

This article was downloaded by:[University of North Carolina Chapel Hill]  
On: 1 June 2008  
Access Details: [subscription number 788780386]  
Publisher: Routledge  
Informa Ltd Registered in England and Wales Registered Number: 1072954  
Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



## Regional & Federal Studies

Publication details, including instructions for authors and subscription information:  
<http://www.informaworld.com/smpp/title~content=t713636416>

### Appendix A: Profiles of Regional Reform in 42 Countries (1950-2006)

Liesbet Hooghe<sup>ab</sup>; Arjan H. Schakel<sup>b</sup>; Gary Marks<sup>ab</sup>

<sup>a</sup> University of North Carolina, Chapel Hill, USA

<sup>b</sup> Free University, Amsterdam, The Netherlands

Online Publication Date: 01 April 2008

To cite this Article: Hooghe, Liesbet, Schakel, Arjan H. and Marks, Gary (2008) 'Appendix A: Profiles of Regional Reform in 42 Countries (1950-2006)', *Regional & Federal Studies*, 18:2, 183 — 258

To link to this article: DOI: 10.1080/13597560801994323  
URL: <http://dx.doi.org/10.1080/13597560801994323>

PLEASE SCROLL DOWN FOR ARTICLE

Full terms and conditions of use: <http://www.informaworld.com/terms-and-conditions-of-access.pdf>

This article maybe used for research, teaching and private study purposes. Any substantial or systematic reproduction, re-distribution, re-selling, loan or sub-licensing, systematic supply or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand or costs or damages whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.

## Appendix A: Profiles of Regional Reform in 42 Countries (1950–2006)<sup>1</sup>

LIESBET HOOGHE\*, ARJAN H. SCHAKEL\*\* & GARY MARKS\*

\*University of North Carolina, Chapel Hill, USA and Free University, Amsterdam, The Netherlands,

\*\*Free University, Amsterdam, The Netherlands

### Self-rule

#### I. Institutional Depth and Policy Scope

##### Albania

Albania was one of the most centralized communist countries in Europe until the regime fell in 1992, and the first free local elections were held. The country had a three-tier local government structure topped by 36 district councils (*rrhethë*). *Rrhethe* survived the transition to democracy in March 1992 but, with an average population of around 100 000, they are too small to be considered a regional tier.

Under pressure from the Albanian association of municipalities backed by the Congress of Local and Regional Authorities of Europe (CLRAE), the government enacted a reform in 2000 which created twelve regions (*qarku*), reduced *rrhethë* to deconcentrated subdivisions and strengthened local government. The average population of a *qark* is about 250 000.

*Qarku* were granted little authority over policy. They are concerned with regional planning, co-ordinating actions of regional interest and delivering public services delegated by the central government or by the constituent municipalities and communes.

*Coding.* Albania scores 0 for 1992–1999. *Qarku* score 1 (depth) and 0 (scope) for 2000–2006.

##### Australia

Australia is a federation with a strong regional tier consisting of six *states* and, since 1978 and 1989, two *territories* which are treated in this study as special autonomous regions. Throughout its history, Australia has also had second-tier counties in some states (for example, in New South Wales), but their average population is just over 120 000, too small to be considered a regional tier.

---

*Correspondence Address:* Liesbet Hooghe, Department of Political Science, University of North Carolina, Chapel Hill, USA. Fax: +1 919 962 0432, Tel.: +1 919 843 6164. Email: hooghe@unc.edu or l.hooghe@fsw.vu.nl

ISSN 1359-7566 print/1743-9434 online  
 DOI: 10.1080/13597560801994323 © 2008 Taylor & Francis

The constitution enumerates federal legislative powers in trade and commerce, taxation, defence, banking, census and statistics, currency, weights and measures, naturalization, marriage and divorce, copyright and patents, foreign affairs, railways, and immigration. These federal powers are concurrent with state powers, in that states may exercise such powers as long as state law is not inconsistent with Commonwealth law. States and territories legislate on all other policies, including health, education, social welfare, criminal and civil law, local government and citizenship. The difference between a state and a territory is that the powers of the territories are not constitutionally guaranteed and the Governor-General may withhold assent or recommend amendments to proposed territory laws. Also, the Commonwealth parliament retains authority over uranium mining and aboriginal lands—powers it does not possess with respect to the states. Notwithstanding these limitations, the territories have extensive authority over a range of policies similar to the states. The *Northern Territory* gained quasi-state status in 1978 and the *Australian Capital Territory* (Canberra) in 1989. Territories do not enjoy control over immigration or citizenship.

*Coding.* Australian *states* score 3 (depth) and 4 (scope) for 1950–2006. The *territories* score 1, 0 before self-government and 2, 3 thereafter.

### Austria

Austria is a federation with a strong regional tier of nine *Länder*. Ninety-nine *Bezirke* operate as decentralized state and *Land* administrations, but their average population is too small to classify as regional.

There have been no major legislative changes in policy scope since 1955, when the Austrian federation of 1929 was reinstated after Allied occupation. The constitution details the extensive legislative powers of the federal level and the more limited legislative powers of *Länder*. *Länder* exercise residual powers and have extensive executive authority over housing, health policy, poverty policy, land reform, labour law, and public schools. The federal government has authority over immigration law, and sets the legal framework for citizenship, while *Länder* have executive competence for nationality and right of citizenship. *Länder* are also responsible for their own administrative procedures and the composition and organization of *Länder* parliaments.

*Coding.* *Länder* score 3 (depth) and 3 (scope) for 1955–2006.

### Belgium

Belgium has been transformed from a decentralized unitary state with one relatively strong regional tier (*provincies/provinces*) in 1950 to a decentralized federal state with two strong regional tiers of government by 1993. *Regions* and *communities* form the upper tier; *provinces* the lower.

The constitution of 1830 enshrined the principle of local and provincial autonomy, but it did not enumerate provincial competencies. *Provinces* administer secondary education, roads, social welfare, and are responsible for implementing national laws and, since federalization, communal and regional laws as well.

The constitutional reform of 1970 created a new, higher-level intermediate tier in response to autonomist demands. Two models of devolved government were instituted. To accommodate demands for cultural autonomy, the constitution defined three *communities* (Francophone, Dutch-speaking, and German-speaking). The Francophone community encompasses the Walloon region and French-speakers in Brussels. The Dutch-speaking community encompasses the Flemish region and Dutch-speakers in Brussels. The German-speaking community encompasses the eastern cantons. So the communities have somewhat fluid territorial boundaries. Law makers also wrote the principle of regional autonomy into the constitution to accommodate demands for socio-economic autonomy. In contrast to the communities, these *regions*—the Flemish, Walloon and Brussels regions—have clearly identifiable, though contested, boundaries.

Initially, the proposed regional autonomy remained dead letter, but a limited form of cultural autonomy was put into effect in 1971, when a special law set up two cultural councils consisting of Flemish- and French-speaking members of the national parliament, respectively. The councils monitored small executive cells within the national government and had authority to pass ‘decrees’ on narrowly defined aspects of culture, education, and language. The German cultural council is directly elected from 1974.

The 1980 reform created separate executives and administrations for regions as well as communities, but no directly elected councils (except for the previously established German council). Brussels remained under national tutelage. Regions had responsibility for regional development, environmental policy, water policy, and infrastructural policy, while the competencies of the communities were expanded to include welfare policy, vocational training and education. On the Flemish side, the institutions of community and region were merged, but they remained separate on the Francophone side. In 1989, devolution was deepened for both regions and communities to include regional economic policy, local government, education, health policy, public utilities, transport, and limited taxation powers. Regional and community councils were still indirectly elected except in Brussels, which now obtained its own institutions, including a directly elected regional council.

The constitutional reform of 1993 declared Belgium a federation of three communities and three regions. However, five constituent units are recognized legally: the Walloon region, the Brussels region, the German community, the Francophone community and the Flemish community (the latter combines community and regional competencies). The 1993 constitutional revisions, which came into force in 1995, put in place institutions that are typical of modern federations: directly elected assemblies; a senate representing territorial interests; residual competencies residing with the constituent units; fiscal federalism; constitutional autonomy for each level with respect to its own administration; and machinery for intergovernmental co-ordination and conflict resolution. In addition, communities and regions have authority to make international treaties on issues within their competence. The regional competencies of the German community were exercised initially by the Walloon region. The German community absorbed responsibility for social aid and anti-poverty policy in 1993, rural planning and natural protection in 1994, employment policy in 2000, and local government in 2005.

Regions exercise competencies over regional economic development (including employment policy, industrial restructuring, the environment, nature conservation and rural development), housing, land-use planning and urban renewal, water resources and sewage, energy policy (except for national infrastructure and nuclear energy),

roads, waterways, regional airports and public local transport and, since 2001, local government, agriculture, and external trade. Framework legislation remains mostly federal. The communities have responsibility for matters related to individuals: culture (including arts, youth policy, tourism), language policy (except in local authorities with a special language regime), education, health policy and welfare, including hospitals (but not social security), with far-reaching international competencies in these areas. The communities set the legislative framework for culture and secondary and tertiary education. The list of exclusive federal competencies is short: defence, justice and national security, social security, fiscal monetary policy, citizenship, and immigration.

While the formal competencies of the provinces have not been weakened, the principal intermediate units of government are the regions and the communities. With the partition of Brabant in 1993, there are ten instead of nine provinces, and administrative oversight lies with the regions instead of the federal state.

*Coding.* Country scores use the highest score on each dimension for the relevant community or region to avoid double-counting where regional authority is exercised by overlapping jurisdictions. An example: The Francophone community encompasses the Walloon region and Francophones in Brussels. The competencies exercised by the Francophone community, Walloon region and the Brussels region are combined in scoring the Francophone community. From 1980 to 1988, the French community scores 2 (depth), because it is a decentralized general-purpose administration subject to central government veto, and 1 (scope), because it exercises significant authority in one major policy area—cultural-educational policy. The Walloon region also scores 2 (depth) and 1 (scope), and its 1 (scope) reflects the fact that it has significant authority in economic policy. The Brussels region, however, falls under national control and therefore scores 1 (depth) and 0 (scope). This is aggregated as 2, 2, but since about 19% of Francophones (those living in Brussels) have self-government only in cultural-educational matters and not in economic policy, the policy score is adjusted downwards. Hence, the final score is 2 (depth) and  $2 \times 0.814 + 1 \times 0.186$  (scope), which equals 2 (depth) and 1.8 (scope).

*Raw scores:* The scores for the five upper-tier subnational units are as follows. The Flemish community scores 2 (depth) and 1 (scope) for 1970–1979; 2, 2 for 1980–1988; and 3, 3 for 1989–2006. The French community scores 2, 1 for 1970–1988 and 3, 2 for 1989–2006. The German community scores 2, 1 for 1970–1988; 3, 2 for 1989–1999; and 3, 3 for 2000–2006. The Walloon region scores 2, 1 for 1980–1988, 3, 2 for 1989–1994; and 3, 3 for 1995–2006. The Brussels region scores 1, 0 for 1980–1988; 3, 2 for 1989–1992; and 3, 3 for 1995–2006.

*Aggregated scores:* The *Flemish community* scores 2 (depth) and 1 (scope) for 1970–1979; 2, 2 (1.97) for 1980–1988; and 3, 3 for 1989–2006. The *French community* scores 2, 1 for 1970–1979; 2, 1.8 for 1980–1988; and 3, 3 for 1989–2006. The *German community* scores 2, 1 for 1970–1988; 3, 2 for 1989–1999; and 3, 3 for 2000–2006. *Provinces* score 2, 2 for 1950–2006.

### **Bosnia and Herzegovina**

Bosnia and Herzegovina contains two upper level units ('entities'), the *Republika Srpska* and the *Federacija Bosne i Hercegovine*. There are also cantons in the

constitutive entity of the *Federacija*. Under the auspices of the United Nations the culturally mixed *Brčko* district has had a special statute since 2000. Its autonomy status is not recognized in the constitution of the confederation or in that of the entities, and depends on the protection by the High Representative of the United Nations. The *Brčko* district is not coded here.

The confederation was the product of the Dayton Agreement of 1995, which put an end to several years of civil war in post-Yugoslavia. Confederal competencies are limited to foreign policy, trade, customs, monetary policy, international and inter-entity criminal law enforcement, regulation of inter-entity transportation, and air traffic control. The two constituent entities have their own military forces and have independent budgets. They are responsible (concurrently with the confederal government or, in the case of the *Federacija*, also with the cantons) for the police, environmental policy, social policy, agriculture, refugees, reconstruction, justice, taxation, and customs. Immigration, refugee, and asylum policy are confederal competencies, but citizenship is primarily an entity competence. Once a citizen has obtained citizenship in *Republika Srpska* or *Federacija Bosne i Hercegovine* she automatically acquires confederal citizenship. Within the *Federacija*, citizenship is a federal competence.

The entities have starkly different structures of government. *Republika Srpska* has no intermediate tier. *Federacija Bosne i Hercegovine* has an authoritative intermediate tier consisting of ten cantons (*županije*). Five cantons have a Bosniac majority, three have a Croat majority and two are mixed Bosniac and Croat. The average population size of a canton is about 230 000. These cantons have their own basic laws (constitutions), their own governments as well as ministries. Hence the *Federacija Bosne i Hercegovine* is a relatively loose federation, in which the federal level has powers in taxation, defence, foreign affairs (concurrent with the confederation and the cantons), citizenship, and the right to authorize cantons to conclude agreements with states and international organizations. Virtually all other competencies lie at the cantonal level.

*Coding.* The *entities* score 3 (depth) and 4 (scope), and the *cantons* in the *Federacija* score 3 (depth) and 3 (scope) for 1995–2006.

### **Bulgaria**

Bulgaria is a unitary state with a regionally deconcentrated administration. In 1991, Bulgaria's first democratic constitution continued to deconcentrate central administration in nine regions (*oblasti*). A reform in 1999 reinstated the 28 regions that existed before 1987. Although *oblasti* have a basis in the constitution, they do not exercise autonomous authority. They co-ordinate activities of state bodies, preserve and protect state property, and exert administrative and legal control over local governments and territorially deconcentrated state bodies.

*Coding.* *Oblasti* score 1 (depth) and 0 (scope) for 1991–2006.

### **Canada**

Canada has ten *provinces* and three *territories*. Some provinces have a lower-level intermediate tier. The territories are treated as special autonomous regions.

Provinces and territories differ greatly in population, ranging from 31 000 in Yukon and Nunavut to 11.4 million in Ontario. The major difference between a Canadian province and a territory is that a province receives powers directly from the Crown (or, since 1982, the constitution), while a territory's powers are granted by federal law. Hence, the constitution, which was repatriated from the UK in 1982, enumerates federal and provincial competencies but not those of the territories. Another difference is that the formal head of the territories, the Commissioner, is a representative of the federal government, in contrast to her counterpart in the provinces, the Lieutenant-Governor, who is a representative of the Queen. The Acts of the *Northwest Territories* and *Nunavut* (but not *Yukon*) also stipulate that the legislatures exercise their powers "subject to any other Act of Parliament". However, in recent decades, the Commissioner has been under federal instruction to act like a provincial Lieutenant-Governor, that is to say, to interpret her role as ceremonial and symbolic rather than substantive. Therefore, the territories, like provinces, score 3 on institutional depth.

Provinces have extensive competencies in education, agriculture, tax, finance, immigration, pensions, local government, and natural resources. Residual powers, as well as naturalization and citizenship (but not immigration), are retained by the federal government. Quebec has somewhat more extensive competencies in immigration, pensions, health, and education. Over the past three decades, there has been intense debate concerning whether Quebec should be constitutionally recognized as a 'distinct society'. Intergovernmental negotiations have so far failed to reach agreement, but Quebec has acquired opt-outs or special arrangements on matters that are deemed central to its identity. Legally, opt-outs are extended to all provinces if they so wish, though only Quebec has made use of them. These distinctions are too fine to be captured by this scale, so Quebec is given the same score as other provinces.

The territories were treated initially as quasi-colonies governed from Ottawa, but, over the years, their competencies have been extended. The Northwest Territories obtained some devolved authority in education, housing, and social services in 1967, and extensive self-rule with the Act of 1985. The Northwest Territories now has authority over essentially the same set of policies as provinces (except for mineral resources, immigration and citizenship). Yukon became self-governing in 1979, when its executive was made responsible to the elected legislative assembly and took control over all budgetary and policy issues. But Yukon was given only formal provincial-type powers (including immigration, but not criminal prosecution) with the Act of 2002. Nunavut, formerly a part of the Northwest Territories, was granted autonomy in 1999, at which point it received extensive policy competence (excluding immigration and citizenship).

Ontario, Quebec and British Columbia (since 1965) have second-tier governments. Ontario has 22 regions and 8 counties (in the south) which have an average population of about 230 000. These governments have extensive responsibilities in economic development, urban planning and social services and are run by councils of mayors and municipal councillors. Quebec has also three *communautés urbaines*, with an average population of just above 800 000, which are not included here since they are more appropriately considered as associations of local governments. Second-tier councils in British Columbia (145 000) and counties in Quebec (70 000) fall shy of the population criterion.

*Coding.* *Provinces* score 3 (depth) and 4 (scope) for 1950–2006. The *Northwest Territories* scores 1, 0 for 1950–1966; 2, 2 for 1967–1985; and 3, 3 for 1986–2006. *Yukon* scores 1, 0 for 1959–1977; 2, 3 for 1978–2001; and 3, 4 for 2002–2006. *Nunavut* scores 3, 3 for 1999–2006. *Counties* and *regions* in Ontario score 2, 2 for 1950–2006.

### Croatia

Croatia is divided into 21 cantons (*županije*) with an average population of about 200 000. Cantons were set up after the first subnational elections of 1993, two years after independence. Cantons implement policy in the domains of education, health care, zoning and town planning, economic development, and transport and transportation infrastructure.

*Coding.* Croatia scores 0 for 1991–1992, and *županije* score 2 (depth) and 2 (scope) for 1993–2006.

### Cyprus

Cyprus became independent from the UK in 1960. The republic has six districts (*eparchies*) with district officers who are responsible for applying central government policies. With an average population of 105 000, they are too small to qualify as regional.

One district and parts of two other districts are controlled by the Turkish-Cypriot government. After two decades of Greek–Turkish tensions on the island, the northern part proclaimed independence in 1983 as the Turkish Republic of Northern Cyprus. Except for Turkey, the republic was never internationally recognized. The Greek-Cypriot government continues to claim authority over the whole island and EU funds and policies apply to Turkish- as well as Greek-Cypriots.

*Coding.* Cyprus scores 0 for 1960–2006.

### Czech Republic

The Czech Republic became independent in 1993. Until 2003, the country had 77 districts (*okresy*) which had been established in 1990 as deconcentrated state administrations, but their population size is too small to classify as regional. In 1997, 14 regions (*kraje*) were conceived as a superordinate level. According to the Act on Regions, they have limited economic competencies in the areas of development, transport and tourism. Special laws give *kraje* some powers in secondary education, health, and environmental protection. *Kraje* began functioning in 2000 after several rounds of discussions concerning the division of tasks between municipalities, districts, and regions.

*Coding.* The Czech Republic scores 0 for 1993–1999, and *kraje* score 2 (depth) and 1 (scope) for 2000–2006.

## Denmark

Denmark has counties (*amtskommuner*, later renamed *amter*) from 1950: 25 prior to 1970; 16 thereafter. Both before and after 1970, the average population of Danish counties exceeds 150 000. Denmark also has two special autonomous regions, the Faroe Islands (in Faroese: *Føroyar*; in Danish: *Færøerne*) and Greenland (in Greenlandic: *Kalaallit Nunaat*; in Danish: *Grønland*).

Before the reform of 1970, counties were the intermediate tier between rural municipalities and the national government (except for cities and towns, where there was a single lower tier), and had authority over major roads, hospitals, secondary schools, courthouses, and prisons. Since 1970, counties have acquired administrative powers in welfare provision, hospitals, secondary education, nature protection and the environment, economic development, spatial planning, and regional transport.

In 2007, *amter* were replaced by five regions which have responsibility mainly for health policy, while the number of municipalities were reduced from 270 to 98. The enlarged municipalities have taken over most of the *amter* policies.

The Faroe Islands or Faroes were an integral part of Denmark until home rule in 1948. The Home Rule Act contained an extensive list of *de jure* competencies which the Faroese government could repatriate at its choosing, as well as a shorter list for possible negotiation. Residual powers remained with the Danish government. The Faroese repatriated most matters on both lists over the following decades. In 2005, two new constitutional agreements granted the Faroes residual powers, while Danish authority was limited to a 'negative list' of national competencies, which includes the Danish constitution, citizenship, the Supreme Court, monetary and currency policy, and foreign, security and defence policy. The agreement lists twelve policy areas, which include immigration and border control and passports, to be devolved by mutual agreement. The government of the Faroes was allowed to join international organizations and to conclude or renounce international agreements on exclusive Faroese affairs without prior Danish consent. In December 2006, the constitutional committee of the Faroese parliament submitted a draft constitution with provisions for a future referendum on secession from Denmark.

Greenland was a Danish colony until 1953, when it became a Danish county and, in 1979, it gained home rule under stipulations similar to those for the Faroes. In 2003, a committee on self-governance published a report recommending deeper self-governance, and the government of Greenland has announced it will hold a referendum in November 2008.

Both territories have their own legislative and executive bodies, and they have extensive authoritative competencies for local government, taxation, social welfare, education, culture, health, local development, as well as authority to conduct international relations on home-rule matters. Policy decisions are not subject to central veto. In both territories, the Danish government remains responsible for immigration and citizenship. The Faroe Islands were never part of the European Economic Community (EEC)/EU. Greenland severed membership ties in 1985.

*Coding.* *Amter* score 2 (depth) and 1 (scope) for 1950–1969 and 2, 2 for 1970–2006. *The Faroe Islands* score 3, 3 for 1950–2006. *Greenland* scores 2, 1 as an ordinary Danish county for 1953–1969; 2, 2 for 1970–1978; and 3, 3 under home rule for 1979–2006.

### Estonia

Estonia has a deconcentrated intermediate tier of government between local and national government consisting of fifteen counties (*maakonnad*). These are too small to be classified as regional.

*Coding.* Estonia scores 0 for 1992–2006.

### Finland

Finland has two levels of intermediate governance: provinces (*läänit*) and, from 1993, regions (*maakuntien*, sing. *maakunta*). It also has a special autonomous region, the *Åland Islands*.

Finland's provinces were created in 1634 and enlarged in 1997, when the number was reduced from twelve to six. However, *läänit* were never equipped with significant authority and the 1997 reform reduced their role to deconcentrated outposts of state ministries. *Läänit* are headed by a centrally appointed governor.

In 1993, nineteen regions were created, with an average population of 279 000. The main tasks of the regions are regional planning, economic development, and education.

Home rule is practised on the predominantly Swedish-speaking *Åland Islands*, which were granted autonomy in 1920 after a tense period that nearly led to war between Sweden and Finland. Autonomy was reinforced in 1951 and again in 1991 (coming into force in 2004). The *Åland* government is responsible to its directly elected assembly. The Finnish government has authority over foreign affairs, defence, civil and criminal law, the court system, customs, taxation, and immigration. The most important *Åland* competencies, enumerated in the 1991 Act, include education, culture and preservation of ancient monuments, health and medical care, environment, industry promotion, internal transport, local government, policing, postal communications, and radio and television. The *Åland* government controls right of domicile on the islands, which gives it concurrent control over citizenship. The right of domicile (*hembygdsrätt/kotiseutuoikeus*), or regional citizenship, is a prerequisite for the right to vote or stand in elections to the *Åland* parliament, own real estate, or exercise a trade or profession. Right of domicile is acquired at birth if possessed by either parent. Finnish citizens who have lived in *Åland* for five years and, since the 1991 Act, can prove adequate knowledge of Swedish, may apply for the status, but the procedure is restrictive. Those who have lived outside *Åland* for more than five years lose their right of domicile. The *Åland* government can grant exemptions.

The Finnish president's right to veto *Åland* laws is highly circumscribed. He or she can do so only if the parliament has exceeded its legislative authority or if the bill would affect Finland's security and after having obtained an opinion from the *Åland* Delegation (half *Åland*-, half Finnish-appointed) and, in rare cases, the Finnish Supreme Court.

*Coding.* *Läänit* score 1 (depth) and 0 (scope) for 1950–2006; *maakuntien* score 2, 1 for 1993–2006; the *Åland Islands* score 3, 4 for 1950–2006.

## France

France has two tiers of regional government, *régions* and *départements*, as well as, since 1982, a special autonomous region, *Corsica*.

Ninety-six *départements* have long-standing administrative competencies in education, environment, town planning, health, and regional planning. Before 1982, each was headed by a prefect, appointed by the central state. After the reform of 1982, most prefectural powers were transferred to presidents of elected *département* councils. The prefect is now mainly responsible for mandating the legality of *département* actions. Hence, *départements* are both decentralized authorities and deconcentrated divisions of the central state.

In 1955, 22 planning regions (*circonscriptions d'action régionale*) were set up as part of a top-down economic strategy. Initially, these regions were purely administrative categories, but, after 1964, they were headed by a prefect who co-ordinated public investment decisions within a national economic plan. Two advisory bodies assisted the prefect: one composed of state officials representing the various national ministries, and one composed of experts, local politicians and socio-economic elites. A regional reform in 1972 renamed the *circonscriptions* as '*régions*', and gave them legal status, a limited budget that included some autonomous taxation power, limited competencies in regional development, and regional consultative councils composed of national parliamentarians elected from the *région* alongside those representing *départements* and local governments. However, *régions* remained in the shadow of *départements*.

Regionalization was deepened considerably with the Defferre reforms of 1982 and 1983 which established directly elected regional assemblies with accountable regional presidents. *Régions* gained authority over education (excluding tertiary education), career training, planning and economic development, urban planning, the environment and transport. The reforms came on line in 1986 after the first regional elections. However, as with *départements*, central state deconcentration lingered alongside regional authority. The post of regional prefect was reduced, rather than abolished, thus creating a two-headed regional executive.

The constitutional reform of 2003 established the principle of subnational devolution. Legislation in the same year consolidated regional competencies in vocational training, secondary schools and school transport, regional and town planning, rail transport, the environment and culture.

Corsica (*Corse*) became a separate region in 1975 with the same limited authority as mainland *circonscriptions*. In 1982, four years ahead of the rest of France, Corsica became a *région* with directly exercised competencies, a budget, a directly elected assembly and an executive elected by the assembly. In 1991, its special statute was deepened when it was recognized as a *collectivité territoriale spécifique*, whereby its institutional setup was reorganized along the lines of the *départements d'outre mer* (DOM). Corsica was granted extensive powers around the two pillars of the statute: economic, social, and cultural development; and preservation of Corsican identity and environment. Corsican self-rule was strengthened further in 2002 when it gained entitlement to additional state subsidies and some enhanced authority (beyond that of other *régions*) over education, culture, the environment, agriculture, housing, transport and social policy. These do not include authority for local

government, regional political institutions, police, immigration and citizenship, or residual powers.

France's four overseas regions (*régions/départements d'outre-mer*) are not included.

*Coding.* *Régions* score 1 (depth) and 0 (scope) for 1964–1985 and 2, 2 for 1986–2006. *Départements* score 2, 1 for 1950–1981 and 2, 2 for 1982–2006. *Corsica* scores 2, 2 for 1982–2006.

## Germany

Germany has two-tiered regional government consisting of *Länder* and (*Land*)*Kreise*. Several *Länder* have a third tier between these two, *Regierungsbezirke* (administrative districts).

The 1949 Basic Law of the German Federal Republic granted eleven *Länder* extensive competencies which include legislative powers for culture, education, universities, broadcasting/television, local government, and the police. *Länder* exercise residual competencies. In addition, the Basic Law states that *Länder* are responsible for the implementation of most federal laws. The federal government exercises sole legislative authority in foreign policy, defence, currency, and public services. It has also exclusive authority over immigration and citizenship, though *Länder* administer inter-*Land* immigration and have concurrent competence on residence. In addition, the federal government may legislate to preserve legal and economic unity with respect to justice, social welfare, civil law, criminal law, labour law, and economic law. And it has authority to establish the legislative framework in higher education, the press, environmental protection, and spatial planning. This constitutional division of authority was extended to the five new German *Länder* after unification in 1990.

The next lower level of regional government consists of *Regierungsbezirke*, re-established in the larger states of West Germany in 1945. *Regierungsbezirke* currently exist in Baden-Württemberg, Bavaria, Hessen, North-Rhine Westphalia and Saxony, and were abolished in Rhineland-Palatinate (1999), Saxony-Anhalt (2003) and Lower-Saxony (2004). They have served mainly as deconcentrated administrations with an executive (*Regierung, Regierungspräsidium, or Bezirksregierung*) appointed by the *Land*. There is considerable debate about the future role of *Regierungsbezirke*. While some *Länder* have recently abolished this level, other *Länder* have devolved more powers, and one *Land* (North-Rhine Westphalia) set up regional consultative assemblies composed of communal representatives (*Regionalräte*) in 2001.

All *Länder*, except Hamburg and Berlin, are subdivided into *Landkreise* and *Kreisfreie Städte*. Their average population is 187 000. They have limited self-government in cultural activities, student exchange, public libraries, adult education, and promotion of tourism. In addition, they implement many federal and *Länder* policies, including those concerned with social welfare, hospitals, secondary schools, waste collection, and roads. *Kreise* assemblies are directly elected every four or five years.

Most *Länder* also have an upper tier of local government (below the regional threshold) consisting of *Verbandsgemeinde* (Rhineland-Palatinate), *Gesamtgemeinde* (Lower Saxony), *Amter* (Schleswig-Holstein and the eastern *Länder*), *Landschaftsverbände* (North-Rhine Westphalia) and *Bezirke* (Bavaria).

*Coding.* *Länder* score 3 (depth) and 3 (scope) for 1950–2006. *Regierungsbezirke* score 1, 0 and *(Land)kreise* and *Kreisfreie Städte* score 2, 1 for 1950–2006. Where relevant, scores are adjusted for unification.

## Greece

Greece has had a regional tier of government from 1950, which continued to function under the military junta of 1967–1973. Since the 1980s, this regional government has been empowered and an additional regional tier has been established.

The pre-existing regional tier consists of 54 prefectures (*nomoi*) with an average population of 185 000. *Nomos* government is headed by a prefect (*nomarches*), a central government appointee. Representation in prefectural councils that govern *nomoi* was widened in 1982 to include representatives of interest groups (farmers, trade unions, professionals, and chambers of commerce) in addition to local government representatives. In 1994, the councils and the prefect became directly elected and they were given competencies over development funding, education, health, roads and transport, hospitals, and the right to establish agencies. Central oversight remains extensive, and prefects continue to double as central state agents in, for example, administering sanitation, and urban planning.

Since 1986, Greece has had a tier of 13 development regions (*periphéria*) between the *nomoi* and the central state. *Periphéria* were set up to implement development programmes, mainly funded by the EU. They are deconcentrated administrations, headed by a centrally appointed secretary general who consults *nomoi* and local governments. In 1997, various state functions were bundled in *periphéria* which remained subdivisions of the central government.

*Coding.* *Nomoi* score 1, 0 for 1950–1993 and 2, 2 for 1994–2006. *Periphéria* score 1 (depth) and 0 (scope) for 1986–2006.

## Hungary

Hungary has had a two-tier system of intermediary government since the transition to democracy.

Under communism, Hungary was composed of 19 directly elected counties (*megyék*) and 22 cities with county status (*megyei jogú város*). Counties had been the basic units of Hungarian intermediate government since the twelfth century and were retained after 1990. They perform broad functions in the social sector, with responsibility for hospitals, secondary schools, old people's homes, museums and libraries, as well as in economic policy, including the environment, tourism, and spatial planning.

A major reform in 1996 set up a three-tier system of county, regional and national advisory regional development councils in response to the European Commission's call for subnational interlocutors for its structural funding. The councils advise national ministries on regional development policies and the administration of EU funds. They consist of representatives of central and local public bodies alongside central ministries.

At first, the new councils lacked permanent administrations, but this changed for the regional level in 1999, when seven planning regions (*tervezési-statisztikai régiók*) were established. Three super-regions are statistical categories.

At the *megyék* level, these councils compete with already existing, directly elected, *megyék* assemblies. While the president of the *megyék* assembly is an *ex officio* member of the county development council, *megyék* are not represented in the higher-level regional development council. Local interests, on the other hand, are represented at both levels.

*Coding.* Counties (*megyék*) score 2 (depth) and 2 (scope) for 1990–2006. Regions (*tervezési-statisztikai régiók*) score 1, 0 for 1999–2006.

### Iceland

Iceland has a regional level of government (*landsvæðun*) created for statistical purposes. The average population of Iceland's regions is about 35 000. Until 1988, Iceland had 23 counties (*sýslur*), which were responsible for intermunicipal co-operation.

*Coding.* Iceland scores 0 for 1950–2006.

### Ireland

Ireland had no regional tier until the establishment of *regions* in the late 1980s. At independence in 1921, there were 26 *counties*, which constituted the upper tier of local government. There are now 29 county councils and 5 city councils. They have an average population size of 119 000, short of the regional criterion. Counties have progressively lost authority to central state bodies.

In 1987, in response to EU structural policy, seven (later, eight) *development regions* were established. These administrations were primarily central government outposts, though EU cohesion policy rules obligated them to consult local representatives and interest groups. In 1994, development regions became *regional authorities*, a genuinely decentralised form of governance. Regional authorities co-ordinate local provision of public services and monitor implementation of EU structural funding. The members of the regional authorities are not directly elected, but nominated from among elected members of local authorities in the region. Each regional authority has a director and permanent staff, and its budget comes from the local authorities. Regional authorities are, then, primarily creatures of the local governments that constitute them; legislative authority remains vested with the local authorities.

In 1999, an additional layer of two regional assemblies was set up to structure feedback from subnational authorities on EU structural funding. The assemblies are composed of elected representatives nominated by local authorities from each region, and they do not have their own budgets.

*Coding.* Ireland scores 0 for 1950–1986. *Development regions* score 1, 0 for 1987–1993, and their successors, *regional authorities*, score 2, 1 for 1994–2006.

## Italy

Italy has developed into a highly decentralized regional state with two tiers of regional governance: a lower tier of provinces (*province*) and a higher tier of regions (*regioni*). Until the early 1970s, intermediate governance consisted of provinces, as well as four, later five, special statute regions, which are considered here as special autonomous regions.

Italy's 1948 constitution mandated directly elected regional governments (*regioni*) with enumerated powers for the whole of Italy, but these provisions were put into practice only for five regions with a special autonomous statute (*regioni autonome a statuto speciale*): *Sicilia*, *Sardegna*, *Valle d'Aosta/Vallée d'Aoste*, *Friuli-Venezia-Giulia* (since 1963), and *Trentino-Alto Adige/Südtirol*. The competencies of the regions and, from 1972, the two autonomous provinces, were narrowly defined, but guaranteed in constitutional law.

The statute of *Trentino-Alto Adige/Südtirol* was revised in 1972 to devolve cultural, educational, welfare, and economic policies, police and control over the provincial political institutions to the provinces of *Bolzano-Bozen* and *Trento*. *Trentino-Alto Adige/Südtirol* retained legislative responsibility for economic development, hospitals and health matters, registry, and local government.

In 1970, a constitutional revision paved the way for regionalization throughout Italy. Fifteen ordinary-statute regions (*regioni a statuto ordinario*) were created, each with a directly elected regional council and an executive responsible to it. These provisions came into force in 1972. In 1977, a law provided *regioni* with competencies in urban planning, regional development, urban and rural policing, health and hospital assistance, education and culture, communications, environment, and craft industry. *Regioni* could also exercise some direct administrative control over local government.

Regionalization was considerably deepened after the collapse of the first republic in the early 1990s. A law of 1997 gave *regioni* residual administrative powers in most policy areas with respect both to central government and to provinces and local authorities. A constitutional reform in 2001 consolidated the principle of residual powers and extended it to legislative competencies concurrent with the central government in international and EU relations, foreign trade, job protection and industrial safety, education, scientific research, health, food, sport, civil protection, town planning, ports and airports, cultural and environmental resources, transport and energy. The 2001 reform ended the central government's power to suspend regional legislation and refers disputes between *regioni* and the central government to the constitutional court.

The competencies of ordinary regions now approximate those of special statute regions in a quasi-federal state. In 2005, the centre-right government led by Silvio Berlusconi proposed another constitutional reform which would have shifted significant authority on health and education to *regioni*, but the proposal was rejected in a popular referendum in June 2006 by 62% to 38%.

Since 1948, Italy has had provinces (*province*), numbering 109 in 2006. They are responsible for decentralized implementation of central (and regional) government policies, but they also co-ordinate local policies. Their primary responsibilities have to do with spatial planning, the environment, highways, education, local economic

development, and labour market policies. The 2001 constitutional reform strengthened provincial autonomy by abolishing *ex ante* controls on provincial acts.

*Coding.* *Regioni a statuto ordinario* score 2 (depth) and 1 (scope) for 1972–1976; 2, 2 for 1977–2000; and 3, 3 for 2001–2006. *Regioni a statuto speciale* score 2, 3 for 1950–2000 (since 1963 for *Friuli-Venezia-Giulia*) and 3, 3 for 2001–2006. *Province* score 2, 1 for 1950–2000, and 2, 2 for 2001–2006. *Trentino-Alto Adige/Südtirol* scores 2, 3 for 1950–1971, 2, 1 for 1972–2000 and 3, 2 for 2001–2006. The provinces of *Bolzano-Bozen* and *Trento* score 2, 2 for 1950–1971, 2, 3 for 1972–2000 and 3, 3 for 2001–2006.

### Japan

Japan has one level of intermediate government: 47 prefectures (*todofuken*) which have an average population of about 2.7 million. There are also eight regions which serve as statistical categories.

Japan's post-war jurisdictional architecture was laid down in the constitution and the Local Autonomy Law (1947) which empowered prefectures and installed prefectural governors and directly elected assemblies. *Todofuken* had administrative responsibility for economic development, social assistance, child care, public health, agriculture, environment, policing, and primary and secondary education. However, the extent of subnational authority was determined by the centre which specified uniform laws for the country as a whole. Subnational competencies were formally described as 'agency-delegated functions' for which governors were agents of the national government under the relevant central ministry's supervision.

In 1999, the National Diet amended 475 laws in the Omnibus Decentralization Act which: (a) established the principle that central state control of subnational government policy requires an explicit statutory basis, with the goal of constraining the informal pressures that central ministries had previously exerted on subnational governments; (b) increased subnational autonomy over more than half of the previously deconcentrated agency-delegated functions which became 'inherent functions' of subnational government; and (c) abolished the central government's ability to remove a popularly elected prefecture leader if he or she defied a government order.

*Coding.* *Prefectures* score 2 (depth) and 1 (scope) for 1950–1999, and 2, 2 for 2000–2006.

### Latvia

Latvia has no regional tier. The Latvian constitution recognizes four cultural and historical regions (*reģioni*), but they do not function as an administrative level. The highest government tier below the state consists of 26 districts (*rajoni*) and seven cities (*lielpilsētas*), with an average population of 70 000.

*Coding.* Latvia scores 0 for 1990–2006.

**Lithuania**

Lithuania has 44 regions and 11 city regions set up under communism. These are too small to register on the Regional Authority Index. A 1995 local government reform (modified in 2000 to meet EU requirements) created ten higher-tier counties (*apskritis*). *Apskritys* serve both as outposts of central administration and as self-governments. Each *apskritis* is led by a government-appointed governor and deputy, with an advisory council of elected local government mayors. Advisory councils oversee the implementation of economic, welfare and cultural-educational policies, including vocational and technical education, hospitals, civil protection, welfare homes, social security, town and spatial planning, environmental protection, parks, sports and cultural facilities, regional development, and agriculture. They also oversee local governments and their implementation of national policy.

*Coding.* Lithuania scores 0 for 1992–1994 and *apskritys* score 2 (depth) and 1 (scope) for 1995–2006.

**Luxembourg**

Luxembourg has three tiers of subnational government: districts, cantons and municipalities. The three districts are deconcentrated means to supervise municipalities rather than general-purpose authorities. The average population of the 12 cantons does not meet the regional threshold.

*Coding.* Luxembourg scores 0 for 1950–2006.

**Macedonia**

Macedonia, officially named the Former Yugoslav Republic of Macedonia, has a single tier of subnational government, 84 municipalities. Prior to 2004, municipalities were grouped in local government districts, but with an average population of less than 100 000 these do not meet the criterion for regional government.

*Coding.* Macedonia scores 0 for 1991–2006.

**Malta**

Malta, which became independent from Britain in 1964, had no subnational tier before the creation in 1994 of directly elected local councils (*kunsilli*) grouped in three regions. One of these regions, the island of *Gozo*, has its own administration and a minister in the national cabinet, but the remaining two regions are statistical categories. The 1994 law does not specify the division of labour between local councils and regions, which leaves open the possibility for future regionalization. Thus far, subnational authority rests with the local councils.

*Coding.* Malta scores 0 for 1964–2006.

### The Netherlands

The Netherlands has one tier of regional governance: *provincies*. The principle of provincial and municipal autonomy was entrenched in the 1851 constitution which grants provinces and municipalities (*gemeenten*) a general right to run their “own household” under central supervision. There are currently 12 *provincies* (11 until 1986), with an average population size of 1.3 million.

Provincial competencies are detailed in the Provinces Act (1851, subsequently revised). *Provincies* share authority with local governments over transport, infrastructure, investment policy, regional planning and, from the 1970s and 1980s, urban development, housing, culture and leisure, and environmental planning. Local governments are the senior partners in the relationship. *Provincies* are also responsible for financial oversight of local governments. In 1994, a revision of the Provinces Act abolished *ex ante* central controls and limited central government supervision to *ex post* legality controls. The minister for internal affairs has ‘powers of substitution’ if a *provincie* fails to take decisions deemed mandatory by the central government.

Since the 1970s, there has been a debate about grouping *provincies* in larger regions, but no such reform has been passed into law. The Netherlands has a higher-level intermediate tier—*landsdelen*—and a lower-level tier—COROP-regio (*Coördinatie Commissie Regionaal OnderzoeksProgramma*)—which are statistical divisions.

*Coding.* *Provincies* score 2 (depth) and 1 (scope) for 1950–1993 and 2, 2 for 1994–2006.

### New Zealand

New Zealand has one tier of regional governance, *regions*, established in 1974. Territorial authorities, of which there are 73, are the lowest tier of government and do not meet the regional criterion.

Until the 1970s, regional matters were dealt with by special-purpose bodies under direct state control. The first general-purpose regional government—the *Auckland regional authority*—was created in 1963, and this model was generalized with the Local Government Act of 1974, when 22 regions were created. In 1989, the number of regions was reduced to 14, and adjusted to 16 in 1992. Twelve of these are intermediate governments; four are unitary authorities. Regional authority relates primarily to public transport, civil defence and environmental policy, including air, land and marine pollution, river and coastal management, and harbour navigation.

*Coding.* New Zealand scores 0 for 1950–1962, *Auckland* scores 2 (depth) and 1 (scope) for 1963–1973, and *regions* score 2 (depth) and 1 (scope) for 1974–2006.

### Norway

Norway has a single intermediate tier: counties (*fylker*) which came into existence with Norwegian unification in the ninth century. Their contemporary structure was laid down in the 1837 Local Government Act which created a dual regional administration consisting of government-appointed prefects (*fylkesmenn*) and county councils of municipal

200 L. Hooghe et al.

representatives. In 1975, indirectly elected county councils were replaced by directly elected assemblies, and *fylker* were generalized to include urban Norway. *Fylker* have limited legislative authority but, as is common in Scandinavia, have acquired extensive responsibilities for implementing economic and cultural-educational policy. Before 1970, they were mainly responsible for regional roads and transport, regional development, public health and social welfare services. From the 1970s, they took over secondary education and hospitals and were also given new tasks in cultural policy.

*Coding.* *Fylker* score 2 (depth) and 1 (scope) for 1950–1974 and 2, 2 for 1975–2006.

### Poland

Poland has one regional tier of authority (*województwa*) that meets the regional population criterion.

The end of communism initially reinforced state centralization because regional administrations were perceived as tools for Communist party influence. The first post-communist government in 1990 brought regions under central control and made elected regional councils advisory. The administrative map of the country consisted of 49 deconcentrated regions and more than 2400 elected local governments (*gminy*). In 1999, two decentralized tiers of intermediate government were created: 16 elected regions (*województwa*) and 378 elected county governments (*powiaty*). The latter, with an average population of round 100 000, do not meet the population criterion for regional government. Beginning in 1999, *województwa* have had executive authority for regional development policy, spatial planning, health care planning, higher education, EU structural funds, social and labour market policy, regional roads, and environmental protection.

*Coding.* *Województwa* score 1 (depth) and 0 (scope) for 1990–1998 and 2, 2 for 1999–2006.

### Portugal

Portugal has two tiers of intermediate governance: *planning regions* and *districts*, alongside two special autonomous regions, the Azores (*Açores*) and Madeira (*Madeira*).

The 1976 constitution envisioned three types of regions: autonomous regions, planning regions and administrative regions, but did not specify their competencies. Only special autonomous regions for the Azores and Madeira were set up immediately. Their special statute—lightly revised in 1987 (Azores) and 1991 (Madeira), and more substantially in 1999—grants them principal authority over a wide range of economic and cultural-educational policies, including agriculture, transport, tourism, regional planning, natural resources, culture, sport, local government, and taxation. Immigration and citizenship remained firmly in the hands of the central government. Until 1999, a minister of the republic in each region could veto legislation. Thereafter, the veto could be overturned by an absolute majority in the regional assembly. Special regional authority was consolidated in a constitutional revision (2005). However, the autonomous regions do not have primary responsibility for police or regional political organization, nor do they have residual power, so they fall short of the maximum score on policy scope.

In 1979, five planning regions were set up on the mainland. They are administered by deconcentrated outposts of the central state, the *comissões de cooperação e desenvolvimento regional*. Planning regions are responsible for regional development and they oversee local governments on behalf of the central government. A plan to create eight decentralized 'administrative regions' (*regiões administrativas*) with elected assemblies, as the constitution had foreseen, was rejected by referendum in 1998.

Portugal has a longstanding lower-level intermediate tier of 18 districts (*distritos*). The districts are deconcentrated authorities primarily concerned with the co-ordination of educational and cultural activities and with supervising the legality of municipal acts. They consist of an indirectly elected district assembly, an advisory council, and a governor appointed by the central government. This level is scored as deconcentrated government.

*Coding.* *Comissões de cooperação e desenvolvimento regional* score 1 on depth and 0 on scope for 1979–2006. *Distritos* score 1, 0 for 1976–2006. The *Azores* and *Madeira* score 2, 2 for 1976–1998 and 4, 2 for 1999–2006.

### Romania

Romania has two tiers of intermediate governance: counties (*judete*) and development regions (*regiuni de dezvoltare*).

Forty-two *judete* existed under communism. The 1991 constitution established the principles of county self-government and decentralization of public services. *Judete* double as institutions of self-governance and state agents. They are governed by a directly elected council with a chairman elected by the council. Each county also has a prefect, appointed by the central government, who checks the legality of county and local acts and oversees deconcentrated state services. *Judete* provide economic, welfare state and educational services encompassing regional transport, social assistance, the environment, secondary education, and regional planning, but they do so within central guidelines.

Eight *regiuni de dezvoltare* were created in 1998. Each consists of four to six *judete*. *Regiuni de dezvoltare* are a deconcentrated level of government with a tiered structure consisting of a regional development council composed of local government representatives, presidents of *judet* councils, and *judet* prefects, and a regional development executive appointed by the regional development council. Regional development councils and their executives were set up to prepare and implement EU structural programming and to collect EU-mandated regional statistics. Final authority for allocating EU funds remains with a national development board composed of the chairpersons of the regional boards and government representatives.

*Coding.* *Judete* score 2 (depth) and 1 (scope) for 1991–2006. *Regiuni de dezvoltare* score 1, 0 for 1998–2006.

### Russian Federation

The Russian Federation has two (in some areas, three) tiers of regional governance: 86 federal units or 'subjects' (*subwekty federacii* or *subwekty*), which, since 2000, are

encompassed in seven federal *districts*; and, in most *subwekty federacii*, districts or *raions*. *Raions* are too small for inclusion as regional.

The most powerful intermediate tier are the *subwekty federacii*, which are composed of 21 republics (*respubliki*), 48 provinces (*oblasti*), seven territories (*kraya*), seven autonomous districts (*avtonomnyye okruga*), one autonomous province (*avtonomnaya oblast*) and the two federal cities (*federalnyye goroda*) of St Petersburg and Moscow. The Russian Federation began in 1993 with 89 units, but three have since been merged, and more mergers are planned. Each boundary change requires the consent of the affected *subwekt* as well as of the federal government. *Subwekty federacii* have equal constitutional status and equal representation (two representatives each) in the upper house, the Federation Council (*Soviet Federacii*). However, their degree of autonomy differs. The seven *avtonomnyye okruga* are in the unusual position of being supervised by both the federal government and another subject.

The 1993 Russian constitution specifies the competencies of the *subwekty federacii* as residual from exclusive federal competencies and concurrent federal-subject powers. The federation has exclusive authority over the jurisdictional architecture of the federation, framework legislation on state structure, the economy, environment, and the socio-cultural fabric of the Russian Federation, the single market and monetary and financial policy, energy policy, the federal-wide infrastructure in transport, communications, and energy, foreign, trade and defence policy (including defence procurement), the legal system, accounting standards, and citizenship and immigration. Policies concurrent between the federal state and the federal entities include protection of rights and freedoms, law and order, natural resource management, the environment, taxation, local government, education and research, emergency services, judiciary and law enforcement, minority rights, and co-ordination of external economic relations. Each federal subject determines its own internal organization, though federal law lays down basic principles of local government.

The constitutional division, then, is heavily biased in favour of the centre and comes closest to 2 for policy scope on the index. Two additional features of Russian federalism qualify this. On the one hand, the constitution enables *subwekty federacii* to negotiate greater devolution in bilateral deals with Moscow and, between 1993 and 2000, 51 *subwekty federacii* took advantage of this. Russia became the leader in asymmetrical federalism. The upshot was a general increase in the policy scope of the *subwekty federacii*. On the other hand, the fact that the executive head was appointed by the Russian president constrained regional autonomy until 1996, when Yeltsin allowed direct elections for the governors and presidents of all *subwekty federacii*. The 21 republics had always been able to elect their own president. The scoring for republics and other *subwekty federacii* for 1993–1999 reflects these three elements—constitutional division of powers (2), devolution through bilateral agreement (+1), and appointed governors or presidents (–1).

In 2000, Vladimir Putin, the Russian president, pushed through several reforms that reasserted federal authority, including the creation of a deconcentrated super-tier of seven federal districts (*federalnyye okruga*), each encompassing several *subwekty*. Their population ranges between 6.6 million (Far East) and 38 million (Central). Each federal district is headed by a presidential envoy, who co-ordinates federal agencies in the region, supervises law and order, and determines whether regional law is consistent

with Russian law. The boundaries of each district correspond exactly with the interior ministry's security regions, and almost exactly with those of the ministry of defence. Five of the seven initial presidential envoys were former generals.

In addition, the president was given the right to dissolve *subwekt* parliaments and dismiss their governments if they disobey federal law. The federal government revoked nearly all bilateral agreements providing special autonomy, and the Duma consolidated this by ordering each *subwekt* to bring its legislation in line with the constitution and federal law. In the event of disputes between the federation and *subwekty federacii*, the federation president can suspend *subwekt* executive decisions pending court adjudication. Finally, governors of *subwekty* were barred from sitting in the upper chamber; instead, they could send a delegate.

In 2005, in the wake of the Chechen hostage crisis, president Putin also replaced the direct election of governors and presidents with a system whereby a presidential appointee is approved by the regional assembly, thereby re-creating the dual regional administration that had existed until 1996.

In most *subwekty federacii*, the next level down is the district (*raion*) or the city (*gorod*). These typically enjoy some self-governance in the form of a popularly elected district council with an elected or appointed chief executive. *Raions* are responsible for local service delivery, but they exercise authority under strict control of *subwekty*. The average population size of *raions* and *goroda* varies considerably, but in no *subwekt* is the average higher than 150 000.

*Coding.* Federal districts (*federalnyye okruga*) score 1 (depth) and 0 (scope) for 2000–2006. Republics (*respubliki*) score 3, 3 for 1993–1999 (elected president, bilateral agreements), 2, 2 for 2000–2004 (no bilateral agreements), and 2, 1 for 2005–2006 (appointed president). Remaining *subwekty federacii* score 2, 2 for 1993–1995 (bilateral agreements, appointed governor), 3, 3 for 1996–1999 (elected governor), 2, 2 for 2000–2004 (no bilateral agreements) and 2, 1 for 2005–2006 (appointed governor).

### Serbia and Montenegro

Serbia and Montenegro, the legal successor of the Federal Republic of Yugoslavia was a federation between 1992 and 2002, a confederation between 2003 and 2006, and became two independent states in June 2006. The federation and confederation consisted of two republics: Serbia (*Republika Srbija*) and Montenegro (*Republika Crna Gora*). Serbia contains two autonomous regions, Kosomet and Vojvodina.

The 1992 constitution of the federation of Serbia and Montenegro listed federal competencies and granted the constituent republics residual powers. Federal competencies included civil rights, regulation of the single market (including standard setting on agricultural, health and pharmaceutical products), the environment, health, regional development, science and technology, transportation, territorial waters, property rights, social security and labour standards, foreign relations, customs, immigration and defence. All other matters fell within the jurisdiction of the republics, including the right to conduct foreign relations and enter into treaties on matters within their competence. Citizenship is a competence of the entities, with the proviso that citizens of a member state are automatically citizens of Serbia and Montenegro and enjoy equal rights and duties (except for

the right to vote and be elected) in the other member state. The constitutional revision of 2003 restricted confederal competencies to defence, immigration, international law, standardization, intellectual property, and free movement of people. All other competencies, including foreign policy and citizenship, rested with the republics.

Serbia has two special autonomous regions: Kosomet (*Kosovo i Metohija*), and Vojvodina (*Autonomna Pokrajina Vojvodina*). According to the Serbian constitution, these regions implement, but do not legislate, policy in the fields of culture, education, language, public information, health and social welfare, environmental protection, urban and country planning, and regional economic development. They do not control local government, nor do they have residual powers. In 1990, the Serbian president, Slobodan Milošević, stripped Vojvodina and Kosovo of most powers, though the provinces kept their parliament and executive. The constitution was unchanged.

Violence escalated in Kosovo from 1995 and, in 1999, Kosovo was brought under UN administration, though Serbia retained nominal sovereignty. Kosovo is not coded for the duration of UN guardianship.

After the fall of Milošević in late 2000, the new democratically elected government began negotiations with Vojvodina, which led to the 2002 ‘Law on the Establishment of Competencies of the Autonomous Province’, also known as the omnibus law. This gave Vojvodina some financial autonomy and expanded its self-rule in the areas of culture, education, language policy, media, health, welfare, the environment, construction and urban development, employment, economy, mining, agriculture, tourism, and sport.

Serbia is divided into 29 districts (*okruzi*) plus the district of Belgrade—18 in Central Serbia, seven in Vojvodina and five in Kosovo (six under UN rule). The average population of these deconcentrated administrations is 300 000. Montenegro has no internal tier that meets the population criterion.

*Coding.* Serbia and Montenegro score 3 (depth) and 4 (scope) for 1992–2006. In Serbia, *okruzi* score 1, 0 for 1992–2006; *Kosovo* scores 2, 1 for 1992–1998; *Vojvodina* scores 2, 1 for 1992–2001 and 2, 2 for 2002–2006.

## Slovakia

Slovakia has one tier of regional government, regions (*kraje*), established as deconcentrated units in 1996 and reformed into decentralized institutions in 2002.

After the partition of Czechoslovakia, which came into effect in January 1993, the new constitution of Slovakia established the principles of local and regional self-government. Law makers gave priority to deepening local self-government. The initial post-communist years saw a weakening of regional authority with the abolition of regional soviets, the creation of 38 deconcentrated district offices and 121 sub-district offices, and the establishment of specialized state agencies at the district level for education, environmental protection, fire prevention, and health care. With an average population of 141 500, district offices fall just below the regional criterion.

In 1996, district offices were replaced by eight regions (*kraje*) and 79 districts (*okres*, which fall below the regional threshold). While *kraje* and *okres* absorbed functions formerly performed by the specialized state agencies, both remained under central state control.

In 2001, the legislature passed a constitutional amendment strengthening greater regional autonomy, directly elected councils with a directly elected chairperson, and legal equality between regional and national legislation (with conflicts to be settled by the constitutional court). There is no constitutional list of regional competencies. A series of implementation laws in 2001 filled in the details. The result is a dual structure of state-controlled regional offices headed by a government appointee, alongside self-governing regions (*samosprávne kraje*) which have primary responsibility for regional development and co-responsibilities for road management, transport, civil protection and emergencies, social welfare, secondary education, sport, theatres, museums, health centres and hospitals.

*Coding.* Slovakia scores 0 for 1993–1995. *Kraje* score 1 (depth) and 0 (scope) for 1996–2001 and *samosprávne kraje* score 2, 1 for 2002–2006.

### Slovenia

Slovenia's constitution recognizes regions as a level of self-government, but, until 2006, the twelve regions remained statistical categories (*statistična regije*).

*Coding.* Slovenia scores 0 for 1991–2006.

### Spain

Spain has two tiers of regional governance: 50 *provincias*, which date from 1833, and 17 *comunidades autónomas* (19 since 1995), which came into being with Spain's transition to democracy in 1978. Nine *comunidades autónomas* are based on single provinces (Asturias, the Balearic Islands, Cantabria, Ceuta, Madrid, Mellila, Murcia, Navarre and La Rioja) and, in these cases, there is a single level of regional governance, the *comunidad*.

The constitution of 1978 guarantees the right to self-government for all nationalities and regions and lists 23 areas of competence for *comunidades autónomas*, including city and regional planning, health, housing, public works, regional railways and roads, ports and airports, agriculture and fishing, environmental protection, culture, tourism, social welfare, economic development within the objectives set by national economic policy, and regional political institutions. Residual competencies could be claimed by *comunidades* in autonomy statutes submitted to the *Cortes Generales*. The national government has exclusive jurisdiction over foreign policy, defence, justice, criminal and commercial law, customs and trade, the currency, as well as citizenship and immigration.

The constitution lays out two routes to regional autonomy. The four historical nationalities were granted a fast track and gained autonomy in 1979 (the Basque Country and Catalonia) or in 1981 (Galicia and Andalusia). The remaining thirteen regions were required to negotiate a limited transfer of powers with the central government, which could be extended later. By 1983, all had taken the first step. Valencia, the Canary Islands, and Navarre demanded and received additional competencies, and the remaining regions obtained new powers in 1993, narrowing the gap with the historical

communities. In 1998, Catalonia and Galicia gained additional competencies for labour market policies and, in June 2006, Catalonia passed a referendum that ratified increased Catalan control over justice and taxation.

Competencies among *comunidades autónomas* vary because they reflect the two-track system that requires separate negotiations with the central government. However, most are based on the constitutional list above, with the exception of health and education, which are regional responsibilities only in the Basque Country, Catalonia, Galicia, Andalusia, the Canary Islands, Valencia and Navarre. The Basque Country and Navarre, and from 2007 also Catalonia, have additional taxation powers (noted below).

Until 1995, Ceuta and Mellila were special autonomous regions having extensive administrative powers, but administered as part of the provinces of Cadiz and Malaga, respectively. In 1995 both enclaves received the status of *comunidades autónomas*.

The primary functions of *provincias* are in mental health and elderly homes, orphanages, and fairs. They share with municipalities responsibility for culture, solid waste treatment, co-ordinating municipal services, delivering rural services, technical assistance to municipal councils, and investment planning for small municipalities.

*Coding.* Each *comunidad autónoma* scores 3 (depth) and 3 (scope) from the year in which it negotiated a special statute. *Provincias* score 2, 1 for 1978–2006. *Ceuta* and *Mellila* score 2, 2 for 1978–1994, and 3, 3 for 1995–2006.

## Sweden

Sweden has one intermediate tier of government: 21 counties (*län*) which combine self-government and deconcentrated state authority. There has never been a clear-cut separation of functions between self-governing county councils (*landstinge*) and regional state authorities (*länsstyrelsen*), headed by a *landshövding*, though in recent years *landstinge* have gained some authority.

Between 1950 and county reform of 1971, *landstinge* owned hospitals and outpatient centres, were responsible for the provision of health care, and had secondary responsibilities for agricultural, craft and industrial training. *Länsstyrelsen* had primary responsibility for law and order, local government supervision and implementation of state legislation in the fields of health, education, labour, housing, town planning, and social affairs.

From 1971, *landstinge* were directly elected, with executives accountable to them. They were given responsibility for implementing regional development, cultural activities, public transport, and they extended their role in health provision. The dual structure was retained. There is still a centrally appointed governor, but the majority of her executive, the *länsstyrelser*, are now selected by the *landsting*. The *länsstyrelser* has primary responsibility for co-ordinating social planning.

To facilitate implementation of EU cohesion policy the Swedish government recently created eight larger statistical regions (*riksområden*).

*Coding.* *Län* score 2 (depth) and 1 (scope) for 1950–1970, and 2, 2 for 1971–2006.

### Switzerland

Switzerland has 26 (before 1979, 25) *cantons* which have an average population of around 280 000. They have wide-ranging competencies in education, environment, culture, health and local government, and exercise residual competencies in areas not specified in the constitution as federal or joint federal-cantonal. Immigration and asylum is a federal competence, but citizenship is primarily cantonal. Since the 1999 constitutional revision, cantons have the right to participate in foreign policy.

Sixteen cantons have a lower subregional tier. There are twelve *Bezirke* in the canton of Zurich, 26 *Bezirke* in the canton of Berne, 5 *Ämter* in the canton of Lucerne, and 19 (10 from 2006) *districts* in the canton of Vaud. However, the average population of these governments is below the regional threshold.

*Coding.* *Cantons* score 3 (depth) and 4 (scope) for 1950–2006.

### Turkey

Turkey has one regional tier consisting of 81 provinces (*iller*). There are also 923 deconcentrated districts (*ilçe*) with an average population of 72 000.

Until 1961, *iller* were deconcentrated state administrations. The constitution of 1961 set out the principle of decentralization, mandating provincial administrations with directly elected councils and executives elected by the provincial council. A powerful, centrally appointed, governor chairs the provincial council and co-ordinates the network of deconcentrated provincial offices. *Iller* have competencies for economic development, roads, bridges, ports, water management, provision of natural gas, hospitals and other health services, primary and secondary schools, public order, and culture.

A higher level of seven to ten regions has been on the agenda since 1961, when the constitution explicitly permitted the establishment of public institutions ‘in areas that comprise more than one province’. In 1983, the government proposed creating eight regional governments, but the proposal remains under discussion.

*Coding.* *Iller* score 1 (depth) and 0 (scope) for 1950–1960 and 2, 1 for 1961–2006. The scoring is extrapolated through periods of military rule (1960–1961, 1970, 1980–1983 and 1997).

### United Kingdom

The United Kingdom (UK) has a two-tier system of intermediate governance: regions and counties/districts/boroughs. From 1999, *Scotland* and *Wales* came to exercise significant policy competencies, as did *Northern Ireland* in periods of home rule. Because devolution varies across Scotland, Wales and Northern Ireland, they are treated as special autonomous regions.

Until the 1990s, the only intermediate level in England (with around 80% of the population) consisted of *counties*, *districts* or *boroughs*. Their competencies are in the areas of culture, education, social services, libraries, museums, parks, transport and roads, fire services, law and order, and urban planning. Each has a directly

elected council. In England, boundaries of counties, districts and boroughs were redrawn in 1974. Councils in metropolitan counties (i.e. cities) were abolished in 1986. In 1996, nearly half of all counties were merged with local governments into unitary authorities. Counties were abolished in Northern Ireland in 1973, and in Scotland and Wales in 1996.

There was no regional government above counties in 1950, except in Northern Ireland and Scotland. In 1964, new interest in regional planning spurred the creation of eleven *regions*: eight in England, plus Scotland, Wales and Northern Ireland. These regional administrations were assisted by two consultative bodies, one composed of civil servants from relevant ministries, the other nominated by local authorities. In England, in contrast to Scotland, Wales and Northern Ireland, regional institutions were ignored by central government departments which continued to use their own regional boundaries.

In 1979, English regions were formally reduced to statistical categories. In the late 1980s, the Conservative government reversed course and began to concentrate various functions in regional bodies with consistent boundaries. This led to the creation in 1994 of *Government Regional Offices* which were designed to strengthen central co-ordination at the regional level, particularly in relation to EU and domestic regional funds.

In 1998, the new Labour government transformed these into *Regional Development Agencies* with consultative regional assemblies. Regional development agencies are responsible for attracting investment, building infrastructure, improving skills, and co-ordinating economic development and regeneration policies. The head of the executive is a government appointee, answerable to central ministries and to a regional assembly composed of representatives from local authorities, regional business, and public groups, including community organizations.

The law allowed for referenda on whether to set up directly elected regional assemblies to which regional development agencies would be accountable. The first referendum, held in the North-East of England in November 2004, rejected such a proposal. Referenda in other regions were cancelled.

Plans to devolve power to London—from 2000, the ninth region—were more successful. In 1999, a referendum mandated a *Greater London Development Authority* with responsibility for regional development, transport, fire and civil protection, police, environment, and culture.

After the secession of Ireland in 1922, Northern Ireland was granted home rule, that is, a directly elected government accountable to the Stormont parliament. In March 1972, after Catholic–Protestant riots, direct rule from Westminster was introduced. In 1998, the Good Friday agreement devised a new power-sharing structure and paved the way for reinstating home rule after it was approved in a referendum. However, disagreement between Ulster Unionists and Sinn Fein pushed forward the starting date until the end of 1999. Home rule hobbled along over the next year and a half, until it was again suspended in October 2002. In May 2007, home rule was reinstated. The legislative and executive powers of parliament of Northern Ireland are similar to those of the Scottish Parliament.

Scotland (from 1892) and Wales (from 1964) had deconcentrated administrations run by secretaries of state in the British Cabinet. Secretaries of state had responsibilities which, in the rest of the UK, were assumed by Whitehall.

In 1999, following referenda, Scotland and Wales each gained an autonomous executive accountable to a directly elected legislature, the Scottish Parliament and Welsh National Assembly. Welsh powers are executive powers within UK framework legislation and do not extend to the authority to write primary legislation. Scotland, in contrast, has legislative powers with respect to all policies except those designated as exclusive UK matters, which encompass immigration and citizenship. After the 2007 elections in Wales, a revised Government of Wales Act will move Wales closer to the Scottish statute.

From 1973 to 1998, the secretary of state for Northern Ireland could refuse to submit legislation by the Northern Irish assembly for royal assent, but refer it to the Privy Council. From 1998, the secretary of state could refer such legislation to the House of Commons. For Scotland and Wales, the secretary of state may refuse to submit a bill for royal assent only if he “has reasonable grounds to believe [that the Bill] would be incompatible with any international obligations or the interests of defence or national security” or if the Bill “make[s] modifications of the law as it applies to reserved matters and which the Secretary of State has reasonable grounds to believe would have an adverse effect on the operation of the law as it applies to reserved matters”. The Welsh Act contains a similar text. Scotland and Wales are coded 3 on depth and Northern Ireland 2.

*Coding.* *Counties* score 2 (depth) and 2 (scope) for 1950–2006. When calculating the country score, the phasing out of intermediate government in Northern Ireland from 1973, and in Scotland, Wales and parts of England from 1996 is taken into account. English *regions* score 1, 0 for 1994–1998 and 2, 1 for 1999–2006, except for the *Greater London Authority*, which scores 2, 2 for 2000–2006. *Northern Ireland* scores 2, 3 for 1950–1971 and 2000–2002; 1, 0 for 1972–1999 and 2003–2006 when deconcentrated government replaced home rule. *Scotland* scores 1, 0 for 1950–1998 and 3, 3 for 1999–2006. *Wales* scores 1, 0 for 1964–1998 and 3, 2 for 1999–2006.

### United States of America

The United States (US) has, for the most part, two regional tiers: *states*, and in the more populous and older states, *counties*. Counties fall under the jurisdiction of state governments. Until 1959, there were also two territories, *Alaska* and *Hawaii*. The *District of Columbia* has a special status as capital district. These are classified as special autonomous regions. The unincorporated organized territories of Guam, Puerto Rico, the United Mariana Islands, and the Virgin Islands are not included in the index.

The US constitution contains a list of ‘expressed’ federal competencies, encompassing taxation, the military, currency, interstate and foreign commerce, and naturalization. In addition, an elastic clause gives the federal government authority to pass any law ‘necessary and proper’ for the execution of its express powers. Competencies not delegated to the federal government and not forbidden to the states are reserved to the states (Amendment X). States have extensive competencies which include primary responsibility for education, social welfare, regional development, local government, civil and criminal law, and health and hospitals. The federal government has near-exclusive authority over citizenship (including naturalisation) and immigration.

Congress' power to admit 'aliens' into the country under whatever conditions it lays down is exclusive of state regulation. Congress, with the help of the Courts, has eroded state authority to regulate the conduct of aliens residing in the country.

The 50 states of the US include Alaska and Hawaii, former territories that were granted statehood in 1959. As territories, Alaska and Hawaii each had an elected legislature, a governor appointed by Washington, and self-government over a broad set of policies. The Organic Acts establishing the territories made their legislation subject to Congressional veto and did not provide them with power sharing. Their authority was similar in scope to that of states.

In 1973, the District of Columbia Home Rule Act ended direct Congressional rule of Washington DC and ceded authority to a directly elected district council and mayor. Congress has ultimate power over the district, which gives Congress the right to review and overrule local laws. Between 1995 and 2000, home rule was suspended. A federal control board took over management of the district's finances. In 2001, after a revision of the Home Rule Act, control was handed back to the elected government of the city.

Counties constitute a lower-level intermediate tier in 24 states. In the remaining 26 states, counties are rural and are the lowest unit of local government, and are therefore not included in the index. In nine of the 24 states where counties are an intermediate tier, they are both general-purpose and large enough to meet the population criterion. These are Arizona (15 counties), California (58), Connecticut (8 until 1960), Delaware (3), Florida (66), Maryland (23), New Jersey (21), New York (57), Pennsylvania (66) and Washington (39). Counties play a role in providing education, justice, health, environmental, planning, and regional development, with variation from state to state. In the 1980s, Connecticut created regional councils with limited authority over land use, infrastructure, and regional planning. Massachusetts reduced its counties from fourteen to seven in 1997 and replaced them with regional councils. Counties in Rhode Island meet the population criterion, but lack authoritative competencies.

*Coding.* States score 3 (depth) and 3 (scope) for 1950–2006. *Alaska* and *Hawaii* under their territory status score 2, 3 for 1950–1958. *Washington DC* scores 1, 0 for 1950–1972; 2, 3 for 1973–1994; 1, 0 for 1995–2000 and 2, 3 for 2001–2006. *Counties* (and *regions* in Massachusetts) score 2, 2 for 1950–2006 for states and periods detailed above. *Regional councils* in Connecticut score 2, 1 for the 1980s–2006. Scoring for counties is weighted according to state population.

## II. Fiscal Autonomy

### Albania

*Qarku* are dependent on intergovernmental grants.

*Coding.* Albania scores 0 for 1992–1999, and *qarku* score 0 for 2000–2006.

### Australia

The tax system is unusually centralized for a federation. The federal government emphasizes uniformity of public services across the country and uses conditional grants to

achieve that purpose. Tax administration and collection are centralized, representing 80% of revenues. According to the constitution, states have concurrent tax authority with the federal government on personal income tax, company tax, and sales tax, but federal tax legislation is paramount over state tax legislation. Territories derive similar fiscal powers from their Acts. Centralization came about in the Second World War, when federal government appropriated control over income tax for persons, enterprises and non-residents. Subsequent court decisions eliminated states' rights to control sales and excise taxes. The federal government sets base and rate for major taxes after consultation with the states. In return, states receive conditional and unconditional grants, which together constitute over half of their revenues. In 1999, states agreed to scrap some of their own taxes in return for a greater share of unconditional grants.

States and territories have tax authority over non-major taxes, including payroll taxes (since 1971), property tax, motor vehicle tax, gambling tax and insurance tax, for which they can set the base and the rate.

*Coding.* States score 2 for 1950–2006; the Northern Territory scores 0 for 1950–1977 and 2 for 1978–2006; and the Australian Capital Territory scores 0 for 1950–1988 and 2 for 1989–2006.

### Austria

Major taxes (customs/excise, corporate and personal income) as well as tax sharing are determined at the federal level. The *Finanz-Verfassungsgesetz 1948*, a federal law with constitutional status, sets out a framework for tax sharing, intergovernmental transfers, and cost sharing between the federation, *Länder* and *Gemeinde*. *Länder* receive more than 95% of their revenues from tax sharing and can set the tax base and rate for the remaining 5% of their tax income, but the federal government can impose a ceiling.

*Coding.* *Länder* score 2 for 1955–2006.

### Belgium

*Provinces* set base and rate for several regional taxes. The precise list of taxes has varied over the years, and from province to province, to include a dog licence tax, bicycle tax, productive energy tax, surface water protection tax, employee tax, tax on hunting and fishing licences, tax on motorcycles, mopeds and boats, tax on dangerous, unsanitary establishments, and a tax on water collection. Over the past fifteen years, most special provincial taxes have been replaced by a general provincial tax, which consists of a tax on business establishments and on residential occupancy. General provincial tax generates around 20% of provincial revenues. The bulk of provincial revenues comes from a surtax on the property tax—between 55% and 65% of revenues—and government grants through the *provinciefonds*—10 to 15%. Until 1990, the *provinciefonds* was financed by the central government, but, with devolution, provincial oversight has shifted to the regions.

Until 1989, communities and regions were financed almost exclusively from central government transfers. Demographic criteria determined the size of grants to

communities. Communities received also part of the radio and television tax, for which base and rate were set by central government. Grants to regions were calculated in relation to population, revenues from personal income tax, and surface area.

Since 1989, communities have a tax sharing arrangement whereby the central government refunds a proportion of value-added tax and income tax. Communities do not set rate or base. Between 1993 and 2001, radio and television tax was entirely refunded to the communities; after 2001, the tax became a regional tax, but it remained earmarked to fund communities (not regions). The German community receives federal grants.

In 1989, regions obtained authority over eight regional taxes with varying degrees of autonomy: control over base and rate (e.g. gambling taxes), rate only (e.g. inheritance tax), rate within limits (e.g. registration fees on property transfer), or no control (e.g. vehicle registration). In the ensuing years, several environmental taxes were also transferred to the regions. Yet the majority of regional revenues came from a tax-sharing arrangement on personal income tax which had a built-in equalization mechanism. From 1995, regions can levy additional taxes or rebates on personal income tax within strict limits, which provides them with important fiscal autonomy.

Fiscal arrangements for regions and communities were revised in 2001. The distribution of VAT and income tax among the two larger communities is no longer calculated on demographic criteria but on the principle of 'juste retour', which implies that tax receipts should correspond to a community's contributions to the shared tax. Regions acquired extensive authority over twelve taxes, including setting base and rate, though a few taxes were made subject to prior agreement among the regions. Almost one third of regional revenues comes from own taxes. Regional authority to adjust the rate of personal income tax has also been broadened, though it remains bound by federal limits, such as the principle that the tax must be progressive.

*Coding.* Raw scores: *Communities* score 0 for 1970–2006; *regions* score 0 for 1980–1988, 2 for 1989–1994, and 3 for 1995–2006; the *German community* scores 0 for 1970–2006.

Aggregated scores: The two large *communities* score 0 for 1970–88, 2 for 1989–1994, and 3 for 1995–2006. The *German community* scores 0 throughout. *Provinces* score 2 for 1950–2006.

### **Bosnia and Herzegovina**

Tax power lies exclusively with the *Federacija* and the *Republika Srpska* and their constituent units. Tax power in the *Federacija* is concurrent between federal government and the cantons. The bulk of federal income comes from customs duties, and sales and excise taxes. Cantons receive their revenues from personal income taxes, for which they can set the rate.

*Coding.* The *entities* score 4 for 1995–2006. *Cantons* in the *Federacija* score 3 for 1995–2006.

## Bulgaria

Bulgaria has a deconcentrated regional tier of *oblasti* without independent tax authority.

*Coding.* *Oblasti* score 0 for 1991–2006.

## Canada

The constitution gives both the federal government and provinces the right to tax. Income taxes are divided between these levels. Before 1962, this took place via cash transfers or tax ‘rentals’, whereby provinces received a portion of income and corporate tax revenues levied in their territories, along with a supplementary equalization payment. Both base and rate were set by the federal government. In 1962, this system was replaced with one in which each province received a standard uniform rate of taxes collected by the federal government within the province, and could, in addition, set its own rate above the standard rate. Quebec does not take part in this but sets the base and rate of its personal income tax. Provinces set the rate of corporate income tax, but the base is set by the federal government, except in Ontario, Quebec and Alberta, which set both base and rate.

Provinces have their own sales tax, and there are province-specific exemptions for certain goods, services or types of purchases. So provinces have control over both rate and base of this major tax. The provincial goods and services tax (‘retail sales tax’) is the second most important revenue source for provinces. Provinces may also tax natural resource extraction. This accounts for around one-quarter of Alberta’s revenue and one-tenth of Saskatchewan’s.

Until the advent of self-governance the territories’ fiscal situation was controlled by the central government, either directly from Ottawa, or indirectly through the government-appointed executive in the territories. When the territories became self-governing, they acquired the same legal authority to levy taxes as the provinces. The one exception is that, since public land (‘Crown land’) remains in the hands of the federal government, royalties on non-renewable resources are levied by and accrue to the federal government. Only Yukon has, since 2002, obtained tax authority over non-renewable resources.

Counties and regions in Ontario rely on intergovernmental grants from municipalities.

*Coding.* *Provinces* score 4 for 1950–2006. The *Northwest Territories* scores 0 for 1950–1985, and 4 for 1986–2006; *Yukon* scores 0 for 1950–1977, and 4 for 1978–2006; *Nunavut* scores 4 for 1999–2006. *Counties* and *regions* in Ontario score 0 for 1950–2006.

## Croatia

*Županije* (cantons) receive their revenue from own and shared taxes. Own taxes include an inheritance and gifts tax, motor vehicles tax, vessels tax and tax on the organization of games and sports events. Cantons are free to set the rate, within centrally determined limits, of the inheritance and gifts tax. The base and rate of other

214 *L. Hooghe et al.*

taxes are set in the Law on the Financing of Self-government and Administration Units. This law also distributes part of the centrally collected income tax and profits tax to the cantons.

*Coding.* Croatia scores 0 for 1991–1992; *županije* score 1 for 1993–2006.

### **Cyprus**

No regional tier of government: 0 for 1960–2006.

### **Czech Republic**

*Kraje* receive a proportion of centrally collected taxes, for which the base and rate are set by the central government.

*Coding.* The Czech Republic scores 0 for 1993–1999; *kraje* score 0 for 2000–2006.

### **Denmark**

*Amter* receive over 90% of their revenues from a share of personal income tax. The remainder of their income comes from a land tax for which the rate and base are set by the central government. In 1973, *amter* gained the authority to adjust the rate of local income tax.

The home rule statutes of the Faroe Islands and Greenland provide the two special autonomous regions with authority over base and rate of direct and indirect taxes.

*Coding.* *Amter* score 0 for 1950–1972 and 3 for 1973–2006. The *Faroe Islands* scores 4 for 1950–2006. *Greenland* scores 0 for 1950–1972, 3 for 1973–1978 and 4 for 1979–2006.

### **Estonia**

No regional tier of government: 0 for 1992–2006.

### **Finland**

The deconcentrated *läänit* depend entirely on government funds. *Maakuntien* have no own income sources; they depend on contributions from member municipalities and/or central state contributions. Finnish taxation laws apply in *Åland*, and the base for income, corporate and sales taxes set by the central government, though *Åland* authorities have discretion over the rate. *Åland* has also the right to impose additional regional taxes.

*Coding.* *Läänit* score 0 for 1950–2006. *Maakuntien* score 0 for 1993–2006. *Åland* scores 3 for 1950–2006.

## France

The central government collects all taxes and sets the base. *Départements* can set the rate for self-employed tax, mining dues, town planning tax, electricity tax, gambling tax and, since 1982, motor vehicle tax. From 1972 *régions* are able to set the rate for self-employed tax and, from 1982 and in conjunction with *départements*, the motor vehicle tax.

Corsica is subject to the same rules as *régions*, except that setting the rate of motor vehicle tax remains an exclusive regional competence. Corsica receives also special development grants, which are unilaterally determined by the central government, and Corsican residents benefit from lower rates on a range of national taxes, including income tax, VAT, corporate tax and inheritance tax.

*Coding.* *Départements* score 1 for 1950–2006; *régions* score 1 for 1972–2006; and *Corsica* scores 1 for 1982–2006.

## Germany

Before 1966, *Länder* set base and rate of income, corporate, inheritance, property and vehicle taxes, while the federal government set customs and excise, VAT, and consumption taxes. The Basic Law gave the federal government the right to request a share of *Länder* income and corporate taxes.

The constitutional reform of 1966 divided the major taxes (income, corporate, value-added) about evenly between the federal government and *Länder*. The federal government sets the general framework, including base and rate, while *Länder* administer tax collection. There is extensive power sharing between *Länder* and federal government on taxation.

The Basic Law assigns some taxes exclusively to the federal government (customs duties, highway freight tax, taxes on capital transactions, levies imposed by the EU) and some taxes exclusively to the *Länder* (property tax, inheritance tax, motor vehicle tax, beer tax, tax on gambling). Exclusive *Länder* taxes constitute less than 10% of *Land* revenue sources.

*Kreise* receive a share of income revenue and value added tax. They also levy and determine the rates for local business tax and property tax. Both tax competencies are specified in the Basic Law. In addition, *Kreise* have some capacity to levy other taxes. These rules differ by *Land* and the amounts involved amount to less than 2% of total *Kreise* government revenue.

*Coding.* *Länder* score 4 for 1950–1965 and 2 for 1966–2006. (*Land*)*kreise* score 1 for 1950–2006. *Regierungsbezirke* score 0 for 1950–2006.

## Greece

*Peripheria* are dependent on transfers from the central state and EU. The budget of *nomoi* consists mainly of their share of centrally collected value-added taxes, tax on buildings, traffic duties, and car registration taxes, for which the central government

216 L. Hooghe et al.

determines base and rate. From 1998, *nomoi* gained some limited capacity to set fees and charges for transport and other services, but not to levy taxes.

*Coding.* *Nomoi* score 0 for 1950–2006; *periphéria* score 0 for 1986–2006.

### Hungary

The 1990 Act on Local Taxes grants counties (*megyék*) authority over five taxes: business tax, the communal tax (poll or payroll tax), urban land tax, property tax, and tax on tourism. The central government sets the base; the regional government determines which (if any) of the taxes it will levy and sets the rate up to a centrally determined ceiling. However, county revenue comes mostly from national grants financed from nationally collected personal income tax. Regions (*tervezési-statisztikai régiók*) are dependent on intergovernmental transfers and have no tax authority.

*Coding.* *Megyék* score 1 for 1990–2006 and *tervezési-statisztikai régiók* score 0 for 1999–2006.

### Iceland

No regional tier of government: 0 for 1950–2006.

### Ireland

Development regions and their successors, regional authorities, are dependent on intergovernmental transfers and have no tax authority. Their working budget comes primarily from national and EU grants, while operational costs and non-structural funds operations are financed by local authorities.

*Coding.* Ireland scores 0 for 1950–1986. *Development regions/regional authorities* score 0 for 1987–2006.

### Italy

Provinces (*province*) had limited fiscal autonomy until the 1974 tax reform centralized control of the base and rate of all taxes and reduced own taxes to a marginal share of provincial revenue. So at the same time that the central state devolved competencies, it strengthened control over the purse on grounds of equity. A major overhaul of the fiscal system in 1993 gave *province* greater revenue autonomy. Provincial taxes consist now of a supplemental fee on waste disposal services, vehicle registration, the use of public land and a surcharge on electricity consumption, but the rate is nationally constrained.

Regions (*regioni*) were dependent on government transfers from 1974 to 1992. The amount a region received was determined by how much it spent—not by its revenues. In 1993, regional governments obtained the right to raise several own taxes including vehicle tax, an annual surtax, a special tax on diesel cars, health taxes and a university

fee. *Regioni* set the rate within centrally determined limits. The 1997 reform allowed ordinary regions to set their rate of personal income tax up to a nationally determined ceiling and, since 2001, they can also set the rate on their share of value added taxes. The 2001 constitutional reform enshrined the principle of fiscal autonomy for regions and established an equalization fund that obliges the state to subsidize poorer regions.

The five special regions (and *Bolzano-Bozen* and *Trento*) have particular arrangements whereby they receive a share of taxes collected in their jurisdictions. While the central government sets the base of these taxes, the rate is negotiated in bilateral negotiations between the region and central government. This is scored as fiscal shared rule. Like ordinary regions, special regions had, until 1993, limited tax autonomy.

*Coding.* *Regioni a statuto ordinario* score 0 for 1972–1992, 1 for 1993–1996 and 3 for 1997–2006. *Regioni a statuto speciale* (including *Bolzano-Bozen* and *Trento*) score 0 for 1950–1992, 1 for 1993–1996 and 3 for 1997–2006. *Province* score 1 for 1950–1973, 0 for 1974–1992 and 1 for 1993–2006.

### Japan

Prefectures (*todofuken*) administer budgets amounting to 35% of general government expenditure, but they have relatively limited authority over revenues. About 25% of *todofuken* revenues consists of shared income and national value added taxes, and a local allocation tax, for which rate and base are set by the central government. Around 20% comes from earmarked central grants. Both types of revenues are designed to redistribute across the prefectures.

Prefectures also have thirteen of their own taxes, specified in the Local Tax Law. Prefectures can adjust the base and rate of certain corporation taxes and can adjust the rate on eight of the remaining taxes. Government restrictions were made more flexible in 1998 and, in 2000, new tax regulations considerably tightened the conditions under which central government can veto new prefectural taxes. The last five years have seen debate about further fiscal decentralization, including prefectural control over the rate of income tax. The most important prefectural taxes include an enterprise tax, an inhabitant tax, and a local consumption tax. Own taxes cover some 40% of revenues.

*Coding.* *Todofuken* score 1 for 1950–1999 and 2 for 2000–2006.

### Latvia

No regional tier of government: 0 for 1990–2006.

### Lithuania

*Apskritis* are dependent on intergovernmental transfers and have no tax authority.

*Coding.* Lithuania scores 0 for 1992–1994; *apskritis* score 0 for 1995–2006.

218 L. Hooghe et al.

### **Luxembourg**

No regional tier of government: 0 for 1950–2006.

### **Macedonia**

No regional tier of government: 0 for 1991–2006.

### **Malta**

No regional tier of government: 0 for 1964–2006.

### **Netherlands**

*Provincies* have limited fiscal autonomy. Central grants account for over 90% of provincial revenues. Such grants are either unconditional contributions from the *provinciefonds*, in which the central government deposits a share of annual income taxes, or are conditional grants for public transport, youth policy, and the environment. *Provincies* also have some of their own tax authority. They collect fees on water pollution, a ground water tax, a surcharge on the television and radio licence fee, and a surcharge on the motor vehicle tax. *Provincies* can adjust the rates for these taxes up to a maximum fixed by the central government.

*Coding.* *Provincies* score 1 for 1950–2006.

### **New Zealand**

Regions finance their operations primarily from property taxes, for which they can set base and rate within centrally determined limits. They can also levy special taxes on environmental services.

*Coding.* New Zealand scores 0 for 1950–1973; *regions* score 2 for 1974–2006.

### **Norway**

From 1975, *fylker* have received a share of the income tax for which they may increase or lower the rate within centrally determined limits. Before 1975, *fylker* received central grants.

*Coding.* *Fylker* score 0 for 1950–1974 and 3 for 1975–2006.

### **Poland**

*Województwa* receive a share of personal income tax and corporate income tax for which the central government sets base and rate. The transition from deconcentrated

to decentralized governance in 1999 did not appreciably alter the fiscal autonomy of the *województwa*.

*Coding.* *Województwa* score 0 for 1990–2006.

### Portugal

Deconcentrated *Comissões de Cooperação e Desenvolvimento Regional* depend on national and EU grants and have no autonomous tax authority. *Distritos* are deconcentrated state administrations. The autonomous regions of the Azores and Madeira have the right to tax within the framework of national law. They can levy regional taxes and, since 1999, set the rate of income, corporate and consumption taxes.

*Coding.* *Comissões de Cooperação e Desenvolvimento Regional* score 0 for 1979–2006. *Distritos* score 0 for 1976–2006. The *Azores* and *Madeira* score 2 for 1976–1998 and 3 for 1999–2006.

### Romania

The financial position of counties (*judete*) was uncertain until the passage of the 1994 law on public finance. From 1994 to 2003, *judete* had some fiscal autonomy. They set the rate, within a range specified by law, of property taxes (land, vehicles, buildings) and of local fees (permits etc.), and they could also establish, within the limits of national law, new regional taxes. In addition, *judete* received an annually determined share of national income tax. In 2003 central grants were made more predictable, but *judete* lost the power to set tax rates.

Development regions (*regiuni de dezvoltare*) are entirely dependent on national, local or EU transfers and have no tax authority.

*Coding.* *Judete* score 0 for 1991–1993, 1 for 1994–2002 and 0 for 2003–2006. *Regiuni de dezvoltare* score 0 for 1998–2006.

### Russian Federation

Federal subjects (*subwekty federacii*) have limited fiscal autonomy, though they spend about half of the general government budget.

The 1993 constitution stipulates that taxation is concurrent between the federation and the *subwekty federacii*, but the 1991 Law on the Basic Principles of Taxation gave the federal government authority over the base and rate of most major taxes. Exclusively federal taxes consisted of value added tax, export taxes (abolished in 1996), alcohol and vehicle excises, taxes on bank and insurance profits, taxes on currency exchange and securities, and customs duties. The federal government also set the base and rate of shared taxes, including personal income tax, corporate income tax, and excise taxes (except motor vehicle, and alcohol taxes). *Subwekty* set the rate, but not the base, of a tax on enterprise profits, on sales and assets, on forestry, and on water usage. The federal government and *subwekty* had concurrent powers on

220 L. Hooghe et al.

natural resource taxes. The implementation of this law was contested by *subwekty* and the federal government during the first half-decade of post-communist Russia, resulting in a series of bilateral tax arrangements. In almost all cases, however, *subwekty* set the rate of at least one major tax, the sales tax.

Legislation in 1997 and 1998 classified taxes into federal, regional, and local revenue sources, clarified revenue sharing, and required the federal government and *subwekty* to establish an equalization scheme for lower-level jurisdictions. The federal government retains the power to set base and rate for the most important taxes, including income tax and VAT; *subwekty federacii* can determine the rate on natural resource extraction, and levy a surtax on corporate income tax and sales taxes, for which they control the rate.

Federal districts (*federalnyye okruga*) are financed by the central government.

*Coding.* *Subwekty federacii* score 3 for 1993–2006. *Federalnyye okruga* score 0 for 2000–2006.

### Serbia and Montenegro

Under the 1992 constitution of the Yugoslav Federal Republic, both the federal government and the republics of Montenegro and Serbia had full authority over all taxes except some portion of sales taxes and customs and excise taxes. The constitutional revision of 2003, which created a confederation, transferred all fiscal powers to the republics.

In Serbia, tax authority is highly centralized, and *okruzi* and the autonomous provinces are dependent on central government transfers. The 2002 omnibus law devolved some limited financial autonomy to Vojvodina, which is entitled to a share of corporate income and personal income tax, the base and rate of which are set annually by the central government. Vojvodina also has the right to introduce certain own revenues, such as administrative or service fees, non-fiscal revenues, interest revenues from its provincial bank savings, revenues from the sale or rental of provincial property, etc., but not the right to introduce provincial taxes. About 70% of Vojvodina's budget comes from government transfers.

*Coding.* *Serbia and Montenegro* score 4 for 1992–2006. In Serbia, *okruzi* score 0 for 1992–2006. *Kosovo* scores 0 for 1992–1998 and *Vojvodina* scores 0 for 1992–2006.

### Slovakia

Until 2001, *kraje* were state administrations and depended on state funding. Since 2002, *samosprávne kraje* are self-governing, but they have no fiscal autonomy. They are dependent on intergovernmental transfers.

*Coding.* Slovakia scores 0 for 1993–1995. *Kraje* score 0 for 1996–2001. *Samosprávne kraje* score 0 for 2002–2006.

### Slovenia

No regional tier of government: 0 for 1991–2006.

## Spain

There are two tax regimes for *comunidades autónomas*: a special foral tax regime for Navarre and the Basque Country, and a common regime for the remaining *comunidades*. The power of *comunidades autónomas* to spend has been greater than their power to raise their own revenues.

Under the foral regime, which was established in the constitution of 1978, Navarre and the Basque country collect income, corporate, inheritance and wealth taxes and are able to set the rate and base within centrally determined limits. Taxes are collected at the regional level and a portion is remitted to the central government after negotiations.

The common tax regime for *comunidades autónomas* ceded extensive regional control over spending, but little control over revenue until the reform of 1997, which transformed a tax transfer regime into a tax sharing regime, allowing regions to set tax rates for income, wealth, inheritance and gifts, real estate, and stamp tax, and the base and rate on gambling. *Comunidades autónomas* can introduce new taxes if not already levied by central government. 2001 legislation gave *comunidades* one third of the income tax and 35% of tobacco, electricity, transportation tax.

*Provincias* control property tax, a surcharge on the municipal business tax, and a motor vehicle tax. They also have the right to tax buildings and facilities and urban property.

Ceuta and Mellila are entitled to an additional share of state taxes and an additional 50% of the fiscal portion of municipal taxes levied by the two enclaves. In other respects, their fiscal regime is similar to that of other *comunidades*.

*Coding.* *Comunidades autónomas*, including *Ceuta* and *Mellila*, score 2 from 1978–1996 and 3 for 1997–2006. The *Basque Country* and *Navarre* score 4 for 1978–2006. *Provincias* score 2 for 1978–2006.

## Sweden

The main income source for *län* is local income tax, which accounts for about 75% of county income. The tax base is set by central government but the *län* can determine the level of the flat rate they can levy.

*Coding.* *Län* score 3 for 1950–2006.

## Switzerland

The constitution grants fiscal autonomy primarily to the *cantons* and only secondarily to the confederation. Cantons are largely free to structure and frame their tax system. The only restrictions are prohibitions on double taxation, on indirect taxation (VAT and special consumption taxes), which are exclusively federal taxes, and on intercantonal tariff barriers. Personal income, wealth and corporate income tax are concurrent between cantons and federal government, with the understanding that changes in federal taxation are subject to cantonal agreement, constitutional amendments and, therefore, popular referendum. While there has been some harmonization of cantonal

222 L. Hooghe et al.

taxation regimes, cantons still define their own bases, rates and the amounts of allowances and deduction, and so there remain widely varying taxation levels throughout Switzerland. In addition, cantons have the exclusive right to tax motor vehicles.

*Coding.* Cantons score 4 for 1950–2006.

### **Turkey**

Provinces (*iller*) self-generate only one or two percent of their revenue; for the rest they depend on central funding. Base and rate of *iller* taxes are determined by the central government.

*Coding.* *Iller* score 0 for 1950–2006.

### **United Kingdom**

Counties receive income from a property tax and conditional and unconditional government grants. Between 1950 and 1993, counties could set the rate of a property tax on the notional rental value of a dwelling. In 1984, central government capped the rate and, in 1990, Prime Minister Thatcher tried to replace the property tax with a community charge, better known as the poll tax, which was a uniform tax per individual designed to cover the cost of community services. Counties could determine the level of the tax. The community charge became deeply unpopular because it varied wildly from county to county and yet affected rich and poor in each county equally. Public discontent regarding the poll tax precipitated Thatcher's resignation, and her successor replaced the unpopular tax with a council tax, which is similar to the old property tax.

Regions in England are dependent on central government grants. However, the Greater London Development Authority has some discretion to set the rate of regional taxes and it can introduce fees and charges, such as the congestion charge.

Of the special autonomous regions, only the Scottish Parliament has some fiscal autonomy. Scotland has the power to vary the basic rate of income tax by up to three pence in the pound. The devolved administrations in Wales and Northern Ireland have no tax-varying powers, and remain reliant on central government grants.

*Coding.* Counties score 1 for 1950–2006. Regions score 0 for 1994–2006, except for the *Greater London Authority*, which scores 1 for 2000–2006. *Scotland* scores 0 for 1950–1998 and 3 for 1999–2006; *Wales* and *Northern Ireland* score 0 for 1964–2006 and 1950–2006, respectively.

### **United States of America**

Taxes are concurrent between the federal government and states. Both levy personal income, general sales, corporate income, and selective sales taxes. At the federal level, personal income and payroll taxes are the most important revenue source, whereas it is usually the sales tax for state governments. Each state has its own tax

system. Congress fixed the base and rate of taxes in Alaska and Hawaii when they were territories.

Since 1973, Washington DC has had similar taxation powers to the states, even though Congress retains ultimate authority. From 1995 to 2000, home rule was suspended. A federal control board took over the budget and, with it, the management of most city projects. In 2001, the elected DC government regained budgetary control.

Counties and their equivalents rely on property taxes for around 70% of their revenue. The base is determined by the state and the tax is collected by the state before being transferred to counties. In some states, they receive a share of sales and income taxes which are usually collected by the state, and then transferred.

*Coding.* States score 4 for 1950–2006. Territories score 0 for 1950–1958. Washington DC scores 0 for 1950–1972, 4 for 1973–1994, 0 for 1995–2000 and 4 for 2001–2006. Counties, regions and regional councils score 1 for 1950–2006 for applicable states/years.

### III. Representation

#### Albania

Since their creation in 2000, regional *qark* councils have been indirectly elected from communal and municipal representatives of the respective region's jurisdiction; mayors of the municipalities and the chairmen of communal councils are *ex officio* members. Executive power is exercised by the prefect who is appointed by the national government.

*Coding.* Albania scores 0 (assembly) and 0 (executive) for 1992–1999; *qarku* score 1, 0 for 2000–2006.

#### Australia

States and territories hold elections at least once every four years, except Queensland, which has a three-year parliamentary term. Each state and each territory has a parliament and an executive appointed by, and accountable to, the assembly. There is also a (mostly ceremonial) governor appointed by the Queen on the recommendation of the Australian federal government.

The Australian Capital Territory held its first direct elections in 1989, and its executive was appointed by its assembly. From 1947, the Northern Territory had an assembly, the majority of which consisted of government appointees. Directly elected members became the majority in 1960 and, from 1965, the executive head was elected by the assembly. In 1974 the assembly of the Northern Territory became entirely elected with a fully accountable executive.

*Coding.* States score 2 (assembly) and 2 (executive) for 1950–2006. The Australian Capital Territory scores 0, 0 for 1950–1988 and 2, 2 for 1989–2006. The Northern Territory scores 0, 0 for 1950–1959; 2, 0 for 1960–1964 and 2, 2 for 1965–2006.

### Austria

*Länder Landtage* are directly elected every five or six years depending on the *Land*. The *Landtag* elects its own *Landeshauptmann* and government.

*Coding.* *Länder* score 2 (assembly) and 2 (executive) for 1955–2006.

### Belgium

Provincial councils have been directly elected since 1830 on a six-year cycle in conjunction with local elections. The provincial executive is dual: the executive head, the governor, is appointed by the regional government (until 1994, the national government), and the remainder of the executive is elected by the provincial council.

From 1970–1980, communities had indirectly elected councils consisting of the members of the lower and upper house of the relevant linguistic community; the executive was lodged in the national government. From 1980, the same principle was applied to the regions, which acquired indirectly elected councils. In the following years, pressure for popularly elected councils increased. In 1989, the Brussels Capital Region became directly elected; in 1995, the Flemish Council, Walloon Regional Council and French Community Council followed. Since 1995, regional and community assemblies are elected on a five-year cycle coinciding with European elections. A constitutional revision in 2005 renamed these councils into parliaments.

The German community followed a separate path: direct elections of the council from 1974, and an executive elected by the council from 1984.

*Coding.* Raw scores: The Flemish and French community score 1, 0 for 1970–1979; 1, 2 for 1980–1994; and 2, 2 for 1995–2006. The German community scores 0, 0 for 1970–1973; 2, 0 for 1974–1983 and 2, 2 for 1984–2006. The Walloon region scores 1, 2 for 1980–1994 and 2, 2 for 1995–2006. The Brussels region scores 0, 0 for 1980–1988 and 2, 2 for 1989–2006.

Aggregated scores: The *Flemish* and *French community* score 1, 0 for 1970–1979; 1, 2 for 1980–1988; 1.1, 2 (Flemish) or 1.4, 2 (French) for 1989–1994; 2, 2 for 1995–2006. The *German community* scores 0, 0 for 1970–1973; 2, 0 for 1974–1983; and 2, 2 for 1984–2006. *Provinces* score 2 (assembly) and 1 (executive) for 1950–2006.

### Bosnia and Herzegovina

Elections for the parliaments of the Federation of Bosnia and Herzegovina and *Republika Sprska* are held every four years. Elections for the cantonal parliaments in the *Federacija* are every four years. All parliaments elect their own executives.

*Coding.* The *Federacija Bosne i Hercegovine*, the *Republika Sprska*, and the *cantons* score 2 (assembly) and 2 (executive) for 1995–2006.

### Bulgaria

Central government appoints the governor of each *oblast* and there is no regional assembly.

*Coding.* *Oblasti* score 0 (assembly) and 0 (executive) for 1991–2006.

### Canada

Provinces have a unicameral parliament which is directly elected every four years. The Queen appoints a ceremonial government representative, the Lieutenant-Governor, in each province. Provincial governments are elected from and responsible to the provincial parliaments.

Territories evolved from quasi-colonial status without democratic representation to directly elected parliaments with responsible executives. From 1897 to 1905, the Northwest Territories (NWT) had an elected government resembling that of a province, but when Saskatchewan and Alberta were created, the rump of the NWT slipped back into quasi-colonial status. For the next half-century, an Ottawa-appointed commissioner and council ran the NWT. This began to change in the 1950s, when the proportion of directly elected council members was gradually increased. By 1966, the majority of council members were popularly elected, while the executive remained appointed by Ottawa. Responsible government—an executive responsible to a popularly elected regional assembly—gradually developed. In 1975, the first two elected representatives were appointed to the Commissioner’s ‘Executive Committee’. Fully responsible government arrived in 1979, when a Premier elected within the legislature replaced a federally appointed Commissioner. Yukon had a popularly elected Council from 1909; from 1970, the government-appointed executive was assisted by two elected representatives; in 1978, its executive became fully responsible to the council. When Nunavut (carved out of the NWT) was set up in 1999, it received a directly elected council with a government responsible to it.

Only Ontario has a second-tier intermediate level large enough to be incorporated in the index. Counties and regions have councils composed of mayors and/or councillors elected by and from the constituent municipalities’ councils. The council doubles as the executive (counties) or can establish committees with executive powers (regions).

*Coding.* *Provinces* score 2 (assembly) and 2 (executive) for 1950–2006. The *Northwest Territories* score 0, 0 for 1950–1965; 2, 0 for 1966–1974; 2, 1 for 1975–1978; and 2, 2 for 1979–2006. *Yukon* scores 2, 0 for 1950–1969; 2, 1 for 1970–1977; and 2, 2 for 1978–2006. *Nunavut* scores 2, 2 for 1999–2006. *Counties* and *regions* score 1, 2 for 1950–2006.

### Croatia

*Županije* assemblies are directly elected every four years. The prefect is elected by the assembly.

*Coding.* Croatia scores 0 (assembly) and 0 (executive) for 1991–1992; *županije* score 2 (assembly) and 2 (executive) for 1993–2006.

### Cyprus

No regional institutions.

### Czech Republic

*Kraje* assemblies are directly elected every four years. Deputies elect the *kraje* executive.

*Coding.* The Czech Republic scores 0 (assembly) and 0 (executive) for 1993–1999, and *kraje* score 2, 2 for 2000–2006.

### Denmark

From 1950 to 1969, the councils of the *amtskommuner* were indirectly elected by municipal councils. The executive head of the *amtskommun* was a centrally appointed state official. This changed in 1970, when the council became directly elected on a four-year electoral cycle (and *amtskommuner* were renamed into *amter*). The executive is elected by the council, except for the prefect, who remains a government appointee.

The special autonomous regions of the Faroe Islands and Greenland have always had directly elected assemblies which choose their own executives. Elections are held every four years.

*Coding.* *Amtskommuner* score 1 (assembly) and 0 (executive) for 1950–1969 and 2, 1 for 1970–2006. *Greenland* scores 0, 0 for 1950–1952 as colony; 1, 0 for 1953–1969 and 2, 1 for 1970–1978 for its tenure as an *amtskommun*; and 2, 2 for 1979–2006 under home rule. The *Faroe Islands* score 2, 2 for 1950–2006.

### Estonia

No regional institutions.

### Finland

*Läänit* are deconcentrated administrations. The councils of the level below, the *maakuntien*, consist of municipal representatives in the region, who elect their executive board. Currently, the only region with a popular election for the council is Kainuu.

The Åland Islands have a parliament (*lagting*) which is popularly elected every four years. The parliament elects its government.

*Coding.* *Läänit* score 0 (assembly) and 0 (executive) for 1950–2006. *Maakuntien* score 1, 2 for 1993–2006. *Kainuu* scores 2, 2 for 2004–2006. The Åland Islands score 2, 2 for 1950–2006.

### France

The general councils of *départements* are directly elected every six years on a three-year rotation. From 1982, the president has been elected by the general council and presides over the executive. There is also a government-appointed departmental prefect who, since 1982, is primarily responsible for *post-hoc* legal oversight.

From 1964, each *région* had a centrally appointed prefect. 1972 saw the establishment of indirectly elected regional councils composed of all nationally elected politicians from the region alongside indirectly elected representatives from subnational governments. The regional executive was headed by a government-appointed prefect. From 1982, regional councils elected their own president and, from 1986, regional assemblies were popularly elected on a six-year cycle. The regional prefect remains responsible for *post-hoc* legal oversight and some limited policy tasks.

Corsica has had its own direct elections and an executive elected by the assembly from 1982. As in other regions, executive power is shared with a government-appointed prefect.

*Coding.* *Départements* score 2 (assembly) and 0 (executive) for 1950–1981 and 2, 1 for 1982–2006. *Régions* score 0, 0 for 1964–1971; 1, 0 for 1972–1981; 1, 1 for 1982–1985; and 2, 1 for 1986–2006. *Corsica* scores 2, 1 for 1982–2006.

### Germany

*Land* and *Kreis* assemblies are directly elected every four or five years. *Länder* and *Kreise* executives are elected by their assemblies.

*Regierungsbezirke* are appointed by *Land* governments. They have no representative bodies, except in North-Rhine Westphalia, where they have a consultative assembly composed primarily of locally elected politicians from *Gemeinde* and *Kreise*.

*Coding.* *Länder* and *Kreise* score 2 (assembly) and 2 (executive) for 1950–2006. *Regierungsbezirke* score 0, 0 (and 1, 0 in North-Rhine Westphalia from 2001).

### Greece

Before 1994, *nomoi* were deconcentrated administrations, though there was also a weak advisory council composed of interest groups and local representatives. Since 1994, popular elections on a four-year cycle elect a council, which also selects a prefect from the council's majority.

*Peripheria* were deconcentrated administrations until the introduction in 1996 of a consultative body composed of *nomoi* prefects in the jurisdiction, representatives of local authorities, the executive head of the *peripheria*, and representatives of various regional-level public interest groups. The executive head is appointed by the national government.

*Coding.* *Nomoi* score 0 (assembly) and 0 (executive) for 1950–1993 and 2, 2 for 1994–2006. *Peripheria* score 0, 0 for 1986–1996 and 1, 0 for 1997–2006.

### Hungary

From 1990 to 1993, assemblies of *megyék* (counties) were indirectly elected by municipalities, and these assemblies elected their executive. Since 1994, *megye* councils are

228 L. Hooghe et al.

directly elected, and the president of the council is elected by, and responsible to, the assembly.

Consultative councils at the regional level were established in 1999. They are composed mainly of government appointees and *ex officio* members, a minority of whom represent local authorities. The executive of the regional development council is centrally appointed.

*Coding.* *Megyék* score 1 (assembly) and 2 (executive) for 1990–1993 and 2, 2 for 1994–2006. *Regional development councils* score 0, 0 for 1999–2006.

### Iceland

No regional institutions.

### Ireland

Development regions had no indirect or direct representation, but their successors since 1994, the regional authorities have a council composed of representatives from local authorities. Each regional authority council appoints its own executive.

*Coding.* Ireland scores 0 (assembly) and 0 (executive) for 1950–1986. *Development regions* score 0, 0 for 1987–1993; *regional authorities* score 1, 2 for 1994–2006.

### Italy

Elections for provincial councils are direct and take place every five years. Until 1993, the council elected the president of the *provincia*, and thereafter the president became directly elected. Each province had also a government-appointed prefect with considerable executive authority. Since the 2001 constitutional reform, the prefect's office has been redefined. His tasks have been limited to responsibility for law and order, emergency measures and *ex post* control over local and provincial decisions.

From 1972, regional assemblies of ordinary *regioni* are directly elected and elections take place every five years. The regional president was directly elected from 1999, except where a regional statute provides otherwise. Special statute *regioni* have had directly elected assemblies and executives elected by the assembly since 1950 or, since 1963, for *Friuli–Venezia–Giulia*. *Trentino-Alto Adige/Südtirol* has an indirectly elected council composed of the elected councillors of the provinces of *Bolzano-Bozen* and *Trento*.

*Coding.* *Province* score 2 (assembly) and 1 (executive) for 1950–2006. *Regioni a statuto ordinario* score 2, 2 for 1972–2006, *regioni a statuto speciale* score 2, 2 for 1950–2006, *Trentino-Alto Adige/Südtirol* scores 1, 2. The provinces of *Bolzano-Bozen* and *Trento* score 2, 1 for 1950–1971 and 2, 2 for 1972–2006.

### Japan

The prefectural assembly as well as the governor are directly elected every four years.

*Coding.* *Todofuken* score 2 (assembly) and 2 (executive) for 1950–2006.

### **Latvia**

No regional institutions.

### **Lithuania**

*Apskritys*, created in 1995, have an advisory council composed of the governor, deputy governor, and mayors of municipalities in the county. The governor is appointed by central government.

*Coding.* Lithuania scores 0 (assembly) and 0 (executive) for 1992–1994, and *apskritys* score 1, 0 for 1995–2006.

### **Luxembourg**

No regional institutions.

### **Macedonia**

No regional institutions.

### **Malta**

No regional institutions.

### **Netherlands**

Provincial elections take place every four years. The head of the executive, the Queen's commissioner, is appointed by the central government upon a proposal of the provincial assembly. The other members of the executive are elected by the provincial assembly.

*Coding.* *Provincies* score 2 (assembly) and 1 (executive) for 1950–2006.

### **New Zealand**

From 1974 to 1988 regions had indirectly elected regional councils consisting of representatives from territorial authority councils, except for Auckland and Wellington, which had directly elected councils and executives responsible to them. Direct elections have taken place since 1989, and the directly elected council doubles as the executive.

*Coding.* *Regions* score 1 (assembly) and 2 (executive) for 1974–1988 and 2, 2 for 1989–2006. *Auckland* and *Wellington* have 2, 2 for the whole period.

### Norway

Until 1974, *fylke* councils were composed of municipal representatives, and the executive led by the governor (*fylkesmann*) was appointed by the central government. From 1975, *fylke* councils became directly elected on a four-year cycle, and they select their executives. However, the government-appointed *fylkesmann* remains in place, and his authority has been strengthened in the 1990s.

*Coding.* *Fylker* score 1 (assembly) and 0 (executive) for 1950–1974 and 2, 1 for 1975–2006.

### Poland

From 1990 to 1998, *województwa* had an advisory council composed of delegates from municipalities, while the executive head was appointed by the central government. Since 1999, *województwa* have popularly elected councils, and the executive, including the head or *marszałek*, is elected by and responsible to the council. Elections take place every four years.

*Coding.* *Województwa* score 1 (assembly) and 0 (executive) for 1990–1998 and 2, 2 for 1999–2006.

### Portugal

Planning regions (*comissões de cooperação e desenvolvimento regional*) have no democratic representation, though they are advised by two consultative chambers—one for sectoral interests and one for municipal interests. Elected local representatives do not constitute a majority in these councils.

*Distritos* have a district assembly which is dominated by local interests. It is comprised of representatives of municipal councils, municipal assemblies and parish councils. Executive power is in the hands of a civil governor, appointed by the central government, and he is assisted by an advisory body comprising of four members elected by the district assembly and four policy specialists appointed by the central government.

In the Azores and Madeira, assemblies are directly elected on a four-year cycle, and the regional government is responsible to the assembly.

*Coding.* *Comissões de cooperação e desenvolvimento regional* score 0 (assembly) and 0 (executive) for 1979–2006. *Distritos* score 1, 0 for 1976–2006. The *Azores* and *Madeira* score 2, 2 for 1976–2006.

### Romania

*Judete* councils are directly elected every four years and they elect their own executives. Each *judet* has also a government-appointed prefect.

Each development region (*regiuno de dezvoltare*) has an advisory council composed of the chairs of the *judet* councils, *judet* prefects and elected representatives from local

government. Government-appointed *judet* prefects have no voting power. The council appoints the agency that exercises executive authority.

*Coding.* *Judete* score 2 (assembly) and 1 (executive) for 1991–2006. Development regions (*regiuni de dezvoltare*) score 1, 2 for 1998–2006.

### Russian Federation

*Subwekty federacii* have had popularly elected assemblies since 1993. There have been major changes on the executive side represented by governors (or in republics, presidents). Between 1993 and 1996, governors of *subwekty* were appointed by the Russian president, except in the republics, where presidents were elected by the assembly or directly elected. In 1996, governors and presidents of all *subwekty federacii* became popularly elected. From 2005, direct election of regional executives was replaced with a system under which regional legislatures confirm candidates nominated by the president. This is scored as a dual executive because the executive needs support from both the central government and the regional assembly.

Federal district presidential envoys are appointed by the central government, and there is no assembly at this level.

*Coding.* 21 republics (*respubliki*) score 2 (assembly) and 2 (executive) for 1993–2004 and 2, 1 for 2005–2006. Remaining *Subwekty federacii* score 2, 0 for 1993–1995, 2, 2 for 1996–2004 and 2, 1 for 2005–2006. *Federal districts* score 0, 0 for 2000–2006.

### Serbia and Montenegro

The parliaments of Serbia and Montenegro and, within Serbia, the assemblies of the autonomous provinces of Vojvodina and Kosovo, are directly elected on a four-year cycle. All assemblies choose their executives. *Okruzi* in Serbia do not have self-government.

*Coding.* *Serbia, Montenegro* and *Vojvodina* score 2 (assembly) and 2 (executive) for 1992–2006. *Kosovo* (or *Kosomet*) scores 2, 2 for 1992–1998. *Okruzi* score 0, 0 for 1992–2006.

### Slovakia

*Samosprávne kraje*'s predecessors, *kraje*, were state organs. Since 2002, *samosprávne kraje* have directly elected councils, and the chairperson of the executive is also directly elected. Elections take place every four years. Yet the deconcentrated *kraje* state offices remain, which makes Slovakia's regional government dual.

*Coding.* Slovakia scores 0 (assembly) and 0 (executive) for 1992–1995. *Kraje* score 0, 0 for 1996–2001. *Samosprávne kraje* score 2, 1 for 2002–2006.

232 L. Hooghe et al.

### Slovenia

No regional institutions.

### Spain

Provincial councils are elected by and from municipal councillors, and the president of the executive is elected by the provincial council.

Catalonia, the Basque Country, Galicia and Andalusia hold direct elections on a date set by their assembly. The first elections took place in Catalonia and the Basque Country in 1980, followed by Galicia (1981) and Andalusia (1982). Direct elections were introduced in all other *comunidades autónomas* in 1983, where they take place every four years. The special autonomous regions of Ceuta and Mellila have had a popularly elected council since 1978. In all *comunidades* and special autonomous regions, executives are elected by and from the councils.

*Coding.* *Provincias* score 1 (assembly) and 2 (executive) for 1978–2006. *Catalonia* and the *Basque Country* score 2, 2 for 1980–2006; *Galicia* scores 2, 2 for 1981–2006 and *Andalusia* for 1982–2006; the other *comunidades autónomas* score 2, 2 for 1983–2006. *Ceuta* and *Mellila* score 2, 2 for 1978–2006.

### Sweden

Between 1950 and 1970 *landsting* assemblies were composed of indirectly elected local representatives, and the executive head was a government appointee (*landshövding*). From 1971, *landsting* assemblies are directly elected, and the assembly elects its own executive. Elections take place every four years in conjunction with municipal and national elections. At the same time, *landsting* share authority with deconcentrated *länsstyrelser* under the direction of government-appointed governors.

*Coding.* *Län* score 1 (assembly) and 0 (executive) for 1950–1970 and 2, 1 for 1971–2006.

### Switzerland

Popular elections for cantonal parliaments take place every four years. The parliaments elect executives.

*Coding.* *Cantons* score 2 (assembly) and 2 (executive) for 1950–2006.

### Turkey

Until 1960, *iller* constituted deconcentrated government. Beginning in 1961, the councils of the *iller* have been popularly elected every five years. The central government appoints governors.

*Coding.* *Iller* score 0 (assembly) and 0 (executive) for 1950–1960 and 2, 0 for 1961–2006.

### United Kingdom

There are currently popularly elected assemblies in four of the country's twelve regions. Northern Ireland has had an elected assembly and responsible government since 1921, except when devolution was suspended, as it was for the years 1972–1999 and from October 2002 to May 2007. Scotland and Wales acquired directly elected assemblies in 1999. Scotland also obtained an executive responsible to the assembly, while the role of the Scottish secretary of state in the national government was scaled back to being a liaison officer. The Welsh Assembly was invested with some executive powers, but had to share these with the Welsh secretary of state in the central government. In 2006, the Welsh Act was revised to provide Wales with its own self-governing executive; this arrangement came into effect after the Welsh 2007 elections. A dual executive arrangement is also in place for Northern Ireland.

From 2000, Greater London has had a popularly elected council and mayor.

The eight remaining English regions have consultative councils in which local government representatives predominate. The executive head is a government appointee.

*Counties* have popularly elected councils, which appoint their executive. In 1996, reforms replaced counties in Scotland, Wales and half of England with unitary authorities, which no longer meet the criterion of intermediate government.

*Coding.* *Northern Ireland* scores 2 (assembly) and 1 (executive) for 1950–1971 and 2000–2002 and 0, 0 for the years under suspension, 1972–1999 and 2003–2006. *Scotland* scores 0, 0 for 1950–1998; 2, 2 for 1999–2006. *Wales* scores 0, 0 for 1950–1998; 2, 1 for 1999–2006. *Greater London* scores 2, 2 for 2000–2006. English *regions* score 0, 0 for 1994–1997; 1, 0 for 1998–2006. *Counties* score 2, 2 for applicable years and parts of the UK.

### United States of America

State assemblies and governors are directly elected every four years. As territories, Alaska and Hawaii had a government-appointed governor and directly elected senate (every four years) and house (every two years). Washington DC has had a popularly elected council and mayor since 1973. The powers of the mayor were controlled by a Congress-appointed board during the time that home rule was suspended. This is scored as dual government.

Counties have directly elected councils. Sometimes the executive is directly elected, and sometimes the county council combines legislative and executive tasks. Regions in Massachusetts and Connecticut have similar institutions.

*Coding.* *States* score 2 (assembly) and 2 (executive) for 1950–2006. *Alaska* and *Hawaii* score 2, 0 for 1950–1958 and 2, 2 for 1959–2006. *Washington DC* scores 0, 0 for 1950–1972; 2, 2 for 1973–1994; 2, 1 for 1995–2000; 2, 2 for 2001–2006. *Counties* and *regions* score 2, 2 for 1950–2006 for relevant states and years.

### Shared Rule

Four types of shared rule or power sharing—summarized in the table below—are scored. Scoring is cumulative for law making, and ordinal for the other types of shared rule. With minor adjustments, the same coding scheme applies to special autonomous regions. The scoring is summarized in a country table at the end of each profile.

| Regions and asymmetrical regions   |            | Special autonomous regions   |
|--|------------|--|
| A. Law making  |            | A. Law making  |
| Regions are the unit of representation in the national legislature.  | <b>0.5</b> | The region is the unit of representation in the national legislature.  |
| Regional governments designate representatives in the legislature.   | <b>0.5</b> | The regional government designates representatives in the legislature.   |
| Regions at a given level have majority representation in the legislature.  | <b>0.5</b> | The regional government or regional representatives in the legislature are consulted on national legislation affecting the region. |
| A legislature based on regional representation has extensive legislative authority.  | <b>0.5</b> | The regional government or regional representatives in legislature have veto power over national legislation affecting the region. |
| B. Executive control   |            | B. Executive control   |
| No routine meetings between central government and regional governments to discuss national policy.                                | <b>0</b>   | No routine meetings between central government and regional government to discuss national policy affecting the region.            |
| Routine meetings between central government and regional governments <i>without</i> legally binding authority.                     | <b>1</b>   | Routine meetings between central government and the regional government <i>without</i> legally binding authority.                  |
| Routine meetings between central government and regional governments <i>with</i> legally binding authority.                        | <b>2</b>   | Routine meetings between central government and the regional government <i>with</i> legally binding authority.                     |
| C. Fiscal control  |            | C. Fiscal control  |
| Regional governments or their representatives in the legislature are not consulted over the distribution of national tax revenues. | <b>0</b>   | The regional government is not consulted over the distribution of tax revenues affecting the region.                               |

(Continued)

| Regions and asymmetrical regions   |          | Special autonomous regions  |
|--|----------|---|
| Regional governments or their representatives in the legislature negotiate with central government over the distribution of national tax revenues, but do not have a veto. | <b>1</b> | The regional government negotiates with central government the distribution of tax revenues affecting the region, but does not have a veto.                 |
| Regional governments or their representatives in the legislature have a veto over the distribution of national tax revenues.   | <b>2</b> | The regional government has a veto over the distribution of tax revenues affecting the region.  |
| D. Constitutional reform   |          |   |
| The central government and/or national electorate can unilaterally change the constitution.  | <b>0</b> | The national government or electorate decides unilaterally on constitutional change affecting the region's position in the national state.                  |
| A legislature based on regional representation must approve constitutional change; or constitutional change requires a referendum based on equal regional representation.  | <b>1</b> | The regional government is consulted on constitutional change affecting the region's position in the national state, but consultation is not binding.       |
| Regional governments are a directly represented majority in a legislature which can raise the decision hurdle, but not veto constitutional change.                         | <b>2</b> | The regional government and central government co-decide constitutional change affecting the region's position in the national state: both have veto power. |
| Regional governments are a directly represented majority in a legislature which can veto constitutional change.  | <b>3</b> | The regional government can unilaterally accept or reject constitutional change affecting the region's position.  |

### Albania

No regional power sharing.

### Australia

*Law making.* States and territories monopolize representation in the directly elected Senate which can veto proposals from the lower house. In cases of legislative deadlock, the Governor-General can dissolve one or both chambers. Each state is represented in the Senate by six or more senators and territories have two senators each. The Australian Capital Territory gained Senate representation in 1973 and the Northern Territory in 1978. Territories are consulted on legislation that affects their region, but cannot exert a veto.

*Executive control.* The first conferences of the premiers of Australian states took place after the First World War. The first Commonwealth/state intergovernmental forum was the Loan Council (1927) to manage public debt and borrowing. Soon thereafter ministerial councils were created for agriculture, transport, immigration, education, and regional development. These councils met regularly and could reach binding decisions leading to federal or federal-state legislation. In 1992, ministerial councils were brought under the umbrella of the Council of Australian Governments (COAG) which includes the Prime Minister, State Premiers, Territory Chief Ministers, and the President of the Australian Local Government Association (ALGA). By 2006, there were over 40 Commonwealth-State Ministerial Councils and forums. Decisions are usually taken by unanimity.

*Fiscal control.* Fiscal intergovernmental relations have always been highly institutionalized, but until 1998, there was no formal binding mechanism. The Premiers' Conference is the most senior forum and meets at least once a year to deliberate fiscal transfers, but it does not reach binding decisions on finance. The Loan Council was set up in 1927 to co-ordinate federal and state borrowing; decisions made by the Loan Council can be binding. It also assists the Premiers' conference in its fiscal discussions. Since 1933, the Commonwealth Grants Commission, a standing body of independent experts, advises the federal government on equalization transfers.

In 1999, the ministerial council for Commonwealth–state financial relations was set up to oversee implementation of the intergovernmental agreement which changed base and rate of a new general sales tax. Decisions are taken by unanimity, and representatives of the territories have equal voting rights.

*Constitutional reform.* Constitutional amendments require absolute majorities in both chambers of parliament and then must pass referenda in a majority of states/territories. The percentage of yes votes must represent a majority of the Australian electorate. If there is disagreement between the chambers, the objections of one chamber can be overridden if the amendment passes the other chamber by absolute majority after a reflection period of at least three months and after passing a national referendum.

Territorial governments are not consulted and do not have a veto when their Acts are amended.

| Region                       | Years     | Law making |   |     |     | Executive control | Fiscal control | Constitutional reform |
|------------------------------|-----------|------------|---|-----|-----|-------------------|----------------|-----------------------|
|                              |           | a          | b | c   | d   |                   |                |                       |
| States                       | 1950–1998 | 0.5        | 0 | 0.5 | 0.5 | 2                 | 1              | 1                     |
|                              | 1999–2006 | 0.5        | 0 | 0.5 | 0.5 | 2                 | 2              | 1                     |
| Northern Territory           | 1950–1977 | 0          | 0 | 0   | 0   | 0                 | 0              | 0                     |
|                              | 1978–1998 | 0.5        | 0 | 0.5 | 0   | 2                 | 1              | 0                     |
|                              | 1999–2006 | 0.5        | 0 | 0.5 | 0   | 2                 | 2              | 0                     |
| Australian Capital Territory | 1950–1972 | 0          | 0 | 0   | 0   | 0                 | 0              | 0                     |
|                              | 1973–1988 | 0.5        | 0 | 0.5 | 0   | 0                 | 0              | 0                     |
|                              | 1989–1998 | 0.5        | 0 | 0.5 | 0   | 2                 | 1              | 0                     |
|                              | 1999–2006 | 0.5        | 0 | 0.5 | 0   | 2                 | 2              | 0                     |

### Austria

*Law making.* The upper chamber (*Bundesrat*) is composed of representatives elected by *Land* parliaments (not *Land* executives). Each *Land* is allotted a number of seats proportional to its population and these are divided among political parties according to their representation in the *Land* parliament. The *Bundesrat* can initiate and vote on most legislation, but it can be overridden by a simple majority in the lower house.

*Executive control.* Federal and *Land* governments hold regular intergovernmental meetings. While the norm is to decide by consensus, even unanimity among *Länder* does not formally bind the federal government, which can use constitutional ‘escape clauses’ to override *Länder* requests for participation in national and European policy making.

*Fiscal control.* *Länder* can influence the base and rate of shared taxes, since they are represented in the upper chamber. However, the upper chamber has no veto over taxation.

*Constitutional reform.* Up to 1984, the *Bundesrat* did not have a veto over constitutional amendments, though its consultation was required. It had also the power to postpone constitutional reform, and could require a popular referendum if there was a ‘total revision’ (*Gesamtänderung*) of the constitution. A 1984 constitutional change gave the *Bundesrat* the authority to veto constitutional changes that directly affect the federal–*Land* distribution of competencies or the organisation of the *Bundesrat*. Constitutional amendments now require a majority or super-majority (depending on the issue) in the *Bundesrat*.

| Region | Years     | Law making |     |     |   | Executive control | Fiscal control | Constitutional reform |
|--------|-----------|------------|-----|-----|---|-------------------|----------------|-----------------------|
|        |           | a          | b   | c   | d |                   |                |                       |
| Länder | 1955–1983 | 0          | 0.5 | 0.5 | 0 | 1                 | 1              | 2                     |
|        | 1984–2006 | 0          | 0.5 | 0.5 | 0 | 1                 | 1              | 3                     |

### Belgium

Over the course of the past five decades, power sharing has shifted from provinces to communities and, to a lesser extent, regions.

*Law making.* Until 1994, provincial assemblies appointed one-third of the upper chamber (*Senaat/Sénat/Senat*), whereby seats were allocated roughly proportional to the provinces’ population. The senate had equal powers with the lower chamber. From 1995, the senate is composed of 40 popularly elected senators in electoral districts encompassing the two large language communities (25 Flemish and 15 Francophone), 21 community senators elected by and from community councils (10 Flemish, 10 Francophone and 1 German), 10 co-opted senators elected by the previous two categories of senators convening by language group (6 Flemish, 4 Francophone) and three senators by right

(the three adult children of the king). For each senatorial category and each language group, the constitution requires a specific number of senators to be resident in the Brussels Capital region.

At the same time, the senate was stripped of its right to control the government, as well as of some of its former legislative powers, though it remains a strong upper chamber. It retains equal legislative powers on a range of issues, including freedom of religion, language use, the judicial system, international treaties, and constitutional change. On other matters, it can invoke a 'reflection period' if requested by fifteen of its members.

*Executive control.* Provinces have never had executive control. Regions and communities have shared executive power since 1989, when the first inter-ministerial conferences between regional or community governments and federal governments were set up, modelled on German *Politikverflechtung*. These negotiations can reach binding decisions, and the norm is unanimity. In 1993, a formal arbitration system was introduced and power sharing was extended to European issues.

*Fiscal control.* Until 1995, provinces could influence the national distribution of revenues and the tax regime by virtue of their institutional representation in the senate.

Between 1970 and 1995, communities and regions (since 1980) had a veto on fiscal control by virtue of their institutional representation in both houses, the so-called double mandate. National parliamentarians wore two hats in addition to their national mandate: member of a community council (linguistic affiliation), and member of a regional council (residence-based). Since changes to laws regulating the finances of communities and regions required a majority in each linguistic group in either chamber, this gave communities as well as regions a veto. The German community never benefited from the double mandate.

In 1995, the double mandate was abolished. Since the senators appointed by the community councils constitute a minority in the reformed senate, they can no longer block decisions.

Since 1989, taxation is a regular topic of intergovernmental deliberations among communities, regions and the federal government. Initially, the legal status of intergovernmental agreements was uncertain, but over the years, the parameters governing fiscal intergovernmental relations have tightened. Regions, communities, and federal government are legally bound to reach agreement on changes on the 1989 Double Majority Act on Financing Communities and Regions. The constitutional revision of 2001, which increased subnational fiscal autonomy, made autonomy conditional upon 'compulsory agreements' among the entities that specify basic fiscal ground rules to constrain fiscal competition.

*Constitutional reform.* Constitutional change requires a two-thirds majority in both chambers. In 1970, the rules were tightened to require a double super-majority: a two-thirds majority in each chamber and an absolute majority within the Dutch- and the French-speaking linguistic groups in each chamber.

From 1950 until 1994, provincial delegates controlled a third of the Senate seats and could, therefore, theoretically block constitutional change.

Communities and regions did not exert formal constitutional authority until the 1970 constitutional reform. When the double mandate was introduced in 1970, communities acquired a veto over constitutional change and, when the double mandate was extended to regional councils in 1980, so did regions.

Since 1995, the three community (but not regional) councils have sent representatives to the Senate, who comprise less than one-third of the total; they are consulted on constitutional change, but they cannot raise the decision hurdle or exert a veto. The 40 senators elected to represent the two large language groups (and whereby there is a minimum representation for the Brussels region) constitute a majority and can therefore veto constitutional change.

Since at no point regions had more shared rule than communities, aggregated scores for the regional/communal tier correspond to the raw scores of the communities in the table below.

| Region   | Years     | Law making |     |     |     | Executive control | Fiscal control | Constitutional reform |
|--|-----------|------------|-----|-----|-----|-------------------|----------------|-----------------------|
|  |           | a          | b   | c   | d   |                   |                |                       |
| Provincies   | 1950–1994 | 0          | 0.5 | 0   | 0.5 | 0                 | 1              | 3                     |
|  | 1995–2006 | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |
| Vlaamse<br>Gemeenschap &<br>Communauté<br>française              | 1970–1988 | 0          | 0   | 0   | 0   | 0                 | 2              | 3                     |
|  | 1989–1994 | 0          | 0   | 0   | 0   | 2                 | 2              | 3                     |
|  | 1995–2006 | 0.5        | 0.5 | 0.5 | 0.5 | 2                 | 2              | 1                     |
| Deutsche<br>Gemeinschaft   | 1970–1988 | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |
|  | 1989–1994 | 0          | 0   | 0   | 0   | 2                 | 1              | 0                     |
|  | 1995–2006 | 0.5        | 0.5 | 0.5 | 0.5 | 2                 | 2              | 0                     |
| Région wallonne  | 1980–1988 | 0          | 0   | 0   | 0   | 0                 | 2              | 3                     |
|  | 1989–1994 | 0          | 0   | 0   | 0   | 2                 | 2              | 3                     |
|  | 1995–2006 | 0          | 0   | 0   | 0   | 2                 | 2              | 1                     |
| Brussel<br>Hoofdstedelijk<br>Gewest/Région<br>bruxelles-capitale | 1980–1988 | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |
|  | 1989–1994 | 0          | 0   | 0   | 0   | 2                 | 2              | 3                     |
|  | 1995–2006 | 0          | 0   | 0   | 0   | 2                 | 2              | 1                     |

### Bosnia and Herzegovina

*Law making.* The upper house of Bosnia and Herzegovina (House of Peoples) contains fifteen delegates; ten from the *Federacija* (five Croats and five Bosniacs) and five from the *Republika Srpska* (five Serbs). The delegates are chosen by the parliaments of the entities. All legislation, including constitutional amendments, requires the approval of both chambers, giving the upper house veto-power. The working of the confederation has consociational elements, including a requirement that at least three members of each ethnic group be present for an upper-house quorum, and that

240 L. Hooghe et al.

legislation requires the assent of at least one-third (i.e. two) of the representatives of each entity or fewer than four voting against.

Cantons do not share legislative power within the confederation. Cantons have extensive law making power within the *Federacija*, where they send delegates from the cantonal parliament to the upper chamber. Cantonal representation follows 'one man, one vote'.

*Executive control.* There are no formal regular intergovernmental meetings between the confederal authority and subnational governments, or between cantons and the *Federacija*.

*Fiscal control.* The confederation depends on annual contributions from the two constituent units. This gives these units a veto on the distribution of tax revenues. Cantons have no say at the confederal level, but they can veto tax laws in the *Federacija* through their representation in the upper house.

*Constitutional reform.* The upper house of the confederation has a veto on constitutional amendments. Moreover, a majority of the representatives of an ethnic group can invoke an alarm bell procedure on the grounds that proposed legislation is destructive of its vital interest. In that case, legislation must be approved in the upper house by a majority of the representatives of each entity present and voting. Constitutional change therefore requires a supermajority in the upper house.

Cantons do not participate directly in confederal constitutional politics. Cantons can veto constitutional change in the *Federacija*. Constitutional amendments require a two-thirds majority in the lower house and a double majority in the upper house: an absolute majority of all members and a majority in each of the two ethnic groups.

| Region   | Years                  | Law making |     |     |     | Executive control | Fiscal control | Constitutional reform |
|----------|------------------------|------------|-----|-----|-----|-------------------|----------------|-----------------------|
|          |                        | a          | b   | c   | d   |                   |                |                       |
| Cantons  | 1995–2006 <sup>a</sup> | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |
|          | 1995–2006 <sup>b</sup> | 0          | 0.5 | 0.5 | 0.5 | 0                 | 2              | 3                     |
| Entities | 1995–2006              | 0.5        | 0.5 | 0.5 | 0.5 | 0                 | 2              | 3                     |

<sup>a</sup>power sharing in the confederation

<sup>b</sup>power sharing in the *Federacija*.

## Bulgaria

No regional power sharing.

## Canada

*Law making.* Provinces and territories do not select representatives in the upper house of parliament (Senate). The Senate has a regional basis: Quebec (24 senators), the Maritime Provinces and Prince Edward Island (24), the Western Provinces (24),

Newfoundland (6), Yukon Territory (1), the Northwest Territories (1) and Nunavut (1). Senators must be resident in the relevant province/territory and they are appointed by the Governor-General for life upon recommendation of the Canadian federal government without prior provincial consultation. The upper house is the product of federal rather than provincial choice, notwithstanding that the region is the unit of representation.

*Executive control.* The absence of law making has encouraged extensive intergovernmental relations. Labels for this—para-diplomacy and interstate federalism—reflect that negotiations take place among quasi-sovereign entities. Intergovernmental relations have always been a feature of Canadian politics, but the number and range of meetings mushroomed in the 1970s. Both federal and provincial governments have ministries for intergovernmental relations.

As their authority has increased, territories have been included in intergovernmental relations starting in the 1980s. Territories became full players in intergovernmental relations beginning with the Charlottetown Accord of 1992. Intergovernmental summits in Canada rarely take binding decisions and, when they do, they usually take them by unanimity or allow individual provinces to opt out.

*Fiscal control.* The distribution of tax revenues is subject to intergovernmental federal–provincial bargaining. However, decisions taken at intergovernmental meetings of finance ministers and first ministers are rarely binding. On equalization, ultimate authority remains with the federal government. Territories became regular invitees to intergovernmental meetings on taxation from 1992.

*Constitutional reform.* Until 1982, constitutional change was decided by the British Parliament. Following acrimonious federal–provincial negotiations, the Canadian constitution was repatriated in 1982 and adopted by every province except Quebec. The Canada Act says that constitutional amendments require approval by the federal parliament and two-thirds of the provincial legislatures representing at least 50% of the Canadian population or, for some amendments, approval by the federal Parliament and unanimity among provincial legislatures.

Provinces shared constitutional power before the Canada Act of 1982 by virtue of the norm of unanimous provincial consent. The precedent was established in 1940, when the Prime Minister MacKenzie King waited to introduce an amendment on the federalization of unemployment insurance until all provinces (including Quebec) were agreed. When Prime Minister Trudeau challenged the norm after the defeat of the separatism referendum in Quebec in 1980 and sought to bring home the constitution without provincial consent, he suffered an effective veto by the British Law Lords. In a reference case brought by several provinces, the Law Lords ruled that federal unilateralism was legal but violated an established constitutional convention.

Except for *Yukon*, territories have no formal consultation or decision right with respect to their own statute. The federal government (jointly with provincial governments after 1982) determines changes in territorial boundaries or the granting of provincial status. Only the *Yukon* government acquired, in 2002, the right to be consulted on future amendments of the Act. Incidentally, despite their weak formal powers, territories did participate in the 1992 Charlottetown

federal–provincial constitutional negotiations, which tried to resolve longstanding disputes on the division of powers between the federal, provincial and territorial governments. The accord foundered after several negative referenda, and the territories' status remained unchanged.

| Region                | Years     | Law making |   |   |   | Executive control | Fiscal control | Constitutional reform |
|-----------------------|-----------|------------|---|---|---|-------------------|----------------|-----------------------|
|                       |           | a          | b | c | d |                   |                |                       |
| Counties and regions  | 1950–2006 | 0          | 0 | 0 | 0 | 0                 | 0              | 0                     |
| Provinces             | 1950–2006 | 0          | 0 | 0 | 0 | 1                 | 1              | 3                     |
| Yukon                 | 1950–1991 | 0          | 0 | 0 | 0 | 0                 | 0              | 0                     |
|                       | 1992–2001 | 0          | 0 | 0 | 0 | 1                 | 1              | 0                     |
|                       | 2002–2006 | 0          | 0 | 0 | 0 | 1                 | 1              | 1                     |
| Northwest Territories | 1950–1991 | 0          | 0 | 0 | 0 | 0                 | 0              | 0                     |
|                       | 1992–2006 | 0          | 0 | 0 | 0 | 1                 | 1              | 0                     |
| Nunavut               | 1999–2006 | 0          | 0 | 0 | 0 | 1                 | 1              | 0                     |

### Croatia

*Law making.* Until 2000, each *županija* had three directly elected representatives in the upper house, the Chamber of counties (*Županijski dom*). The upper house was the junior legislative partner. It could give its opinion on proposed legislation and send the proposal back to the lower house which could then legislate by absolute majority. A proposal that passed the lower chamber with a two-thirds majority could circumvent consultation of the upper house. The upper house was abolished in 2001.

*Executive control.* None.

*Fiscal control.* None.

*Constitutional reform.* A constitutional amendment requires a two-thirds majority vote of all representatives in the lower chamber. Until its abolition in 2001, the upper chamber was consulted, but could not amend or block.

| Region   | Years     | Law making |   |     |   | Executive control | Fiscal control | Constitutional reform |
|----------|-----------|------------|---|-----|---|-------------------|----------------|-----------------------|
|          |           | a          | b | c   | d |                   |                |                       |
| Županije | 1993–2000 | 0.5        | 0 | 0.5 | 0 | 0                 | 0              | 0                     |
|          | 2001–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |

### Cyprus

No regional tier of government.

### Czech Republic

The upper chamber does not represent *kraje*, but is directly elected by citizens. There is no regional power sharing.

### Denmark

*Amter* do not play a role in central state decision making, except for some input on taxes. Denmark had a bicameral system until 1953, but the upper chamber did not have subnational representation. The Faroe Islands and Greenland, however, enjoy extensive power sharing.

*Law making.* Each autonomous region has two directly elected representatives in parliament. According to the statute of special autonomous regions, all national bills, administrative orders and statutes of importance to them must be sent to the home-rule authorities for their opinion before they can be introduced in the Danish parliament. In case of disagreement, the question is put before a board consisting of two members nominated by the Danish government, two members nominated by the home-rule authorities, and three judges of the Supreme Court nominated by its president. This arrangement falls just short of giving the islands a veto on legislation.

*Executive control.* While the statutes do not detail routine intergovernmental meetings, the Faroe Islands and Greenland have a strong legal basis in the statutes which guarantees their involvement in decisions on issues of interest to them. This includes the appointment of attachés on Danish foreign missions, the right of home-rule governments to state their interests in third party negotiations and, if authorized by the Danish government, the right to negotiate directly with third parties.

*Fiscal control.* The Faroe Islands and Greenland have full control over taxation, and they have a veto on changes in the distribution of resources that might affect their region.

Since the 1970s, *amter* have had some influence over the distribution of tax revenues in the context of non-binding negotiations between the central government and peak associations of *amter* and municipalities. The Danish parliament preserves the right to take unilateral action, and has occasionally withheld tax revenue, reduced grants, restricted loan access or frozen liquidity.

*Constitutional reform.* Amendments to the home-rule statute must be approved by both island and Danish parliament.

| Region        | Years     | Law making |   |     |   | Executive control | Fiscal control | Constitutional reform |
|---------------|-----------|------------|---|-----|---|-------------------|----------------|-----------------------|
|               |           | a          | b | c   | d |                   |                |                       |
| Amter         | 1950–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Faroe Islands | 1950–2006 | 0.5        | 0 | 0.5 | 0 | 1                 | 2              | 2                     |
| Greenland     | 1950–1978 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
|               | 1979–2006 | 0.5        | 0 | 0.5 | 0 | 1                 | 2              | 2                     |

**Estonia**

No regional tier of government.

**Finland**

Neither provinces (*läänit*) nor regions (*maakuntien*) share legislative, executive, tax or constitutional power. The Åland Islands, however, enjoy extensive power sharing.

*Law making.* The special autonomous region is the unit of representation in the lower chamber. The constitution stipulates that Åland has one directly elected representative (out of a total of 200). There is no upper chamber. Åland is consulted on matters that affect it. The Finnish parliament is required to obtain an opinion from the Åland government on any act of special importance to the islands, but there is no provision that makes this legislation conditional upon its assent. The regional government also has the right to participate in the preparation of Finnish positions preceding EU negotiations if the matter falls within its powers or if the matter has special significance for Åland. The parliament of Åland must give its consent to international treaties in areas under its competence, and Åland has a representative in the permanent representation of Finland to the EU.

*Executive control.* Financial and taxation matters, as well as some sensitive issues (such as shipping around the islands), are subject to binding and equal negotiation between representatives of the Åland government and the Finnish government in the Åland delegation. But on most matters, the constitution stipulates consultation—not binding executive control.

*Fiscal control.* The distribution of the Åland share of income, corporate and sales taxes is subject to binding negotiation through the Åland Delegation, which provides the islands with a veto on the distribution of tax revenues affecting the region.

*Constitutional reform.* Åland shares control over its constitutional fate with the Finnish parliament. The revision of the Act on the Autonomy of Åland requires a two-thirds majority in the Finnish and in the Åland parliament.

| Region        | Years     | Law making |   |     |   | Executive control | Fiscal control | Constitutional reform |
|---------------|-----------|------------|---|-----|---|-------------------|----------------|-----------------------|
|               |           | a          | b | c   | d |                   |                |                       |
| Läänit        | 1950–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Maakuntien    | 1993–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Åland Islands | 1950–2006 | 0.5        | 0 | 0.5 | 0 | 1                 | 2              | 2                     |

**France**

*Régions, départements* and the special autonomous region of Corsica (*Corse*) have limited power sharing.

*Law making.* Although the French constitution states that the upper chamber (*Sénat*) shall ensure the representation of the territorial entities of the Republic, *régions* and *départements* are not units of representation. Senators are indirectly elected by a college of 150 000 elected officials (*grands électeurs*), including mayors, city councilors and national Assembly deputies, who convene by *département*. *Départements* are allocated seats in rough proportion to their populations. In 2004, the term for senators was reduced from nine years to six. According to the constitution, the upper house has the same powers as the lower house. However, when the *Sénat* and the *Assemblée nationale* cannot agree on a bill, the government can decide, after a procedure called *commission mixte paritaire*, to refer the final decision to the *Assemblée*.

The 1982 reforms gave the assembly of Corsica the right to consult the government or to be consulted by it on all matters concerning Corsica. The revised special statute of 1991 loosens the requirement for mandatory consultation by stating that the French prime minister may consult the Corsican assembly on draft laws or decrees which directly affect the island.

*Executive control.* Formal executive control for *régions* and *départements* is virtually non-existent, though the French practice of *cumul des mandats*—combining an elected mandate in local or regional government with a national mandate—has provided a channel for regional influence on national policy making. There are no regular intergovernmental meetings between the Corsica executive and the national government.

There is no fiscal control and no authority over constitutional reform.

| Region       | Years     | Law making |   |     |   | Executive control | Fiscal control | Constitutional reform |
|--------------|-----------|------------|---|-----|---|-------------------|----------------|-----------------------|
|              |           | a          | b | c   | d |                   |                |                       |
| Départements | 1950–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Régions      | 1964–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Corsica      | 1982–1990 | 0          | 0 | 0.5 | 0 | 0                 | 0              | 0                     |
|              | 1991–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |

## Germany

*Länder* monopolize power sharing with the federal government.

*Law making.* Land governments (not parliaments) are directly represented in the upper chamber, the *Bundesrat*, and thereby have a firm grip on federal policy making. The *Bundesrat* has wide-ranging authority. It can initiate and veto legislation affecting *Land* competencies, and has a suspensive veto on most other legislation.

*Executive control.* An elaborate system of executive federalism (*Politikverflechtung*) ensures that *Länder* are intimately involved in the execution and implementation of federal policy.

Beginning in 1951, the federal Chancellor invited *Land* premiers (*Ministerpräsidenten*) for informal consultation. This spurred *Ministerpräsidenten* to meet first to prepare common

positions. Such conferences quickly became regularized, though meetings with the Chancellor remained more irregular. Specialist ministers also began to meet regularly on more circumscribed topics. While the original idea was to pre-empt national encroachment on *Land* competencies, *Länder* co-ordination has arguably facilitated federal harmonization.

In 1964, growing co-operation among *Länder* paved the way for joint policy making and financing in post-secondary education, regional development, and agriculture, etc. This was formalized in a constitutional revision of 1969. Federal/*Länder* negotiations are now routinized and reach binding decisions.

*Fiscal control.* *Länder* did not have power sharing until a constitutional revision in 1966 gave the *Bundesrat* power to co-decide the base and rate of taxes, as well as their distribution between *Länder* and the federal level. *Länder* also determine the annual financial equalization package (*Finanzausgleich*) for redistribution among *Länder*.

*Constitutional reform.* *Bundesrat* approval is mandatory for constitutional amendments. Constitutional change requires a two-thirds majority in both legislative chambers.

| Region            | Years     | Law making |     |     |     | Executive control | Fiscal control | Constitutional reform |
|-------------------|-----------|------------|-----|-----|-----|-------------------|----------------|-----------------------|
|                   |           | a          | b   | c   | d   |                   |                |                       |
| Kreise            | 1950–2006 | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |
| Regierungsbezirke | 1950–2006 | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |
| <i>Länder</i>     | 1950–1963 | 0.5        | 0.5 | 0.5 | 0.5 | 1                 | 0              | 3                     |
|                   | 1964–1965 | 0.5        | 0.5 | 0.5 | 0.5 | 2                 | 0              | 3                     |
|                   | 1966–2006 | 0.5        | 0.5 | 0.5 | 0.5 | 2                 | 2              | 3                     |

### Greece

No regional power sharing.

### Hungary

No regional power sharing.

### Iceland

No regional tier of government.

### Ireland

No regional power sharing.

### Italy

*Province* do not share law making, executive, fiscal, or constitutional power. *Regioni* and special-statute *regioni* have acquired limited executive and fiscal control, and special-statute *regioni* and the two autonomous provinces are consulted on amending their statutes.

*Law making.* The upper house of the Italian parliament has the same powers as the lower house and is directly elected. All but nine of the 315 constituencies are distributed proportionately among regions on the basis of their population, each region receiving at least seven deputies. The distribution of seats is determined chiefly by population, not region, and regions are not directly represented.

*Executive control.* The first intergovernmental conference between the central government and *regioni* took place in 1983. Since 1989, *regioni* have met bi-annually with the central government in a standing conference on state–regional relations. *Regioni* use this intergovernmental body to suggest guidelines for EU policies. But the central government rarely makes binding commitments. The system was strengthened in 1997 and given added legitimacy in the 2001 constitutional revision, but agreements generally remain non-binding. This right of participation was extended to the autonomous provinces of *Bolzano-Bozen* and *Trento*.

*Fiscal control.* There are no provisions for fiscal control for ordinary-statute *regioni*. For special-statute *regioni* (and *Bolzano-Bozen* and *Trento*), the statutes detail the revenue split under tax sharing. Because these regions must be consulted by central government on changes in the special statute, they must also be consulted on changes in the basic tax distribution affecting the region. Since 2001, changes to the statute, and thus the tax distribution, require the consent of both the special region and the national parliament.

*Constitutional reform.* Amending the constitution and other constitutional acts requires adoption by each chamber twice within no less than three months and needs approval of a majority in each chamber in the second voting. In case of a majority short of two-thirds, the issue goes to popular referendum if requested by one fifth of the members of a chamber, 500 000 electors, or five regional councils. Aside from the latter option, the constitution gives *regioni* no role in amending the constitution. Special-statute *regioni* and the two autonomous provinces have the right to initiate the amendment procedure, but, until 2001, the final word remained with the national parliament. Since 2001, a revision of the special statute requires the consent of both the region or autonomous province and the national government.

| Region  | Years     | Law making |   |   |   | Executive control | Fiscal control | Constitutional reform |
|---|-----------|------------|---|---|---|-------------------|----------------|-----------------------|
|   |           | a          | b | c | d |                   |                |                       |
| Province  | 1950–2006 | 0          | 0 | 0 | 0 | 0                 | 0              | 0                     |
| Regioni a statuto ordinario                               | 1972–1988 | 0          | 0 | 0 | 0 | 0                 | 0              | 0                     |
|   | 1989–2006 | 0          | 0 | 0 | 0 | 1                 | 0              | 0                     |
| Regioni a statuto speciale (and Bolzano-Bozen and Trento) | 1950–1988 | 0          | 0 | 0 | 0 | 0                 | 1              | 1                     |
|   | 1989–2000 | 0          | 0 | 0 | 0 | 1                 | 1              | 1                     |
|   | 2001–2006 | 0          | 0 | 0 | 0 | 1                 | 2              | 2                     |

**Japan**

The upper house (House of Councillors) combines representatives elected in the prefectures by single transferable vote and senators elected on national party lists. Seats are allocated strictly proportional to the population, which means that the Japanese upper house does not meet the minimum standards for law making (nor does the lower house). There is also no executive, fiscal or constitutional power sharing.

**Latvia**

No regional tier of government.

**Lithuania**

No regional power sharing.

**Luxembourg**

No regional tier of government.

**Macedonia**

No regional tier of government.

**Malta**

No regional tier of government.

**Netherlands**

*Law making.* The Netherlands has a bicameral system in which the upper house (*Eerste Kamer*) represents provinces. Senators in the upper house are elected by members of the provincial assemblies drawn from national party lists submitted separately in each province. Each provincial delegate casts a vote for a candidate and his or her vote is weighted by provincial population so that the final distribution of seats across provinces is proportional to their populations. Before 1983, the members of the provincial assemblies elected a third of the members of the Senate every two years. Since 1983, the elections take place every four years following provincial elections. The upper house has a veto on all legislation.

*Executive control.* None.

*Fiscal control.* The *Eerste Kamer* votes on the annual national budget with an up or down vote, which provides *provinces* with a collective veto over the distribution of tax revenues. There are no intergovernmental meetings between provinces and the national government.

*Constitutional reform.* The *Eerste Kamer* has a veto on constitutional amendments. Constitutional change requires two rounds of voting, separated by new elections. The threshold in the second round is a two-thirds majority.

| Region    | Years     | Law making |     |     |     | Executive control | Fiscal control | Constitutional reform |
|-----------|-----------|------------|-----|-----|-----|-------------------|----------------|-----------------------|
|           |           | a          | b   | c   | d   |                   |                |                       |
| Provinces | 1950–2006 | 0          | 0.5 | 0.5 | 0.5 | 0                 | 2              | 3                     |

### **New Zealand**

No regional power sharing.

### **Norway**

No regional power sharing.

### **Poland**

No regional power sharing.

### **Portugal**

*Distritos* and *comissões de cooperação e desenvolvimento regional* do not exercise law making, executive, fiscal or constitutional power sharing, but there is shared rule for the autonomous regions of Madeira and the Azores.

*Law making.* The autonomous regions are not special electoral units in the unicameral Portuguese parliament. The regional representatives (five for the Azores, and six for Madeira) are directly elected. However, the assemblies of Madeira and the Azores can influence—though not co-decide—national policies that may affect the region. The Portuguese parliament is constitutionally bound to consult the regional assemblies, and each regional assembly can submit amendments or legislative drafts with respect to taxation, environmental policy, criminal law, law and order, regional planning, and social security. If the national parliament approves these drafts, they become law in the region.

*Executive control.* There are several mechanisms for regional input in executive policy making, but none of these enable special regions to bind the central government. The presidents of the Azores and Madeira governments sit on the Council of State which gives non-binding advice to the president of Portugal on his discretionary powers, including dissolution of the national or regional assemblies and declaration of war. More consequential for day-to-day policy making is that the constitution obliges the Portuguese government to consult the government of an autonomous

250 L. Hooghe et al.

region on issues that might affect it. This obligation has been extended in successive constitutional reforms, and it also encompasses EU policy making.

*Fiscal control.* Regional assemblies of the autonomous regions are consulted on the distribution of revenues with respect to the Azores and Madeira.

*Constitutional reform.* Ultimate authority for the statutes of the autonomous regions lies with the Portuguese parliament. However, the regional assembly has agenda-setting power since it must initiate the process by submitting a draft statute. If the national assembly amends the draft, it is sent back to the regional assembly for consultation.

| Region                  | Years     | Law making |   |     |   | Executive control | Fiscal control | Constitutional reform |
|-------------------------|-----------|------------|---|-----|---|-------------------|----------------|-----------------------|
|                         |           | a          | b | c   | d |                   |                |                       |
| Distritos               | 1976–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Comissões de cooperação | 1979–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Azores, Madeira         | 1976–2006 | 0          | 0 | 0.5 | 0 | 1                 | 1              | 1                     |

### Romania

No regional power sharing.

### Russian Federation

Only *subwekty federacii* have power sharing.

*Law making.* The upper house of the Russian parliament, the Federation Council (*Soviet Federatsii*), represents regional interests. Each *subwekt federacii* is represented by two delegates, one selected by the *subwekt* legislature and one by the *subwekt* executive. Since 2000, the executive heads of the *subwekty*, the governors, can no longer sit in the upper house. The Federation Council must be heard on laws concerning taxation, customs regulations, credit monitoring and treaties, and it has special powers on border change between *subwekty*, and on federal court appointments, impeachment, martial law, state of emergency and war. It cannot block federal laws, but it can raise the decision hurdle in the lower house (*Duma*) to a two-thirds majority. The Federation Council is classified as having wide-ranging legislative authority.

*Executive control.* There are no formal provisions for regular executive control. President Putin set up a State Council in 2000 to compensate regional governors who no longer have a seat in the federal parliament. It is composed of all governors and presidents of the *subwekty federacii*, as well as some presidential appointees, and meets quarterly at the request of the Russian president to discuss issues ‘of the highest importance to the state as a whole’, such as the development of governmental institutions, and economic and

social reforms. The State Council is not involved in normal policy making and does not reach binding decisions.

*Fiscal control.* *Subwekty federacii* influence federal tax legislation through the Federation Council. Budgetary legislation begins in the *Duma*, and is submitted to the Federation Council for approval. If the Federation Council votes down a proposal, representatives from the two chambers meet in a conciliation committee. Failing compromise, the *Duma* can overrule the Federation Council with a two-thirds majority.

*Constitutional reform.* A federal constitutional law is considered adopted if it is approved by at least three-quarters of the members of the Federation Council and two-thirds of the *Duma*.

| Region             | Years     | Law making |     |     |     | Executive control | Fiscal control | Constitutional reform |
|--------------------|-----------|------------|-----|-----|-----|-------------------|----------------|-----------------------|
|                    |           | a          | b   | c   | d   |                   |                |                       |
| Subwekty federacii | 1993–2006 | 0.5        | 0.5 | 0.5 | 0.5 | 0                 | 1              | 3                     |
| Federalnyye okruga | 2000–2006 | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |

### Serbia and Montenegro

There was considerable power sharing between the republics in the (con)federation. Within Serbia, there is some power sharing with the special autonomous regions and none with the *okruzi*.

*Law making.* Under the 1992 constitution, the upper house (Chamber of Republics, *Vece Republika*) of Serbia and Montenegro was made up of twenty deputies from each member republic. In general, the two houses voted, by simple majority, on all matters within the jurisdiction of the federal legislature, except that a two-thirds majority in the upper house was necessary for single market legislation, regulation in the socio-economic field, and regional development.

The 2003 reform introduced a unicameral parliament in which Serbia had 91, and Montenegro, 35 deputies. During the first two years following the adoption of the new constitution, deputies were elected indirectly from the national assemblies of Serbia and Montenegro. We consider this an example of institutional representation. The one chamber functioned in all but name as an upper chamber. In line with the much reduced authority of the confederation, the scope of parliamentary authority was narrowed, and each republic had a veto. Laws and constitutional amendments required a double majority: a majority of representatives of each republic and an overall absolute majority. Following a three-year waiting period specified in the constitution, the Montenegrin parliament initiated secession by calling for a referendum which was held in June 2006.

252 L. Hooghe et al.

The autonomous provinces of Vojvodina and Kosovo and Metohija (until it became a UN protectorate in 1999) do not have law making power in Serbia or in the confederation.

*Executive control.* No power sharing.

*Fiscal control.* The republics had a veto over the distribution of revenues in the (con)-federation through their role in the (con)federal parliament. Since 2001, Vojvodina has had a share in personal and corporate income tax, but base and rate are set by the Serbian government.

*Constitutional reform.* The republics had a veto on constitutional change. Between 1992 and 2002, constitutional change required a two-thirds majority in both chambers. Constitutional articles, including those relating to federal accession, secession and federal and republic competencies, required legislative majorities in each republic and a two-thirds majority in the lower house of the federation. From 2003, constitutional change required the consent of both republic legislatures.

The Serbian constitution states that the statutes of the autonomous provinces can be changed only with the approval of the assembly of the autonomous province. Vojvodina and Kosovo have a veto on constitutional change within Serbia (though not within the confederation), but cannot unilaterally alter their statute.

| Region                | Years                  | Law making |     |     |     | Executive control | Fiscal control | Constitutional reform |
|-----------------------|------------------------|------------|-----|-----|-----|-------------------|----------------|-----------------------|
|                       |                        | a          | b   | c   | d   |                   |                |                       |
| Serbia and Montenegro | 1992–2002              | 0.5        | 0.5 | 0.5 | 0.5 | 0                 | 2              | 3                     |
|                       | 2003–2006              | 0          | 0.5 | 0.5 | 0.5 | 0                 | 2              | 3                     |
| Okruzi                | 1992–2006              | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |
| Kosovo and Metohija   | 1992–1998 <sup>a</sup> | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |
|                       | 1992–1998 <sup>b</sup> | 0          | 0   | 0   | 0   | 0                 | 0              | 2                     |
| Vojvodina             | 1992–2006 <sup>a</sup> | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |
|                       | 1992–2006 <sup>b</sup> | 0          | 0   | 0   | 0   | 0                 | 0              | 2                     |

<sup>a</sup>power sharing in the confederation.

<sup>b</sup>power sharing in Serbia.

### Slovakia

No regional power sharing.

### Slovenia

No regional tier of government.

### Spain

*Provincias* and *comunidades* have limited power sharing. Power sharing is counted from the time that a *comunidad* established its autonomy statute.

*Law making.* The 1978 constitution transformed the *Senado de España* into a chamber of territorial representation in which *provincias* have 208 members and *comunidades autónomas* 51 members. Provincial senators are popularly elected: four per province on the mainland, three for the larger islands and two for the smaller islands. The assembly of each *comunidad autónoma* selects at least one member up to a limit of one senator per million inhabitants. In the current *Senado*, the number of seats ranges from 1 for *La Rioja*, *Cantabria*, *Illes Balears* and *Navarra* to 7 for *Catalunya* and 8 for *Andalucía*. While the aggregation rule clearly falls between the ideal-typical ‘one region, one vote’ and ‘one person, one vote’ criteria, it appears closer to the latter than the former.

Provincial senators constitute a majority of the senate, and *comunidad* representatives a minority.

Under their special autonomy status, Ceuta and Mellila each had three representatives, one directly elected deputy in the lower house and two directly elected senators, but they did not have special arrangements for law making. Since 1995, they have two directly elected provincial senators.

The senate has some reserved powers over constitutional appointments, but can be overridden by a majority in the lower house on normal legislation.

*Executive control.* The dominant pattern of negotiation between the national government and the *comunidades autónomas* is bilateral, though there are occasional intergovernmental conferences. A conference on European Affairs was established in 1994 and policy-specific conferences meet several times a year, but these are *ad hoc* and take the form of informational sessions.

*Fiscal control.* *Comunidades autónomas* can influence national tax policy through their institutional representation in the senate, but the senate can be overridden by a majority in the lower house. There is also some attention to fiscal matters in the intergovernmental meetings—in fact, the first sectoral conferences in 1982 dealt with fiscal policy—but their decisions are rarely binding.

*Provincias* do not have institutional representation in the senate and are not involved in intergovernmental negotiations.

*Constitutional reform.* Constitutional reform requires a three-fifths majority in both the upper and lower house on the first vote and—failing agreement—a two-thirds majority in the lower house and absolute majority in the senate in a subsequent vote before the proposal can be submitted for ratification in a referendum. The directly elected provincial senators can therefore veto constitutional change. Senators representing the assemblies of the *comunidades* are too few in number (just under 20% of the *Senado*) to be able to raise the decision hurdle.

The lack of collective *comunidad* control over the constitution of the Spanish state is somewhat balanced by the fact that each *comunidad* has a veto over amendments to its own statute. A revised statute requires a supermajority in the *comunidad* assembly (two-thirds to three-fifths depending on the *comunidad*) and a majority in the Cortes, as well as ratification by regional referendum. This is not reflected in the

scoring since Spanish *comunidades* are conceived of as asymmetrical regions rather than special autonomous regions.

According to the Spanish Constitution, Ceuta and Mellila may become autonomous communities when their councils so decide and when the *national parliament* approves it. This means that Ceuta and Mellila had a veto during 1978–94. Both cities became autonomous communities in 1995. No special arrangements for executive or fiscal control existed during 1978–1994.

| Region                | Years     | Law making |     |     |   | Executive control | Fiscal control | Constitutional reform |
|-----------------------|-----------|------------|-----|-----|---|-------------------|----------------|-----------------------|
|                       |           | a          | b   | c   | d |                   |                |                       |
| Provincias            | 1978–2006 | 0.5        | 0   | 0.5 | 0 | 0                 | 0              | 1                     |
| Comunidades autónomas | 1978–2006 | 0          | 0.5 | 0   | 0 | 0                 | 1              | 0                     |
| Ceuta,                | 1978–1994 | 0.5        | 0   | 0   | 0 | 0                 | 0              | 2                     |
| Mellila               | 1995–2006 | 0.5        | 0   | 0.5 | 0 | 0                 | 1              | 0                     |

### Sweden

*Law making.* Until 1971, *län* had institutional representation in the upper chamber of the Swedish *Riksdag* which was composed of members selected for six-year terms by *län* councils. Each *län* was allocated a number of seats proportional to its population size. The upper chamber and lower chamber had equal powers. In 1971, Sweden became unicameral.

*Executive control.* There are no formal provisions for executive control.

*Fiscal control.* Until it was abolished, the upper chamber provided *län* with a veto over the distribution of tax revenues. From the 1970s, the Swedish central government concluded non-binding agreements with peak organizations of municipalities and counties. This practice was abandoned in 1982 when the *Riksdag* resorted to unilateral measures to constrain regional and local spending.

*Constitutional reform.* The upper chamber had equal powers regarding all legislation, including constitutional laws. Constitutional provisions required a simple majority in both chambers.

| Region | Years     | Law making |     |     |     | Executive control | Fiscal control | Constitutional reform |
|--------|-----------|------------|-----|-----|-----|-------------------|----------------|-----------------------|
|        |           | a          | b   | c   | d   |                   |                |                       |
| Län    | 1950–1970 | 0          | 0.5 | 0.5 | 0.5 | 0                 | 2              | 3                     |
|        | 1971–2006 | 0          | 0   | 0   | 0   | 0                 | 0              | 0                     |

## Switzerland

*Law making.* Each canton has two representatives, and each half-canton one, in the upper chamber, the Council of States (*Ständerat; Conseil des Etats; Consiglio degli Stati; Cussegl dals Stadis*). Some cantonal governments selected their representatives to the upper house, but from the 1970s all upper house members came to be directly elected. The upper house has veto powers on all issues, though federal laws can be challenged by referendum.

Individual cantons can also affect federal legislation directly through the cantonal initiative, which gives cantons the right to submit written proposals to parliament.

*Executive control.* The federal executive depends heavily on cantons for the implementation of federal policy. This has encouraged routine consultative cantonal participation both in formulating and implementing policy.

In the pre-parliamentary stage, cantons are regularly involved in expert commissions to assess the need for federal legislation and cantons are formally consulted during the legislative process. However, the Federal Council is not required to invite cantons to participate, and is not required to follow their advice.

The constitutional revision of 1999 established the right of cantons to be consulted in foreign policy. The federal executive can set cantonal preferences aside, but must justify why it does so.

Over the past decades, dense intergovernmental co-operation on implementation has emerged. Intercantonal agreements—*concordats*—are usually negotiated among cantonal executives, or a subset of them, and subsequently approved by cantonal parliaments. Such agreements originally co-ordinated cantonal implementation of federal laws, and now also serve as means for cantons to fend off federal intervention. Cantonal agreements are common in education policy, religious policy, economic policy, health policy, and environmental protection. They are binding and decisions are taken by unanimity.

In addition, there are currently 16 Conferences of Cantonal Directors, responsible for co-ordination in particular policy fields. The first, the Conference of Education Directors, was established in 1897. The latest is the Conference of Cantonal Governments, set up in 1993 to co-ordinate foreign and European policy. Intercantonal conferences have their own secretariats, meet several times a year and have decision rules varying from majority rule to unanimity. They produce guidelines, benchmarks, recommendations, or concordats, but do not bind the federal government which is represented only by observers.

*Fiscal control.* Cantons influence federal decisions on the distribution of tax revenues through the Conference of Cantonal Finance Ministers which co-ordinates canton positions prior to non-binding negotiation with the federal government.

*Constitutional reform.* Constitutional change, whether introduced by parliamentary amendment or by citizen initiative, requires referendum approval by a double majority: a majority of the citizens in the country as a whole, and majorities of citizens in a majority of *cantons*. Switzerland is unique in that both the government and citizens

can take a constitutional initiative, but the decision is entirely taken by citizens in a referendum. Incidentally, cantonal constitutions are also subject to amendment by and majority approval of the cantonal population.

| Region  | Years     | Law making |   |     |     | Executive control | Fiscal control | Constitutional reform |
|---------|-----------|------------|---|-----|-----|-------------------|----------------|-----------------------|
|         |           | a          | b | c   | d   |                   |                |                       |
| Cantons | 1950–2006 | 0.5        | 0 | 0.5 | 0.5 | 1                 | 1              | 1                     |

### **Turkey**

No regional power sharing.

### **United Kingdom**

The special autonomous regions of Scotland, Wales and, to a lesser extent, Northern Ireland have power sharing arrangements. Counties, regions and the Greater London Authority have no power sharing.

*Law making.* The House of Lords consists of hereditary peers (until 1999 when most were removed) and peers appointed by the central government. In neither the House of Commons nor the Lords is the region the unit of representation, nor is there institutional representation.

Regional representatives are consulted on regional aspects of UK legislation. The Scottish, Welsh and Northern Irish members in the House of Commons meet as caucuses in Grand Committees to discuss bills affecting their countries. The committees have continued to function after devolution, though much consultative power sharing has shifted from the caucuses to the devolved institutions. The Government of Wales Act (1998) and the Scotland Act (1998) stipulate that the Welsh assembly and the Scottish executive must be consulted on relevant UK and EU laws.

*Executive control.* There was no executive control prior to devolution. Scotland, Wales and Northern Ireland have had centrally appointed Secretaries of State (from 1885, 1964, and 1972, respectively) who represented their regions in central government. The Scotland Act and Government of Wales Act set up Joint Ministerial Committees which allow the regional governments to consult with the UK government on legislation that impinges on them. In addition, the Scottish First Minister is entitled to represent Scotland (and the UK) in the EU Council of Ministers on a subset of issues.

*Fiscal control.* None. The Scotland Act sets up a Consolidated Fund in which the central government disburses Scotland's share of income taxes and additional grants. The Act does not detail power sharing on this fund. The grants received by Wales and Northern Ireland are decided in Westminster.

*Constitutional reform.* The Northern Ireland Act requires that the secretary of state consult the Northern Irish assembly before submitting a bill to the UK parliament. This consultation is non-binding.

The Government of Wales Act states that no recommendation shall be made to parliament to revoke or vary the act “unless such a draft has also been laid before, and approved by a resolution of, the Assembly”. The Scotland Act has a similar provision.

| Region                   | Years     | Law making |   |     |   | Executive control | Fiscal control | Constitutional reform |
|--------------------------|-----------|------------|---|-----|---|-------------------|----------------|-----------------------|
|                          |           | a          | b | c   | d |                   |                |                       |
| Counties                 | 1950–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Regions                  | 1964–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Greater London Authority | 2000–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Northern Ireland         | 1950–1971 | 0          | 0 | 0.5 | 0 | 0                 | 0              | 1                     |
|                          | 1972–1999 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
|                          | 2000–2002 | 0          | 0 | 0.5 | 0 | 0                 | 0              | 1                     |
|                          | 2003–2006 | 0          | 0 | 0   | 0 | 0                 | 0              | 0                     |
| Scotland                 | 1950–1999 | 0          | 0 | 0.5 | 0 | 0                 | 0              | 0                     |
|                          | 1999–2006 | 0          | 0 | 0.5 | 0 | 1                 | 0              | 2                     |
| Wales                    | 1964–1998 | 0          | 0 | 0.5 | 0 | 0                 | 0              | 0                     |
|                          | 1999–2006 | 0          | 0 | 0.5 | 0 | 1                 | 0              | 2                     |

### United States of America

States, alone, have power sharing with the federal government.

*Law making.* Each state has two directly elected senators in the upper house. The senate is a super-majoritarian legislature with veto power on all legislation. As territories, Alaska and Hawaii had no senators. Each territory had one directly elected, non-voting, representative in the House of Representatives. From 1971, Washington DC has been represented by a non-voting representative in the House, who sits on committees and participates in debates. It has no representation in the Senate.

*Executive control.* Exclusive policy competencies have been diffused by extensive, ‘marble-cake’, federal–state collaboration.

Executive control is shaped by federal financial incentives which states may accept or reject. From the 1960s, these incentives took the form of conditional grants to induce states (and local governments) to implement federal policy priorities. Legislative proposals are subject to state lobbying and, once hammered into law, are submitted to states which decide whether or not to participate. Bilateral agreements specify funding and

implementation details. In the 1970s, around one quarter of state budgets came from conditional federal grants, declining to around 15% by the late 1990s.

*Fiscal control.* The federal government is not required to consult states concerning the distribution of tax revenues. State governments are not represented in the senate.

*Constitutional reform.* Article 5 of the constitution gives a minority of states a veto over constitutional amendment. Two-thirds of both Houses of Congress and three-fourths of the legislatures of states must ratify an amendment. Territories do not have a role in constitutional change. The statute of Washington DC can be unilaterally changed by Congress.

| Region            | Years     | Law making |   |     |     | Executive control | Fiscal control | Constitutional reform |
|-------------------|-----------|------------|---|-----|-----|-------------------|----------------|-----------------------|
|                   |           | a          | b | c   | d   |                   |                |                       |
| Counties, regions | 1950–2006 | 0          | 0 | 0   | 0   | 0                 | 0              | 0                     |
| States            | 1950–2006 | 0.5        | 0 | 0.5 | 0.5 | 1                 | 0              | 3                     |
| Alaska and Hawaii | 1950–1958 | 0          | 0 | 0   | 0   | 0                 | 0              | 0                     |
| Washington DC     | 1971–2006 | 0          | 0 | 0   | 0   | 0                 | 0              | 0                     |

### Note

<sup>1</sup>The criterion used to categorize a subnational government as regional is a population of 150 000, which follows the dividing line between regional and local government used in *nomenclature d'unités territoriales statistiques*. It is a geocode standard for referencing the administrative divisions of countries for statistical purposes. We loosen this criterion for special autonomous regions, such as Greenland. When we write that a 'constitution enumerates federal legislative powers in trade and commerce' we are using the term 'powers' to refer to formal authority. This convention is common in constitutions.