

**“Varieties of Federalism and Propensities for Change:
theorizing the effect of long term and institutional factors on
system change”**

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I. Introduction: linking types of federations and propensity for change

Despite the appearance of convergence or similarity in trends shown by decentralizing reforms in several federations and increasing legal or fiscal decentralization shown by aggregate data, federations actually change in many different ways, differing across various dimensions and with different tempos. If we analyze different systems in detail, we can observe how institutional trajectories and processes of change display more variation than is often assumed. Since most federations are subject to similar external and internal pressures, the relative propensity to change and the mode and tempo at which their institutions change have repercussions on their problem-solving capacity, their conflict-resolution ability, and the extent of power redistribution or balance and the legitimacy they may achieve.

However, although most institutionalist approaches seem to agree that institutions affect political outcomes, there is no agreement on what are the institutions that matter, what is the importance of institutions themselves as compared to intentional action or the strategies of the actors in explaining the change or persistence of institutions. This raises the theoretical and empirical question about the effects of institutional arrangements in institutional change itself, understood as the ability to adapt or reform formally or informally. In other words: what is the influence of the existing institutional arrangements, vis-à-vis other factors, on the evolution of a federal system. The study of the evolution of federal institutions, always under pressure to change and yet relatively stable and different across countries, can provide a good instance to explain differences across federal countries, how and why institutions change over time and how and why deliberate changes occur within institutions that are relatively stable.

With respect to this theoretical question, some studies have considered the type of federal institutions as one of the key explanatory factors of a federation's development. This discussion has been influenced by the recent neoinstitutionalist literature in comparative politics and political economy. First, the debate has revolved around the extent to which the evolution of federations and, therefore, its persistence or performance, is simply determined by its history, or institutional path dependency, by its own institutional logic and its degree of institutionalization. Some studies have argued that institutional choices at the foundation stage or at certain critical moments of the system determine the possible trajectories of change and institutional persistence (Lehmbruch 2000, 2002), and that certain types of institutions would be more likely to produce greater stability and a lower federal institutional or legitimacy conflict—reform need—and at the same time will have more reform capacity than other types of federation (Braun 2002a, 2002b)¹.

In this view, the evolution of federal institutions would acquire its own logic independent of the intentions of the original designers of the federal constitution, so that the effects of the institutions could not be foreseen by the actors. This logic would lead certain federal arrangements to persist despite having become obsolete or dysfunctional. Institutions could thus not be explained in retrospect neither by the role played at the beginning nor by the original intentions of political actors².

One of the problems to explain the consequences of institutions and institutional configurations in federal systems is the fact that it is difficult to measure variations in federal institutional arrangements and establish the institutional dimensions that matter to

¹ An application of this argument for the types of legislative-executive relations or the EU institutional change see see Krouwel and de Raadt 2002, De Raadt 2009 and Lindner and Rittberger 2003.

² For a typical formulation of this argument of path dependency see Pierson 1996. In the case of the Canadian federation see Watts 2002, Broschek 2009.

account for different outcomes. First, existing typologies, mostly dual or two-dimensional, are so simple that it is difficult to attribute clear consequences to a federation being categorized in one of those types. Second, those typologies were designed to explain different outcomes that have nothing to do with explaining institutional change capacity. To surmount the shortcomings of existing typologies of federal institutions, a new typology of federal institutional configurations is needed that allows us to analyze federal change by integrating structural and procesual factors, the formal *and* informal configurations that are the object of change and can be measured empirically, and establish how different types of federations have different potential for change.

This paper proposes a typology of federations based on configurations of what I refer to here as varieties of federalism. It can be defined as the subsystem of the political system comprising the group of institutions and processes or federal relations reflecting those intergovernmental structures and processes that mediate between the social, historical, and structural characteristics of a society and its government and that link several tiers of territorial jurisdiction in a country. This concept, somewhat emulating the now usual concept of *varieties of capitalism* in the political economy literature (Hall and Soskice 2001) is here conceived as an ideal type in the Weberian sense, entailing several empirically appraisable attributes of the structures and the processes of a federation. Within the varieties of federalism, I distinguish between dimensions and variables pertaining to the *formal institutional framework* and variables that can be grouped under the label of *federal relations*, reflecting the informal institutional processes and dynamics of federal systems.

In the next section, I review some of the existing typologies of federal institutional arrangements and their shortcomings. Drawing on a combination of some of them and on two main measurable dimensions of variation, in section III I present my fourfold multidimensional typology of varieties of federalism. In section IV, I propose several factors that are related to the varieties of federalism and describe their hypothetical effects on the propensities for change, seeking to establish some causal mechanisms by which they have an impact. In the last section I conclude with a summary of the proposed factors and mechanisms.

II. Existing typologies of federal systems and their usefulness for understanding federal dynamics

The study of federal systems has produced several typologies that have tried to put some order in the complexity and manifold variation among federations. Some of the more traditional ones have been those based on the representative institutions and the executive-legislative relations, distinguishing between parliamentary and presidentialist federations. Verney (2002), for example, has distinguished between *parliamentary federations* which emerged primarily as parliamentary systems (Canada, Germany), *federal states*, which were founded primarily as a federation, within which one should distinguish between presidential federalism (USA) and assembly federalism (Switzerland), and quasi-presidential-parliamentary Federalism (Russia).

Other usual criterion has been the historic mode of their formation, with a typical distinction between evolutionary or *union federalism* that Stepan has called *coming-together federalism* (U.S., Switzerland) that emerged for the common defense or economic reasons, and *devolutionary* or *holding-together federalism* such as Spain or Belgium, that often respond to the need to avoid the disintegration of a state by the risks of secession from dissenting regions within a unitary state. Also, according to the original purpose of the system Schultze (1990) has distinguished in a continuum of organizational forms from a centralized unitary state to a mere economic alliance of states.

Other usual criteria have been the type of predominant intergovernmental relations or the degree of interlocking or cooperation between levels of government. Here the most frequent distinction has been that between a *cooperative, collaboration, power-sharing, or integrated model* and the *dual, competitive or separation model* (Scharpf 1995, Simeon 1998, etc.). Painter (1991) has distinguished between collaborative, competitive, and mixed systems although most systems can be said to be mixed (Baldi 1999).

According to the degree of politicized or mobilized social and ethnic diversity, it has been common to distinguish between mononational or multinational federations (Linz 1999, Stepan 2001, Norman 2006, Burgess and Pinder 2007, Erk 2008), congruent and incongruent federations (Lijphart 1999) or ethnic federations or ethnofederalism vs. non-ethnic federations or territorial federalism —based on whether constituent units reflect or not ethnic, religious or linguistic cleavages—(Kymlicka 2006, Roeder 2007). Looking at several dimensions or types of diversities (language, national, ethnic, religious) Colino and Moreno (2010), for example, have recently identified at least six different types of federations, going from a lower to a higher degree of diversities: a) National federations that are mostly monolingual and have historical and newly created political units with new groups of immigrants (e.g., Germany). b) National federations with small indigenous populations, old immigrant or settler groups, different religions and a dominant lingua franca (e.g., Australia, Brazil, and U.S), c) Multilingual, multi-unit, recently established federal countries, with a dominant lingua franca and a dominant national identity but with several mobilized minority national groups and increasing new religious and cultural diversity (e.g., Spain), d) Multilingual and multicultural federations (largely bi- or tri-communal) with no national lingua franca, but which have strong local identities compatible with a federation-wide identity (e.g., Belgium and Switzerland), e) Bilingual federations where several national groups are mobilized, with one of them being dominant, and where indigenous populations are also mobilized with an increasing poly-ethnicity due to high new immigration (e.g., Canada). f) Multi-ethnic, multilingual, and multi-religious federal countries with multiple constituent units that are designed mainly along ethnic or linguistic lines, although there may be one lingua franca or major ethnic group in several units (e.g., Ethiopia, India, Nigeria, and Russia).

Other two-dimensional typologies have been proposed such as one based on the type of democratic system or regime and the type of intergovernmental system of government (Benz 2003a, 2004). This author has placed all the traditional federations along several values of the IGR system such as mutual adaptation, voluntary negotiation and institutionalized compulsory negotiation, and along several types of democratic regime such as consensual democracy, majoritarian democracy and dual systems.

Other multidimensional typologies have used the concept of families of federations (e.g. Benz 2002, Watts 2008). In this vein, the U.S. has been considered as a species of its own and several other families have been identified such as a Central European family: Switzerland (1848), Germany (1871/1949) and Austria (1920). Commonwealth federations: Canada (1867), Australia (1901), India (1950), Malaysia (1963) and South Africa (1994) emerging from the consolidation of multiple colonial dominions. The Iberoamerican family (Brazil, México, Argentina) that adopted the U.S. model, albeit with peculiarities. An Eastern European communist family —many by now disintegrated: USSR, Czechoslovakia and Yugoslavia are now 24 independent states—. And finally, a family of new European federations (Belgium, Spain) whose politicized cultural diversity in some regions led them to increasing federalization.

Related to this, but specifying several dimensions of federalism such as the justification of the system (whether cultural or territorial), the separation of powers (presidential or parliamentary), the division of powers (legislative or administrative), the representation of

the units in the centre (senates or councils), and the style of policy making (cooperative or competitive) Hueglin and Fenna (2006) have identified three main models of federation, the U.S. model, which includes the U.S. and Switzerland; the Canadian model of the British Empire, with Canada and Australia, and the German model, which includes the German federation and the EU model. Variations of these models are the model of Catholic federalism in Latin America (Mexico and Brazil) considered a variation of the American model.

Although many of these typologies may have real empirical and comparative merit, and are based in many relevant dimensions of variation, many of them are based on formal legal typologies, ignore paraconstitutional elements not reflected in constitutional design and cannot reflect or predict the functioning or the evolution of federations, leaving many federations outside their scope. For this reason it seems necessary to devise a new typology that should be guided by relevant empirical research questions, can identify theoretically and empirically typical pathologies and trajectories of evolution and should be able to account for the possible impact of federal structures and processes on the outcomes of public policy, in terms of management of social or political conflict and of the propensity to change and its adaptation capacity. The next section proposes a new typology.

III. A multidimensional typology: Varieties of federalism, formal frameworks, and federal relations

A useful definition of a federal system is one that considers it as a set of institutions and processes or federal relations that are the empirical manifestation of intergovernmental structures and processes that mediate between the social, historical, structural characteristics and government. The range of possibilities and directions of evolution of a federation may be usefully apprehended by studying change in two dimensions: the formal institutional framework and the federal relations³. The formal framework of a federal system includes those legal rules, rights, political organizations and basic principles that establish the power of the different territorial governmental actors for making binding collective decisions. It regulates who decides, who can veto decisions, and what has to be done by whom. The formal and informal structure of policy elaboration is established by continuous interaction among policy actors within the room for maneuver left by the constitutional rules. These institutional constraints and structures involve an incentive structure for actors to act strategically, creating a particular dynamic in the policy process, thereby affecting the substance of policies and their results, as well as the possibilities for institutional change.

Integration and centripetality of federal subsystems as main dimensions of variation⁴

The formal framework will usually show a greater or lesser *degree of integration or disintegration*. Integration will determine the system's effectiveness in making decisions and being reformed or adapted to external changes. The degree of integration of the formal framework may be measured by variables and indicators that correspond to a) constitutional design, b) the intergovernmental structure of decisions and resources, and c) intergovernmental decision-making rules. Each of them may be measured through the use of several quantitative and qualitative indicators.

³ Political science studies of federations have traditionally distinguished between structures and processes in federations (see Elazar 1987). Unfortunately, Elazar does not provide many useful empirical dimensions or variables that allow for a measurement of the different types of federal structure or federal process.

⁴ In this section I draw heavily from Colino 2010 and Colino forthcoming

Table 1. Summary of the dimensions and variables of the formal framework

	Dimensions	Variables
FORMAL FRAMEWORK	Constitutional design	Degree of intrastateness
	Intergovernmental structure of decisions and resources	Degree of interdependence
	Intergovernmental decision-making rules	Degree of hierarchy

First, the degree of intrastateness of the constitutional design will be the result of the type of regional participation in federal decisions, the type of powers distribution (functional vs. sectoral), the concurrency-exclusivity of legislative competencies, the presence of asymmetry in legislative competencies and the assignment of residual powers. Secondly, the degree of interdependence in intergovernmental structure of decisions and resources will reflect the centralization of spending and resources, the revenue autonomy and fiscal responsibility, the extent of administrative centralization, the existence of vertical or horizontal intergovernmental structures for decision making and the nature and formalization of cooperation bodies. Third, the degree of hierarchy of intergovernmental decision-making rules will be measured through the type of existing rules of initiative in intergovernmental bodies, the binding or voluntary character of joint decisions, the aggregation rules for decision making, the rules on conflict resolution and the general ambiguity of rules.

Constitutional design and rules, however, do not regulate much of the real-life practice of administrators, policy-makers, groups and citizens. Informal structures and interactions develop to compensate for the constraints posed by constitutional design. Bureaucrats and politicians have frequent interactions and working relationships in the course of adopting and implementing policies. Actors develop informal strategies and norms within intergovernmental decision structures through administrative or partisan arenas or through personal contacts.

These federal relations will show greater or lesser degrees of *centripetality* or *centrifugality*. Centrifugality/centripetality reflect the system in action, that is to say, how actors, despite the institutional set-up adapt their strategies and formal or informal interactions to the environment, and how they occasionally decide to change institutions (formally and informally) in one direction or another or seek to preserve the *status quo*.

The three variables that allow us to measure the particular type of federal relations are a) interaction styles, b) the type of actors' strategies, and c) the type of intergovernmental conflict lines and coalitions.

Table 2. Dimensions and variables of federal relations

	Dimensions	Variables
FEDERAL RELATIONS	Interaction and joint decision styles	Degree of collaboration-competition in interaction styles
	Type of governmental actors' strategies	Degree of solidarity orientation-assertiveness
	Conflict lines and intergovernmental coalitions	Degree of party orientation-territoriality

First, the extent of collaboration-competition in interaction and joint decision styles will be a result of the type of vertical and horizontal interactions, the decision orientation of elites, the style of intergovernmental relationships, and the preferred relationships channels. Second, the solidarity-assertiveness orientation in actors' strategies can be measured by the extent of regional self-assertiveness or pragmatism, the dominating regional elite's values, the extent of central interventionism and the time orientation of regional elites or decision makers. Third, the partisan-territorial orientation in conflict lines and coalitions, should be

analyzed by looking at the predominant intergovernmental issues and conflicts, the degree of politicization of those issues, the prevailing type of vertical or horizontal coalitions and the extent of horizontal conflict among units.

Ideal-typical varieties of federalism

If we keep all these variables and their typical clustering or configurations in mind, we may think of four basic ideal-typical varieties of federalism that may or may be not found empirically among the approximately 25 federations that exist in the world. If we cross these two proposed dimensions of the formal framework and federal relations and their possible values, four ideal types of federal systems or varieties of federalism are obtained in the resulting attribute space. Table 3 summarizes the possible values and the four ideal types according to their degree of integration and centripetality.

Table 3. Varieties of federalism according to formal framework and federal relations

		Formal framework	
		<i>Disintegrated</i>	<i>Integrated</i>
Federal relations	<i>Centripetal</i>	<i>“balance”</i>	<i>unitary</i>
	<i>Centrifugal</i>	<i>segmented</i>	<i>“accommodation”</i>

Source: own elaboration

These varieties of federalism typically vary across several historical, social, value or ideational and structural dimensions apart from the more or less integrated formal frameworks and the more or less centrifugal federal relations. These dimensions are, for example, the typical origin, the federalization mode, the social basis, the value priorities of the system and the associated executive legislative subsystem. Let us see them in more detail.

Variety I) “Balance” federalism

Formed by aggregation of previously existent political communities or states and sometimes coming from a previous confederal arrangement. In its original constitutional pact institutions are usually established that guarantee or at least declare in more or less effective ways the original power or sovereignty of the founding members of the federation. The main objectives consist on benefitting from the advantages of the union and escape from the problems of the disunion, avoiding the possible abuse of the central power. The main value is thus the balance of powers. In the “balanced” variety, the constitutional design is normally interstate and the intergovernmental structure of decisions and resources independent. The strategies of governmental actors tend to be self-assertive, with conflict lines and intergovernmental coalitions being more of the territorial type. Cases that in practice come closer to this ideal type, although none do so in all their dimensions and at all their developmental stages, would be the USA, Australia, Switzerland, Brazil, and, partly, the EU.

Variety II) Unitary federalism

It usually has its origin in the creation of subcentral units from a previous centralist state, or through the renewal of a federal tradition previously abandoned in the past due to a totalitarian or authoritarian phase. Created in times of national crisis or a war in order to reconstruct a country, the first purpose or value of the system is usually the value of guaranteeing the consensus and cooperation among the units. Its second value is the rights of individuals and their equality in the whole territory, followed by the autonomy and cultural affirmation of the constituent members. It usually appears in societies culturally homogeneous and cohabits with arrangements of the parliamentary subsystem of a consensual type and with proportional electoral systems.

This variety of federal system shows an intrastate constitutional design in which second chambers of the council type exist and representatives of the component governments participate in federal decisions and legislation. The intergovernmental structure of decisions and resources is usually interdependent, responding to shared competencies and aimed at guaranteeing similar living conditions for all the citizens. Given the need to reach consensus in federal legislation, federal decisions are usually executed by the constituent units. The intergovernmental rules of decision are usually hierarchical, dominated by federal initiative and obligatory joint-decision. In their daily operation, interaction styles are normally collaborative and conflict lines and coalitions are partisan rather than territorial. Federations that resemble this ideal type empirically to different degrees throughout many of its phases have been Germany, Austria, South Africa and to some extent Spain.

Variety III) Segmented federalism

May also originate in confederal experiences although in their birth it comes from the decentralization of a centralized state. It is characteristic of federations where two different cultural communities coexist, one of those being majoritarian. For this reason, given the need of survival of the union and of the founding communities, among the first values of the system is found the cultural affirmation, then autonomy, balance of powers, cooperation, and finally harmonization. The typical executive-legislative configuration of this subsystem is parliamentarianism.

The segmented subsystem type has typically a constitutional design that is interstate in which agreements between the leaders of the culturally different communities and intergovernmental institutions prevail. The intergovernmental structure of decisions and resources is quite independent since competencies are mainly exclusive and separated. Intergovernmental decision rules are usually negotiated between the two orders of government as partners and in practice interaction styles are competitive in character. The strategies of governmental actors tend to be self-assertive, with conflict lines and intergovernmental coalitions being predominantly of the territorial type. With the necessary qualifications, the features of this ideal type have existed empirically to some extent in several phases of the evolution of Canada or Belgium.

Variety IV) "Accommodation" federalism

It originates in societies with a certain degree of cultural heterogeneity and through a process of devolution or disaggregation of a centralist state as instrument for preserving a common state. Its typical values are usually the autonomy of the units, cultural affirmation, usually associated with asymmetric arrangements to give satisfaction to different self-government aspirations. At the same time, consensus and cooperation between the central level and the units is also sought, pursuing the harmonization or the individual's equality also in the whole federation. Finally, the balance of powers, which is usually guaranteed by

a constitutional court. The typical configuration of the executive or legislative subsystem is of parliamentary type, with proportional electoral systems.

The “accommodation”-type system usually has a constitutional design of the interstate type, with weak second chambers due to the origin of the system and the devolutionary process controlled by the centre, which has usually determined the rhythm and the scope of devolution. The intergovernmental structure of decisions and resources is usually characterized by the interdependence of the levels, reflected clearly in the dependence of the units on central funding. The intergovernmental decision rules are of the hierarchical type and in practice interaction styles may be either collaborative or quite competitive depending on the nature of/type of the constituent units. For instance, in regions with strong and mobilized regional identities, the governmental actors' type of strategies tends to be assertive especially when it is fuelled by the presence of strong regionalist or nationalist parties. Conflict lines and intergovernmental coalitions may be both territorial and partisan. Federations that resemble this ideal type could be Spain and India during some stages of their evolution

This typology allows us to compare countries along several dimensions and to ascertain to what extent they deviate in reality from the different theoretical dimensions of the ideal type. The assumption is that each of these configurations produces different capacities in the system to achieve a series of tasks or goals and thus propitiates different institutional evolutions or types of change. Each of these types will show varying propensities for change, will tend towards different directions of change, and will display typical mechanisms and paces of transformation. Table 4 summarizes the characteristics of these four ideal types.

Table 4. Four ideal types of federal subsystems and their dimensions

Typical defining variables	I balanced	II unitary	III segmented	IV accommodation
Typical origin federalization mode	by aggregation	by aggregation/ decentralization	by disaggregation	by disaggregation
Social basis	congruent/ incongruent	congruent	incongruent	incongruent
System’s finality priorities among values	<ul style="list-style-type: none"> • Power balance • autonomy/ subsidiarity • cultural affirmation • consensus/ cooperation • harmonization 	<ul style="list-style-type: none"> • consensus cooperation • equality/harmonization • autonomy/ subsidiarity • power balance • cultural affirmation 	<ul style="list-style-type: none"> • cultural affirmation • autonomy/ subsidiarity • powers balance • consensus/ cooperation • harmonization 	<ul style="list-style-type: none"> • autonomy/ subsidiarity • cultural affirmation • consensus cooperation • harmonization • power balance parliamentary
Configuration of executive legislative subsystem	presidential/ assembly	parliamentary	Parliamentary/ presidential	parliamentary
Constitutional design	interstate	intrastate	interstate	interstate
Intergovernmental structure of decisions and resources	independent	interdependent	independent	interdependent
Intergovernmental decision rules	partnership	hierarchical	partnership	hierarchical
Interaction and joint decision styles	competitive/ collaborative/	collaborative	competitive	competitive
Governmental actors strategies	solidarity-oriented	solidarity-oriented	self-assertive	self-assertive
Conflict lines and intergovernmental coalitions	party oriented	party-oriented	territory-oriented	territory-/ party-oriented

Source: own elaboration.

IV. The long term evolution of federal systems and its institutional and long term determinants

Defining long term change and its dimensions

Within the evolution or adaptation of parts or the whole of a federal system we can observe various aspects, including the *direction* of that change, the *scope* of change, the *domain* of change, its continuity and its *formal or informal* character. They can be described briefly.

The *direction of change* refers to the degree of integration or centrifugality toward which a system approaches in its formal framework or federal relations and, therefore, towards what ideal type of the proposed ideal varieties of federalism it leads in its evolution.

As regards the *scope of the change* we can distinguish between consolidation, incremental change and a clear transformation of the system. Incremental adaptation is understood as a change that alters somewhat the relationship between institutional goals and functions, changing the strategies and means, without questioning the tasks typical of the system. For its part, the transformation of institutions can be defined operationally as the fact that they suffer a disruption not only of his operation, but also of its purposes or functions⁵.

The *domain of change* refers to groups of institutions or rules that usually perform different tasks in a federal system and to which deliberate federal reform policies are normally addressed: e. g. those of authority or competencies, representation and participation in the central or common decisions, funding and fiscal autonomy and symbolic or community recognition.

The *continuity of change* relates to the distinction between episodic or gradual change. In many cases, gradual institutional changes can accumulate over time so that the sum of the changes produces an alteration of the patterns that may qualitatively transform previously existing institutions⁶.

Formal or informal change, refers to whether the changes occurring in the rules or institutions are formal or legal in nature, or whether they are occurring because actors reinterpret existing rules or use certain existing institutions in new different ways, interpreting them, making a third party reinterpret them (e.g. a Constitutional Court) or filling, informally, perceived gaps in them⁷. Formal change is the most costly and only occurs when the actors attempt to introduce a specification of a rule or amendment to the existing set of highly formalized rules.

⁵ Some authors have distinguished, referring to administrative reforms, between *first order change*: adaptation and adjustment of accepted practices, or *second-order changes*: the adoption of new techniques; or *third order changes*: those that affect the sets of ideas which include the general purposes and frames that guide action.

⁶ Burch, Bulmer et al 2003 have called this change incremental-transformative change.

⁷ Selznick (1943) already pointed out that within every organization an informal setting or structure is created, changing the purposes of the organization (which are abandoned, diverted, or re-elaborated) by processes within it. Knight (1992) points out how the actors dissatisfied with the distributional outcomes produced by certain institutional rules, have an incentive to challenge the dominant application of the rules proposing or using an alternative interpretation or failing to obey the prevailing interpretation. Stacey and Rittberger (2003: 861), for example, distinguish between formal and informal institutions by pointing out how formal institutions are conscious creations of political actors that are strictly enforceable, while informal institutions, —which are not synonymous with norms— are sometimes the result of intentional and sometimes the unintentional patterns which are formed over time based on repeated interactions.

After defining the dimensions of change that we have to explain if we want understand the dynamics of different systems, we need to identify some of the factors related to the institutional arrangements and its evolution and how –through which mechanisms— they may impact on the propensities for change. Apart from the effects of the type of formal framework and the type of federal relations on federal change we have other factors related to the history and principles underlying each federal variety such as the mode of federalization, the founding and underlying goals of the system, and the age and degree of institutionalization of the system.

To explain the propensity and direction of change it should be assessed, firstly, the relevance of the institutional elements themselves for bringing about or permitting the transformation of the system. It could be assumed that different varieties of federalism, that is, different configurations of structures or federal institutional frameworks and different configurations of federal relations, with their combinations, can lead to different propensities or potential for change and to different directions of change in terms of the goals and type of federal subsystem. Also, this will affect the systems capacities. Existing institutions and its logic may thus determine the mode, direction, extent and pace of change.

Mode of federalization

Differences between federations in this respect, that may help to explain different trends and processes of change relate, firstly, to whether the process of federalization, its initiative, content and sequence, are controlled by the central level, or have been controlled or produced at the initiative of the component units (see Baldi 1999).

The effects of the federalization mode, which will mainly affect its formal or informal character and its continuity, scope and extent, will have implications on the system's evolution through the mechanism of the possibility of controlling the scope and direction, or in other words, the availability of institutional instruments of decentralization and the possibility to predetermine the presence or effectiveness of participation and decision channels by the advocates of the federal central level. It can be assumed that those processes controlled by the central level will try to keep the integration mechanisms and maintain the highest possible combination of unity, legitimacy and resources of the central actors that is compatible with the federal form. Federalization processes dominated by the regional level, for its part, will aim to increase their autonomy and participation in central decisions, seeking at the same time to increase the legitimacy and resources at the regional level. The pursuit of greater or lesser legitimacy and resources from regional actors will determine their strategies for demanding change or their defense of the *status quo*⁸.

Founding and underlying goals of the system

The normative values embedded in the creation of institutions in the system and the main goals of the political community as well as the present communitarian and cultural definitions may help to understand the evolution of the type of federal subsystem variety and the definition of institutional interests and goals by different actors. This affects the propensity of reform or change proposals to be accepted that involve a change of priorities

⁸ According to Simeon (1972), intergovernmental affairs will produce conflicts and pressure for change in several instances, such as for example, when the division of powers and resources is unclear, when leaders think that this distribution is not legitimate, when social problems cross jurisdictional lines, when the government action has negative effects on other governments that are perceived as important by the leaders, etc.

of the federation, for example, from the balance of powers to cultural affirmation, or between autonomy and cooperation.

The most relevant variation to the possibility of change in the system here is whether the original goals of the system and the reform goals consist mainly on improving the effectiveness of governance and the issues of efficiency and results —distribution or redistribution of power and resources— or whether they consist mainly on the pursuit of political ideas or community principles —such as cultural preservation, community symbolic recognition and the conciliation of different ideas of community—.

This variation has consequences through the degree of constitutional ambiguity or constitutional silences on rules and areas that are potentially conflictual. The more or less ambiguity or the more or less presence of constitutional silences will bring about a larger or smaller room for reinterpretation by different actors and therefore a greater or lesser underlying conflict over the interpretation of certain rules or their legitimacy or consensus.

It can be assumed as a hypothesis that those systems whose federalization originated more due to issues focusing on efficiency and distribution will have less ambiguous constitutional rules and institutions and therefore will be less open to informal change and more stable or resilient. However, those predominantly based on principles will keep more silences and ambiguities in the regulation of the relationships between actors and therefore will lead to greater conflict of interpretations and greater demand for formal change by certain actors who are not satisfied or contradicted in their interpretation of the rules of the system (Erk and Gagnon 2000). When actors hold different community ideas or competing conceptions of the country and, therefore, have different ideas on the functioning of alternative institutions, federal institutions created will be more open to interpretation and therefore to contention⁹.

Federations based on goals related to principles or community ideas with different constitutional orientations (what has been dubbed megaconstitutional orientations, see Lusztig 1994, 1995), as is often the case in the “accommodation” or segmented varieties of federalism, will therefore be more prone to conflict and change than those based on distributional or efficiency goals, such as the “balance” or unitarian varieties. The existence, therefore, of a greater or lesser underlying conflict over the interpretation of certain rules or their legitimacy will lead to a greater or lesser demand for formal change by some actors who feel they are not satisfied with the system. Since many existing institutions are the result of prior negotiations, the original political agreement among the political actors may remain uncompleted¹⁰.

However, higher contestation or demand does not necessarily mean that in these systems more formal reforms take place, since uncertainty about the outcome of reform tends to be large and a formal constitutional change brings with it the risk that the entire set of formal rules are renegotiated, even those previously accepted by all. Therefore, the probability of demanding formal reforms will depend on the institutional preferences and the cost-benefit calculations of those who utilize the existing institutions. As noted by Simeon (2001)

⁹ As pointed out by Lindner and Rittberger (2003), when distributional concerns prevail in actors' preferences, they will be more willing to make pressure to reach a specific institutional arrangement that limits the scope for interpretation. However, when the preferences of the actors are dominated by conflicting ideas of community or institutions, they will be less able to specify the details of the rules governing future interaction between the actors of future generations. For this reason, the potential for rule interpretation will increase. There will also be the growing delegitimation or contestation of existing institutions by one or more constituent unit who may criticize both its distributional effects or the infringement of their community values.

¹⁰ In other words, the agreement may not have been understood in the same way, some actors may have remained unsatisfied, or perhaps the compromise character of the agreement may have been considered just as a further step towards a more important target in the strategy of one or several of the actors at that point, see Lieberman 2002: 702.

constitutions that contain gaps and silences will be easier to adapt informally than those that specify competencies and powers in great detail.

Age and degree of institutionalization of the system

Another factor that explains the scope of change and its more or less formal character and its continuity, is the system age and its degree of institutionalization. In operational terms, we can define the age of a system according to the degree to which the founding generation that created it still coincides with the generation that has to operate under those rules. It can be thus distinguished between young systems, in which the first generation is still active in the power system from those where institutions endure for more than a generation of political actors.

This distinction has an impact on federal institutional change through the causal mechanism that has been called the *increasing returns* effect, which makes that politicians extract more and more advantages from operating with those institutions to which everyone else has adapted and perceive more and more costs from changing them, since the institutions in turn have acquired, over time, increasing legitimacy and recognition. The generation of politicians who created the institutions will usually prefer not to reform them again but only slightly revise them. The following generation, which will have socialized under those institutions, and been accustomed to its operation, will rarely propose radical changes in the system, unless alternative elites without any previous experience with these institutions come to power. This may happen if new parties come into office in coalitions or alone and through foreign intervention. By that logic, and according to this argument, it can be assumed that the less time generations of politicians have been operating under certain institutions, more likely it will be that they risk a change that produces net costs at least in the short term (Burch, Bulmer et al 2003, and Pierson 2000).

The effects of the type of formal framework on federal change

Apart from the external factors that potentially affect changes in the formal framework, one of the main factors affecting its evolution is the very type of formal framework that constitutes each federal subsystem. Constitutional design and intergovernmental policy-making structures will influence the behavior, interactions, and strategies of actors in the federal subsystem. The first assumption here is that federal institutions form configurations that are interrelated with certain goals and institutional histories and, for that reason, their changes respond to typical trajectories and pathologies.

One of the most relevant differences among formal frameworks that would explain the propensity for change would be their openness or rigidity (for a similar argument, see Broschek 2009, 2010). This rigidity may be determined by the configuration of the three aforementioned variables of the formal framework. Some federations display closed and rigid formal frameworks combining intrastate, interdependent frameworks with hierarchical rules of decision that are also observable in their decisions about institutional change. Therefore, the relevant variation between formal frameworks that would better account for variations in change propensity is that between varieties of federalism that produce an open and uncoupled “system’s logic” –with interstate designs, independent intergovernmental structures and non-hierarchical decision rules in formal reform decisions—, compared to those who produce a closed system’s logic, with intrastate and interdependent designs with high degree of joint decision structures and hierarchical decision rules for pursuing formal institutional reform.

These characteristics of the formal framework affect change through two possible mechanisms of causal influence. First, the more or less decision-making capacity or

integrative capacity which different types of more or less open formal frameworks entail in terms of formal change decisions. In this fashion, different degrees of coupling or interlocking among institutional elements and the complementariness of other institutions and institutional subsystems, such as the parliamentary, party, administrative subsystems, etc. entail different costs and complexity of decisions involving formal change. In most coupled formal frameworks it will not be enough with changing one of the elements of the subsystem but several of them would have to be changed, since institutions have become dependent from each other.

Decision-making capacity and integrative capacity can be considered two basic capacities both of federal systems and political systems at large. The first relates to the capacity to adopt and implement policies, and the second to the ability to build consensus or to represent, integrate or accommodate conflicting views¹¹. These capabilities will come largely determined by the degree of integration and interdependence of the institutional framework and will therefore vary in different federal systems. Along these lines, many authors, for instance when analyzing the capacity of different systems to make decisions in federal fiscal policies, have hypothesized that the power-sharing type of federal system [cooperative or integrated] shows a greater capacity to coordinate, but a low capacity to act by the federal government, while the separation of power-type provides enough freedom to the federal governments, if limited in scope, and possibly with an underdeveloped capacity for coordination (Braun et al. 2003: 14). For his part, Simeon has also pointed out that whether or not it is necessary to resort to formal constitutional amendment reform will depend in part on the nature of the original constitutional design. The more powers and responsibilities have been assigned to "relatively tight compartments", the more complicated will be to get an adaptation by political or administrative means. Conversely, where the constitution provides for broad areas of shared or concurrent competence, informal adjustments will be more accessible (Simeon 2001).

For some authors, the institutional arrangements of interstate federalism have shown to be less resistant to change than intrastate federalism. This is well illustrated by the Canadian case (Broschek and Schultze 2003, Broschek 2009). Braun also notes how the decision-making blockage of reform attempts occurring in some federations is determined by the historical path of the model of federalism in which a country has installed itself (Braun 2002b: 326). External shocks can make that path more difficult or lead to a dead end, but often the original path is taken up again after some time. Table 5 comparatively shows ideal-typical capacities which could be assumed as a hypothesis in the four varieties of federalism identified above:

¹¹ These two principles of political systems that Shepsle (1988) has called *governance* and *representation*, and Weaver and Rockman (1993) considered among the basic capacities to perform three types of tasks, a) management tasks, which depend on their ability to generate and exercise public authority, such as the ability to innovate failed policies, allocate resources effectively, set priorities, coordinate conflicting objectives, impose costs on powerful groups, ensure effective implementation of policies; b) government maintenance tasks, represented by capacities such as ensuring the stability of policies and maintain international commitments; c) political tasks, concerning the ability of representation and reconciliation of diverse social interests and the conflict management capacity.

Table 5. Different decision-making and integrative capacities of the four varieties of federalism

	Decision making capacity	Integrative capacity
“balance”	+	-
unitary	-	+
segmented	-	-
“accommodation”	+ -	+ -

Own elaboration

The argument that posits the importance of the formal institutional framework for these capacities would imply, for example, that change will be more infrequent in those varieties of federalism showing a greater degree of integration of the formal framework –such as the unitarian or accommodation variety—and will often be informal, since necessary coalitions for formal change will not always be present, even in the face of changing external factors. In the unitarian variety change will be even more difficult than in the accommodation one, as there will be a number of conditions that favor institutional persistence such as veto points, consensual rules, multilateralism, and the basic consensus with the founding institutions. In addition, it can be predicted that the direction of change will be towards a deepening down the unitarian path or towards an accommodation system in case federal relations were to change, or to the “balance” variety in case a change were to occur in some aspect affecting its degree of integration such as the interdependence in the resource or decision structure.

Federal systems may have many points of veto, but the use made by actors in either case can be very different, depending on their interests in different types of decisions (Braun 2002b: 326, Benz 2003b). Thus, a more integrated subsystem, but centrifugal will have difficulties with the policies of institutional reform and with policy coordination. However, it will perform better in policies that seek redistribution by the centre and those that aim at conflict resolution or accommodation of different interests. A less integrated system will lead to more difficulties in some typical goals of solidarity and integration. Each variety of federalism will be more likely to use specific types of reform policies. For example, in those very diverse, such as the accommodation variety, the reform policies of integration, decentralization and differentiation will dominate.

Furthermore, the degree of decision making capacity or integrative capacity will also determine the potential system’s pathologies and therefore, the direction of change and the typical reform policies necessary to compensate for these pathologies. This will manifest in the kind of demands that the different actors will raise, and in the possibility of informal adjustment if the decision or integration capacity of the system does not allow for the agreement or its implementation. Each system will tend to a series of possible pathologies in these two capacities that will predetermine the direction and modes of change. Table 6 shows some of these problems in the different varieties of federalism (Colino forthcoming).

Table 6. Ideal-typical pathologies of different varieties of federalism

Typical pathologies	Type I balanced	Type II unitary	Type III segmented	Type IV accommodation
In its integrative capacity	Discrimination or lack of solidarity	Lack of autonomy of governmental units	Unilateralism and risks of disintegration or secession	Hollowing out of the centre
In its decision making capacity	Negative competition among levels of government	Decisional deadlock	Duplication and collusion	Lack of coordination

Own elaboration

A second hypothesis about change relates to the fact that each configuration of pathologies of the specific variety of federalism produces specific constellations of institutional interests, which means that its typical pressures for change, its need for adaptation, and its potential direction of change are somehow predetermined.

In those more integrated and interlocked frameworks, reform decisions will depend more on the interdependent interests between the central and the regional level, leading to specific content of reform proposals, usually displaying lowest common denominator solutions in the direction of greater integration in common decisions of both levels.

In those more open, less integrated, systems, reform interests will differ in scope and content, and regions' interests will tend to show more unilateralism, which may lead more easily to decentralization, disentanglement or disintegration of the formal framework. Also, it could be assumed that the "balance" variety of federalism, given its high degree of decision making capacity and its lower degree of integrative capacity, will have problems of disintegrative competition among units and the central level will tend to advocate for policies that compensate this competition for the weakest ones.

The unitary variety, given its high integrative capacity but low decision-making capacity will tend towards blockage and lack of units' autonomy, so that regions will usually advocate for policies that seek disentanglement. The segmented variety of federalism, given its low capacity for integration and for decision-making and the high degree of informal conflict, will respond with attempts from the central level to implement policies that strengthen integration and regional participation in common federal institutions. The "accommodation" variety of federalism, given its medium degree of both integrative capacity and decision-making, will respond with attempts by the central level to implement coordination policies and by the regional level to pursue differentiation policies, according to the point in time and the direction of the external pressures involved.

Finally, we can also assume that different federal formal frameworks imply different degrees of interrelations and interdependencies with other subsystems of the political system, due to different degrees of integration between institutional arrangements. This means that those more complex and integrated will be more rigid for formal change and more prone to inertia or more flexible for partial informal change¹². The complementariness of a set of institutions can generate high levels of interdependence, since the effectiveness of each depends on the existence and operation of the others.

¹² Here it should be mentioned Pierson's argument, drawing on North, that not just individual institutions are subject to positive feedback effects but also the configurations of complementary institutions in which the performance of each is affected by the existence of the other (Pierson 2000: 78).

The effects of the type of federal relations on system dynamics

Apart from external factors affecting them, the nature of federal relations themselves may explain certain dimensions of long-term change, such as its direction, scope and formal or informal character. Here it is assumed that a key characteristic that would determine the extent of change of different federal subsystems is the degree to which existing federal relations are congruent with the formal framework. For example, congruent subsystems — e. g. centrifugal federal relations in disintegrated systems or centripetal relations in integrated systems—would have a different impact on change than incongruent ones, —for example, those with centrifugal federal relations in integrated systems. In any case, these two dimensions represent a continuum of real possibilities with relevant implications for the problem-solving capacity of federations, for the type of endogenous pressures and preferred mechanisms for change and therefore for their overall capacity for change.

The mechanisms that explain the influence of this characteristic are manifold. First, the mechanism of positive or negative feedback or the tendency to certain equilibrium between the formal framework and the federal relations. The greater the incongruence between the structure and the process —more or less integrated frame and more or less centripetal or centrifugal relations—the more unstable the system will be and more pressure for change will occur. The more congruence between the formal framework and federal relations, the most likely that the formal framework will persist or be reproduced. The incongruence between federal formal and process aspects will lead to greater pressures for change, since federal relations will either tend to compensate or seek to neutralize the effects of the formal framework and vice versa¹³.

It could be assumed that in the two varieties of federalism where there is incongruence between the formal framework and the federal relations —the “balance” variety and the “accommodation” variety—we may predict structural tensions between formal institutions and process to compensate for the imbalance, in one of them towards centralization —the balance type— and in other towards decentralization —the “accommodation” type—. In both congruent varieties a positive feedback in the same direction of the system can be predicted, towards more unitarianism in the unitary variety and to further segmentation in the segmented variety.

Secondly, we may observe another mechanism in operation. That of formalization or subsequent constitutionalization of informal or process changes. More congruent systems will tend to informal change that will seek to compensate for the continuing tensions and for the formal persistence through the formalization of informal change. In incongruent systems formal change will occur in order to promote informal changes.

IV Summary

Table 7 summarizes our arguments and the effect of the explanatory factors presented

¹³ For a similar argument but based not on the characteristics of process as such but on cultural characteristics of society such as language see Erk and Koning 2010.

Table 7 Institutional and long term determinants of federal change

Variables	Main variation in the variable values	Mechanisms of causal influence
Mode of federalization	Sequence and content of the federalization process controlled by or at the initiative of the central level <i>Versus</i> Sequence and content of the federalization process controlled by or at the initiative of the constituent units	The ability to control the scope of decentralization and to predetermine the existence or effectiveness of mechanisms of participation in federal decisions
Founding and underlying goals of the system	Based predominantly in the interests of efficiency and results (distribution or redistribution of power and resources) <i>Versus</i> Predominantly based on principles (cultural preservation, community symbolic recognition and conciliation of various ideas of community)	The effect of greater or smaller constitutional ambiguity or silences on the existence of potentially conflictual issues
Age and degree of institutionalization of the system	Presence in power of the founding generation or the creators of institutions <i>Versus</i> Presence in the power of generations after the founding stage	Effect of increasing returns or increasing benefits arising from the existing institutions
The type of formal framework	Producing an open "system's logic" with low degree of formal integration and joint decision in institutional change decisions <i>Versus</i> Producing a closed system's logic with high degree of formal interlocking and joint decision in institutional change decisions	The higher or lower decision-making capacity or integrative capacity implied by different types of formal framework The specific structural constellation of institutional interests and pathological tendencies of the system implied by each specific type of formal framework
The type of federal relations	Congruent with the formal institutional framework (centrifugal in disintegrated systems or centripetal in integrated systems) <i>Versus</i> Congruent with the formal institutional framework (centrifugal in integrated systems and centripetal in disintegrated systems)	Positive or negative feedback or tendency to a certain balance between the formal framework and federal relations. The formalization or subsequent constitutionalization of informal change.

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