quebecers the "viabilité" of the federal system. By so doing, however, they may play

directly into the hands of Reform.

But regardless of what happens in Quebec, can Parliament work with only one national party? National political parties capable and desirous of electing members in every region are important institutions of federal integration in Canada and in every other successful federation. The collapse of a national party system has elsewhere led to national dissolution. It seems that Canada may be halfway there. Clearly the next Parliament will put into open debate divisive regional issues which heretofore have been conducted in the secrecy of caucus rooms. As Leader of the Opposition, B.Q. Lucien Bouchard will expose again and again the awkward compromises on which the federal system depends and use them as fodder to build the case for Quebec sovereignty. The Reform might not be quite so critical of the federal system, but they will be equally determined to bring regional issues into the open. Both new parties have vowed not to water down the interests they represent with broker politics and neither party seems to have much incentive to act as a national party in opposition has traditionally done, to criticize the government from the perspective of an alternative government in waiting.

It remains to be seen if the openness of debate about regional and linguistic interests in the next Parliament will be healthy for the country. There will be any number of issues

(dairy boards and the GATT, airline competition, the closure of armed forces bases, etc.) where volatile regional divisions will emerge. A series of destructive and unresolved episodes could dissolve whatever national unity remains in the country.

On the other hand, the new House of Commons may be much more open to Parliamentary reform, to allow more free votes, to remove some secrecy from the budgetary process, to strengthen the parliamentary committee process, etc. to make the job of all MPs more effective and more acceptable to citizens. Intense open scrutiny of public accounts - this time as likely to question spending and reduce it, as to argue about whether to spend at all - may be just what is needed. In the long run such reforms may restore the popularity of national parties. In the short run they may at least restore some of the legitimacy of Parliament to allow it and not the many extra-parliamentary outlets competing for influence, to become the principal focus for debate and potential resolution of difficult Canadian issues.

The Parliament of Canada is being given a reprieve, a new chance -- if under very trying circumstances -- to redeem itself as a force for federal integration in Canada. The future of the federation may well depend on how well this new model works.

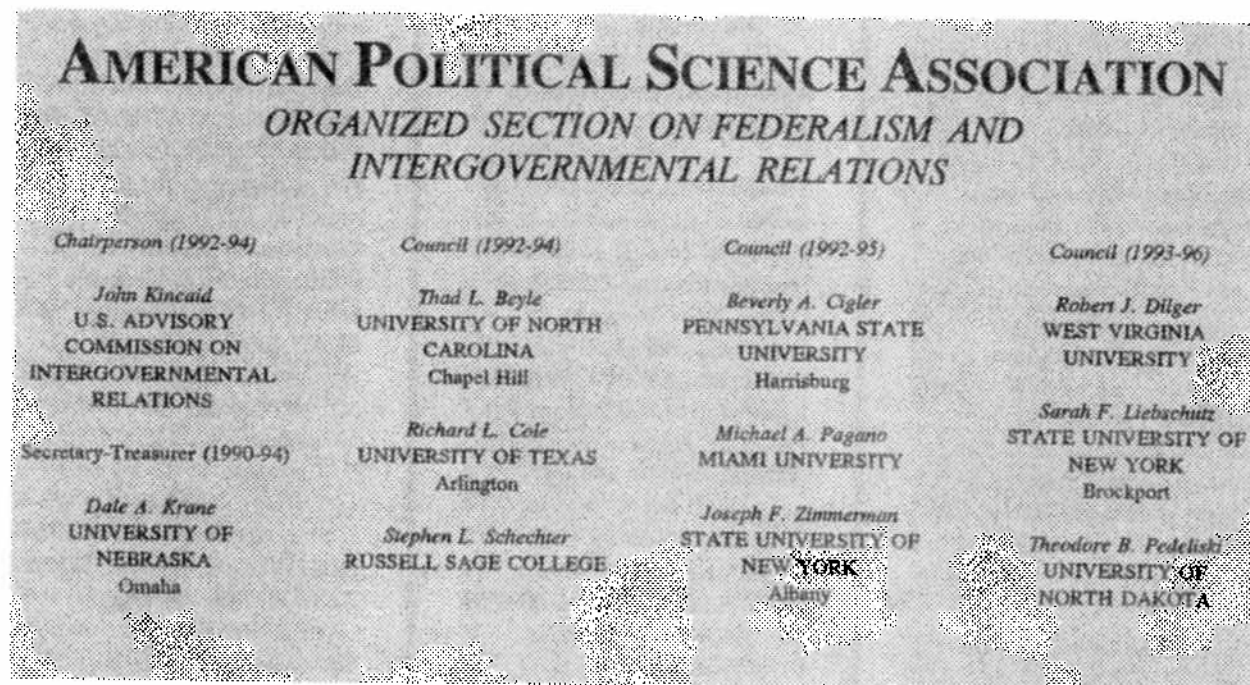
CANADA: ELECTION RESULTS BY SEATS

	<u>1988</u>	<u>1993</u>
Progressive Conservative	169	2
Liberal	82	177
New Democratic	43	9
Reform	-	52
Bloc Québécois	-	54
Other	1	1
TOTAL	295	295



REGIONALISM: PROBLEMS AND PROSPECTS has just been published by Human Sciences Research Council Publishers. The book is edited by Bertus de Villiers and Jabu Sindane of the HSRC's Centre for Constitutional Analysis and includes contributions from eight international and South African scholars. Issues that are central to the South African debate are addressed, such as the demarcation of regions, the powers and functions of regions, regional representation in national institutions and the composition of regional institutions. A rich variety of international case studies and experience are offered, while South African scholars give a local perspective. The book is published at a time where the regional debate is at the heart of negotiations and promises to make a valuable contribution to the solution of problems in this area.

To order, send \$22.00 to HSRC Book Marketing; P.O. Box 5556; Pretoria 0001; Republic of South Africa
Tel: (012)202-2912; Fax: (012)202-2933.



SECTION NEWS

1993 SECTION PANEL ATTENDANCE

The following are two attendance figures for the 1993 APSA panels. The first figure in parentheses is an actual head count by John Kincaid during the life of the panel and the second is a snapshot head count by APSA officials:

- 13-1 Friday, 10:45 a.m. - *Problems of Interstate Relations* (25; 24);
- 13-2 Saturday, 8:45 a.m. - *Interest Groups in State Politics* (28; 31);
- 13-3 Thursday, 10:45 a.m. - *States, Local Governments, and Changing Structures* (23; 18);
- 13-4 Saturday, 1:30 p.m. - *Intergovernmental Management and Regional Governance* (29;

31);

- 13-5 Sunday, 10:45 a.m. - *Tensions and Adjustments Among People and Governments: The Perspective of Comparative Federalism* (15; 26).

The average overall attendance at all APSA sessions in 1993 was 36.6 people. The average attendance at all paper presentation panels was 30 people. The average attendance at our sections's paper presentation panels was 26 persons.

Kindly note that the number of panels awarded to a section by the APSA depends on attendance at the section's panels at the previous annual meeting. The number of

panels awarded to our section was 9.5 in 1991; 8.0 in 1992 and 5.0 in 1993. Please plan to attend our 1994 panels.

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1993 SECTION WORKSHOP

The Section's first workshop, entitled "The Clinton Administration and the Prospects for Reinventing Federalism," was a tremendous success. The workshop, attended by about 30 people, was organized by Stephen L. Schechter of Russell Sage College and held at the U.S. Advisory Commission on Intergovernmental Relations on the afternoon of September 1, 1993. Speakers included William A. Galston, Deputy

Assistant to the President for Domestic Policy; John Kincaid, ACIR; Judi Cold, Department of Transportation; George Latimer, Department of Housing and Urban Development; John Monahan, Department of Health and Human Services; Edid Beaumont, Academy of State and Local Government; James L. Martin, National Governors' Association; and Lance Simons, U.S. Conference of Mayors. Participant evaluations of the workshop were extremely positive and clearly indicated a desire for workshops to be conducted in the future.

DISTINGUISHED SCHOLAR AWARD

Dr. Martha A. Derthick, Julie Allen Cooper Professor of Government and Foreign Affairs at the University of Virginia, was awarded the Sections' Distinguished Scholar Award at the 1993 section business meeting in Washington, D.C. Professor Derthick is the author of *The National Guard in Politics* (1965); *The Influence of Federal Grants* (1970); *Between State and Nation: Regional Organization in the United States* (1974); *Uncontrollable Spending for Social Service Grants* (1978); *The Politics of Deregulation* (1985); and *Agency Under Stress: The Social Security Administration in American Government* (1990). In 1990, she delivered the APSA's Claus lecture entitled "Up to Date in Kansas City: Reflections on

American Federalism

NEW SECTION COUNCIL MEMBERS

Three new members were elected to the section's governing council at the 1993 business meeting: Robert J. Dilger, West Virginia University; Sarah F. Liebschutz, SUNY-College at Brockport; and Theodore B. Pedeliski, University of North Dakota.

NOMINATIONS SOUGHT FOR SECTION CHAIR AND COUNCIL MEMBERS

The section needs to elect a new chairperson and three new council members at the 1994 business meeting. The Nominations Committee consists of Richard L. Cole, Daniel J. Elazar, and Theodore Pedeliski. Please send your nominations for Section Chair and for Council members to the committee chairman: Richard L. Cole, School of Urban and Public Affairs, University of Texas at Arlington, P.O. Box 19583, Arlington, TX 76019-0583. Tel: 817/273-3671, Fax: 817/794-5008.

NOMINATIONS SOUGHT FOR 1994 DISTINGUISHED SCHOLAR AWARD

The Distinguished Scholar Award Committee for 1993-94 consists of Joseph P. Zimmerman (Chair), Martha

A. Derthick, Ellis Katz, and Deil S. Wright. Previous recipients of our Distinguished Scholar Award have been Daniel J. Elazar, Vincent Ostrom, Deil S. Wright, and Martha Derthick. Please send your nominations for the 1994 award to Dr. Joseph P. Zimmerman, Department of Political Science, Graduate School of Public Affairs, SUNY-Rockefeller, 135 Western Avenue, New York, NY 12232. Tel: 518/442-5378; Fax: 518/442-5298.

NOMINATIONS SOUGHT FOR BEST PAPER AWARD

Our new Best Paper Award Committee consists of Beverly A. Cigler (Chair), Robert J. Dilger, and Stephen J. Schecter. This award was approved at the section's 1993 business meeting. If you would like to nominate a paper from the 1993 APSA meeting for the section's Best Paper Award, please send your nomination(s) to Dr. Beverly A. Cigler, Department of Public Policy and Administration, Penn State-Harrisburg, 777 W. Harrisburg Pike, Middletown, PA 17057-4888. Tel: 717/948-6050; Fax: 717/948-5320.

1994 SECTION PROGRAM CHAIR

Our section's program chair for the 1994 APSA meeting is Michael A. Paganò. If you would like to organize a panel, present a paper, or serve as a

panel chair or discussant, please contact Dr. Michael A. Pagano; Department of Political Science, 218 Harrison Hall, Miami University, Oxford, OH 45056. Tel: 513/529-2010; Fax: 513/529-6939.

1994 SECTION WORKSHOP

Sarah F. Liebschutz of SUNY-Brockport will organize the section's workshop for the 1994 APSA meeting being held in New York City. Preliminary discussions have revolved around the topic of New York in the Federal System. Please contact Sarah if you have any suggestions for workshop topics or speakers.

PS SYMPOSIUM ON FEDERALISM

A symposium on federalism organized by our section was published in the June 1993 issue of *PS: Political Science and Politics*, pp 172-195. The contributing authors were Daniel J. Elazar, Beverly A. Cigler, John Kincaid, Dale A. Krane and Joseph F. Zimmerman.

ACIR THANK YOU TO FEDERALISM SECTION

The U.S. Advisory Commission on Intergovernmental Relations (ACIR) has expressed its appreciation to the section for its 1993 resolution in support

of continued funding for the Commission. As a result of the section's resolution and individual support from many members of the section as well as state and local officials across the country, the Congress approved a \$1.0 million appropriation for ACIR for FY 1994. The following is a brief report:

On October 28, 1993, President Clinton signed the Treasury, Postal Service and General Government appropriations bill that provides \$1.0 million for the U.S. Advisory Commission on Intergovernmental Relations (ACIR) for FY 1994. ACIR had been zeroed out of the FY 1994 budget by the U.S. House on June 18, but funding was ultimately restored by the U.S. Senate. President Clinton had requested \$1.8 million for ACIR. The appropriations reduction for FY 1994 has had a serious impact on ACIR, requiring a reduction in staff from 18 to 12 persons and a 43 percent reduction in office space and operations.

On October 20, President Clinton appointed ten new members to the Commission, including William F. Winter, former governor of Mississippi, as the new Chairman of ACIR. All vacancies on the Commission have now been filled by the President, and the first meeting of the Commission under the new Administration will be held at the White House on December 1, 1993.

CALL FOR PAPERS

Federalism and Intergovernmental Relations. As the nature and face of federalism in the U.S. continues to change under a new administration and after more than a decade of regulatory federalism, surely federalism has become a dominant political concern of a changing world. The sorting out of roles and relationships among federal-state-local governments has dominated the Clinton administration's first year of office, just as it has dominated the politics of Eastern Europe, Russia, Israel, the new European Community, and elsewhere. The theme for this year's panels and roundtables is federalism's role in understanding the dynamic political processes of a changing world.

Papers and panel proposals on intergovernmental themes from the U.S. and around the world are welcomed. Especially encouraged are papers on comparative federalism and state-local relations in newly-democratizing nations, empirical and theoretical studies on the emerging shape of intergovernmental relations in the U.S., and analyses of cooperative and coercive federal and state policies. Further, roundtables might be considered for the following general themes (among others): mandates, health policy or infrastructure policy and the states in the future federal system; the eroding/expanding autonomy of local governments; prospects for reinvigorating the 10th Amendment; state v. federal protection of rights; financing the intergovernmental system; cities in the new intergovernmental system; "shift-and-shaft" federalism or other forms.

For complete details, contact Michael A. Pagano, Miami University, Dept. of Political Science, Oxford, OH 45056. 513-529-2000; 513-529-6939

MEETING

1. The Section met for its 1993 annual membership meeting on Thursday, September 2, 1993, in Washington, DC. John Kincaid (ACIS), Chair, presided. Thirty-six members were in attendance.

2. Minutes of the 1992 membership meeting were approved. Julie Kline (University of Nebraska at Omaha), Secretary-Treasurer, submitted the annual statement of revenues, expenses, and fund balance for review and approval. Revenues for 1992-93 were \$1,612 (dues rebates and short course fees), expenses were \$731.97 (awards, reception, mailing), and the fund balance was \$1,994.91. The financial report was accepted.

3. John Kincaid, Chair, presented a "State of the Section" report covering activities of the past year, including a) the federalism symposium at the June 1993 issue of *PS*; b) the membership survey; and c) the professional development workshop sponsored by the Section that took place on September 1 prior to the APSA meeting.

4. The Chair also made several announcements about changes in policy made by the APSA national council:

- * The "rule of three" related to the Section's representative on the national meeting program committee is being

abandoned by the national council;

- * The new minimum size for sections is 250 (we are at 305);

- * If APSA sells our Section's mailing labels, we receive five cents a name;

- * We are not allowed to sell advertising in the Section newsletter; and

- * the number of panels allotted to the section has dropped from 2.5 (1991) to 2 (1992) to 1 (1993) because of declining attendance at our panels.

5. The Chair congratulated Professor Beverly Ciglar (Penn State-Harrisburg) for her work on setting up the 1993 panels. Michael Pagano (Miami University) was introduced as the 1994 program chair for Section's panels.

6. Stephen Schachter (Ipswell Sage College) was congratulated for his work in organizing and moderating the 1993 Professional Development workshop on "The Clinton Administration and the Prospects for Reinventing Federalism."

7. John Kincaid presented the Section's annual award for "significant contributions to the field of federalism and intergovernmental relations" to Martha Derthick, Julie Allen Cooper Professor of Government and Foreign Affairs at the University of

Virginia. Among her accomplishments are several book awards such as the Gladys Kammerer award, the Washington Monthly award, and the Brownlow award. Professor Derthick has received the Donald Stoope award and the John Gaus award. She has been a Vice-President of the APSA. As part of her acceptance remarks, Professor Derthick suggested that "as students of federalism, we (the members of the Section) need to be more involved in the leading theoretical dialogue of our time - communitarianism versus liberalism."

8. Michael Pagano presented the report of the Distinguished Scholar Award and, as part of his report, made a motion to establish a "best paper" award to be presented by the Section at each annual meeting; the award committee should be chaired by the following year's program chair (for the Section) and two other individuals from the Section's executive council. During discussion, a number of ideas were offered: a) publish the "best paper" in *Publius*; b) no need to make the award each year, if not merited; and c) no need to present the Distinguished Scholar award each year. The original motion was amended to include a certificate (not a plaque). The motion to establish a "best paper" on federalism and intergovernmental relations presented at the annual APSA meeting was approved.

9. Michael Pagano also made a report about the possibility of establishing a "best book" award. He noted the committee was undecided about the appropriate length of time the award would cover, that is, the best book of the year, five years, or a classic at least ten years old. After a lively discussion of various options, the Chair referred the matter to committee for further study.

10. Dale Krane, Secretary-Treasurer, presented a set of draft by-laws for review and approval. After some discussion and the acceptance of a few friendly amendments, the proposed by-laws were approved by the members in attendance. For a copy of the by-laws, contact Dale Krane at the University of Nebraska-Omaha, Department of Public Administration, Omaha, NE 68182-9276.

11. The following members of the Executive Council who are finishing their terms were thanked for their service: Prof. Samuel Gove (University of Illinois, Urbana), Prof. Ronald Werts (Queen's University), and Prof. Dell Wright (University of North Carolina).

Elections for the 1994-96 seats on the Executive Council were conducted and the winners are: Prof. Robert Dilger (West Virginia University), Prof. Sarah Liebschutz (SUNY-Brockport), and Prof. Ted Padelski (University of North Dakota).

12. John Kinnard announced that Prof. Stephen Schechter is gathering materials for a federalism/intergovernmental relations syllabus project. Members who would like to assist with the project and/or donate copies of their syllabus should contact Steve at Russell Sage College, Council for Citizenship Education, Troy, NY 12180.

13. Under New Business, Prof. Carl Stenberg (University of Virginia) called attention to the vote in the U.S. House of Representatives to end funding for the U.S. Advisory Commission on Intergovernmental Relations and he asked Section members to contact their U.S. Representatives and U.S. Senators about this matter.

Prof. Richard Cole (University of Texas-Arlington) moved that a resolution in support of continued funding for ACIR be drafted and distributed to appropriate parties as soon as possible. The motion passed unanimously. Profs. Dell Wright (University of North Carolina) and Dale Krane (University of Nebraska at Omaha) drafted the resolution which was sent to all of the members of the House-Senate Conference Committee and to several reporters with the national press.

APSA/PIGR FINANCIAL STATEMENT

Statement for the period August, 1992 to August 1993

REVENUES:

Dues Rebates:

10/30/92	\$270
02/11/93	\$141
03/16/93	\$179
05/25/93	\$162
08/02/93	\$140

Total \$892

Short Course Fees:
as of 02/27/92 \$720

Total Revenue \$1,612

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EXPENSES:

1992 Award Plaque \$106.27

1993 Award Plaque \$102.60

Reimbursement to CSP
(mailing & reception) \$430.85

APSA mailing labels \$ 75.00

Envelopes \$ 17.25

Total Expenses \$ 731.97

Fund Balance \$1,114.88

Fund Balance \$1,994.91

Revenue in Excess
of Expenses \$ 339.83

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