

Executives, Legislatures, Courts, Administration, and Local Government

- I. Overview (Gallagher, Laver, Mair, chs. 2,3,4,6):
 - A. To compare democracies, questioning how different ways of constructing the institutions of democracy might affect key social, political, and economic outcomes, we must first have some grasp of the range of different institutional systems available.
 - B. Branches of government: executive, legislature, judiciary, administration (bureaucracy); plus, some mechanisms for subdividing jurisdiction: local governance
- II. Executive (ch. 2)
 - A. DEFINE:
 1. classically, implements policy set by legislation;
 2. in practice, more than that:
 - a. consolidated leadership of government, of country: CEO
 - b. often agenda setter, designer, enforcer of law
 - c. figurehead: personal embodiment of state
 - B. Key distinctive features of other democratic executives (non-US)
 1. Separation of Powers
 - a. Executive-legislative separation non-existent in most democracies
 - b. Head of State v. Chief Executive: strongly separated (non-existent in US): (historical evolution)
 2. Indirect Election: Executives not usually directly elected, usually indirectly from legislature
 - C. Head of State
 1. Types of Head of State (n.b., where differ, usu. longer term than CEO):
 - a. Constitutional Monarchies: CA, AL, NZ (Queen rep by Gov-Gen), JA (Emp.), BE, DE, LU (GrDuke), NE, NO, SP, SW, UK
 - b. Republics (Pres. HoS):
 - (1) Direct Election: US, AU, FI, FR, IC, IR, PO
 - (2) Election by Legislature: GE, GR, IT, MA, SZ
 2. Roles:
 - a. Symbolic: personal embodiment of nation
 - b. Procedural: presiding major state occasions—open parl., ratify laws, etc.
 - c. Diplomatic: greeting visiting dignitaries, attending funerals, etc.
 3. Variation in Effective Powers:
 - a. Effective influence varies, but **France** (“**Semi-Presidential**” since 1958) only major exception (==> rest, w/ poss. exception Switz., strictly **Parliamentary Democracies**)
 - (1) Formal Powers: appoint PM, chair cabinet meetings, dismiss PM, dissolve parliament
 - (2) Seems formidable, but with parliamentary-majority demands to pass leg. & to back a PM...
 - (a) only last much effective when Pres&Parl parties differ (**cohabitation**: 1986-88, ‘93-5, ‘97-)
 - (b) & blunt weapon (nuke), plus only likely useful when expect could win in

- elect.
- b. All directly elected presidents have at least that potency as (usu.) only leader elected by whole nation, often have a few other, usu. minor, powers beyond that
 - (1) **Finland**: president central role in foreign policy, can lever domestic-policy influence therefrom
 - (2) Even **Ireland**, where Pres can't leave or speak on any policy issue w/o govt. consent: two powers
 - (a) refer bills passed by parliament to Supreme Court for judicial review (more on that later)
 - (b) refuse petition to dissolve legislature (more later; n.b. weighs against too-freq ele.-calling)
 - c. Indirectly elected presidents and, *a fortiori*, monarchs lack that disadvantage, but still not wholly powerless; many of these have some dissolution-refusal and such powers also, plus:
 - (1) **Italy**: can refuse dissolution, plus bully pulpit: aloofness from day-to-day politics can be advant.
 - (2) Monarchs: some have intervened or spoken out too strongly, and many presidents exist today as result, but even there still powerful symbol, which can also matter
 - (a) Belgium (King Baudouin, "the only Belgian"): illustrates value in divided country
 - (b) Spain ("modernising monarch"): illustrates potential value in emerging democracies
 - (c) Elsewhere (SW & NE notably): royalty self-consciously avoids pomp
4. Explaining varying efficacy of Heads of State (if we were to characterize, use theory to gauge power):
- a. Formal powers in constitution,
 - b. *Plus* political-strategic and social situation (e.g., France, Finland, but also, e.g., Italy, Belgium, Spain)
 - c. Direct election helps
- D. **Prime Minister (PM)** / Chancellor (the "political boss" or C.E.O.)
1. Usually far more powerful than US president (why?), especially in single-party governments, but even in coalitions, usually PM obtains position by strong bargaining power in legislature
 2. Usually head of a key, often the largest, party as well as head of government
 3. **Aspects/Sources of PM Power**; again, formal description part of it, but key is political position:
 - a. PM is person chosen by legislature to head government: key also is tight **party discipline**
 - b. given modest role of HoS, PM is the nation's central political figure—*Thatcher's England*, etc.
 - c. cabinet and party leader: "first among equals"—hires and fires cabinet ministers ==> **gatekeeper** to power (controls careers), so demands and gets strong loyalty

- d. at apex of political info, & usu. government's **agenda-setter**: which proposals discussed, in what order
- 4. **Replacing PM's**: not dictators, can be replaced at any time
 - a. Election Loss:
 - (1) If party loses enough seats that PM can no longer win parliamentary majority to retain office
 - (2) If loses support b/w mandated elections, or if former supporters think may have, opponents (new and old) can force early election, which if lost...
 - b. Legislative-majority Loss w/o Election: current supporters can abandon if get better offer or begin to doubt or dislike current deal: PM (and cabinet, see below) serves at will of parliamentary majority
 - c. Loss of Own-Party Leadership: own party could also lose faith and decide to replace PM as party leader; does not *per se* remove PM title, but party could always abandon govt and replace it.
- 5. Conclusions on PM:
 - a. ==> relatively small number shifting support could topple PM (& cab govt) without voters say, but, ultimately, all return to voter for approval, so estimates of voter support continually key
 - b. powerful but replaceable
 - c. formal powers detailed, but key is political position
- E. **Cabinet (Government)**: Cab=Board of Directors; set of ministers that comprise govt & head depts.
 - 1. Department Head:
 - a. **portfolio responsibility**: responsible for affairs of department to the cabinet as a whole, which is responsible to parliament, which is responsible to voters
 - 2. Government Member
 - a. **collective responsibility**: may debate issues in cabinet, but once decided, they're unanimous and all sink or swim together (n.b., this distinguishes cabinet in parl. from in pres. dem.)
 - b. collective responsibility often taken to imply secrecy of cabinet discussion, but veterans know how to leak strategically (personally, collectively) and veterans know how to read the tea leaves
 - c. *ministers w/o portfolio*: rare, have only this second role
 - 3. Ministerial Autonomy: Gallagher, Laver, Mair argue that ministerial system exhibits strong division labor
 - a. complexity of modern policymaking means only department has expertise and resources to create, to amend, etc. policy in its area ==>
 - b. minister generates policy in his/her area for cabinet discussion==>choice structured on departmental lines (n.b., this claim key to Laver-Shepsle model of govt formation we explore later)
- F. Making and Breaking Governments (first look)
 - 1. **Fundamental Principle of Parliamentary Democracy**: Exec. (PM & Cab) responsible to Legis. (Parl)

2. Govt cannot form, survive, or act without parliamentary-majority support. Key instruments:
3. *Vote of Investiture*: DEFINE; even if not explicitly needed, must survive votes from day 1
4. *Vote of (No) Confidence*: DEFINE
 - a. in virtually all, govt must resign if lose [SZ: formed govts do not face, so not strictly Parl. Dem.]
 - b. opposition may propose vote of no confidence at any time [Why might they?]
 - c. government may convert no-conf into conf vote or call conf vote at any time [Why might they?]
 - d. budgets often formally, and rest informally, votes of confidence
5. (some major) Consequences:
 - a. Govt do not have fixed terms
 - b. major source of parliamentary power over government
6. Caretaker Governments: DEFINE
 - a. can stay in power indefinitely, sometimes an actual long time (months in BE & NE not uncommon)
 - b. by convention, usually does not initiate new legislative agendas or implement new policies
7. HoS, Formateurs, & Informateurs: the logistics of the process
 - a. Formateur: DEFINE; Informateur: DEFINE
 - b. HoS role is usually to name Form. or Inform., sometimes mechanically prescribed choice
 - c. Formateur names a PM and cabinet, portfolio allocation, for parliamentary vote
 - (1) formateur only names, parliamentary (party) leaders bargain and make the decision
 - (2) ministries are the career goals of parliamentarians—key prize, and key power, so much sought
 - (3) b/c, once installed, policy control only re-established by reconstructing government (*ministerial autonomy* again), portfolio allocation is central to debate and bargain over new govt
8. Party Leaders (PM) Choosing Cabinet Members; characteristics sought/rewarded, punished (WHY?):
 - a. party loyalty (this a key tool in party discipline)
 - b. representation of party strands (WHY?)
 - c. PM internal-party supporters and/or opponents (WHY?)
 - d. seniority (WHY?)
 - e. ability (WHY?)
 - f. typically must be MP's, but in some cases not, and sometimes prohibited to be both at same time
9. Civil Service: politicized v. depoliticized (DEFINE & DISCUSS)
10. **Minority Governments**: DEFINE; how maintain power: one key aspect is that majority coalition can and often does vary from policy to policy; something less possible within majority government model

- 11. Defeat: often not played to end-game, government resign before, but sometimes is to force public play
- G. Summary Conclusion: 2 paragraphs on p. 38 (4th ed.)
- III. Legislatures (Parliaments): Gallagher, Laver, Mair ch. 3
 - A. Legislatures in Presidential & Parliamentary Systems:
 - 1. Presidential systems (US+many Latin American and a few other developing-country democracies):
 - a. Legislature usu. has power to create & enact legislation, including, critically, budgets,
 - b. Presidents usu. power to ratify or veto legislation, to implement and monitor/enforce it
 - 2. In parliamentary systems:
 - a. Decisive power is “government” (PM & Cabinet): creates, implements, monitors/enforces,
 - b. Legislature (parliament): merely enacts/ratifies, BUT parliament can usu. dismiss government at any time ==> “Government responsible to Parliament”
 - c. Key to dominance of government over parliament in practical power: **party cohesion and discipline**
 - B. Parliamentary Chambers: Unicameral v. Bicameral
 - 1. Characteristics: Most bicameral, with lower directly elected and upper, usu. less powerful, selected otherwise
 - 2. Bicameralism and Upper Houses
 - a. Methods of Selecting Upper Houses
 - (1) Heredity, (Lifetime) Appoint: UK House Lords, LU Council State; CA Senate; usu. have least power
 - (2) Direct Election, approx. same system as lower: most of IT, SP, & BE Senates; among most powerful. Indeed, IT & SP selection & powers mirror lower chambers? => point of bicameralism obscure
 - (3) Direct Election, diff. system (districts, terms) than lower (usu. geographic basis representation):
 - (a) examples: US, AL, JA, SZ
 - (b) notable, usu. lesser, powers; diff. interests/organization than lower => interesting
 - (4) Indirect Election or Appointment by Local Govt:
 - (a) selected differently than lower House, have appreciable powers, but usu. lesser => interesting
 - (b) Examples: GE, NE, AU, plus IR and FR, although these complicated mix
 - b. Typical Powers of Upper Houses: Italy rare case: same as lower
 - (1) Delay implementation of legislation enacted by lower house (usu. const’y limited; cannot overturn)
 - (2) Obstruct certain types of legislation (veto, or delay longer): usu. constitutional, sometimes more
 - (a) E.g., explain GE *Bundesrat* Veto
 - (b) Stronger still in some places, can initiate legislation and legislate: US, IT,

others

- (3) Often controlled by different block (b/c diff. selection method, terms) than lower ==> check on govt
3. Unicameral: DE, FI, GR, IC, MA, NO, PO, SW, NZ (& Nebraska), but even these often have some mechanism that partly simulates bicameralism: Norway divides itself, FI & PO has 1 large permanent committee like U.H.
- C. Lower House Roles: Making & Breaking Govts; Legislating; Government Oversight
 1. Appointing and Dismissing Governments
 - a. In parliamentary systems, legislature usu. has power to remove govt & usu. to call elections
 - (1) Exceptions: SZ neither power; many say ^ not parliamentary; NO fixed 4-yr ele. cycle; GE&SP constructive vote no confidence
 - (2) N.b., stronger than legis. in presidential systems in this way – important implications [HYPOTHS?]
 - b. => Govt responsiveness to legislature; govt requires legis majority
 - (1) Prop. Rep. => multiparty parliaments, and often, ^, govt relies on coalition of parties
 - (2) => shifts in power, expectations can induce sudden change in govt, *without direct electoral input*
 - c. Govt usu. has converse power to dissolve parl. & call new elections
 - (1) => Election timing a strategic variable (although, maximum inter-electoral period const'ly fixed)
 - (2) => Govt & Parl with “gun to each other’s head”, but party discipline => govt usu. leads
 - d. Partisan Balance of Power reflected in one national arena (although not much action there usu.)
 2. Legislating
 - a. Party discipline + Govt'l legis. majority ==> Govt can usu. pass its program
 - b. + Govt controls civil service ==> plans, implements, monitors, enforces legislation
 - c. Little committee development, resources, in most ==> little ability to design legislation, although trend toward greater resources & stronger committee systems
 - d. Representation:
 - (1) Unlike systems where legislators legislate effectively, and where party discipline weaker, MP's see selves less as legislators, less as rep.'s of electoral district, more as rep.'s of (partisan) interests
 - (2) Provisions for *private-member bills* usu. exist, and can be intro & passed if govt not oppose
 - e. Still, enough variation that not all parliaments simply rubber stamp:
 - (1) *Majoritarian (Westminsterian) systems*:
 - (a) single-party government typical, strong party discipline ==> little role for *backbenchers*
 - (b) however, PM & Cabinet must keep party support, so some eye to maintaining party unity

- (c) opposition sees role more as vocal critic; offering *shadow (alternative) government*
- (2) *Consensual (Proportional) systems*:
 - (a) multiparty govt the norm; more explicit give and take among governing parties
 - (b) SZ, by convention, explicitly consensual; others have varying operative consensual norms
- f. Role of Opposition:
 - (1) Obstruct as much as can in majoritarian:
 - (a) Filibuster or equivalent: GR
 - (b) Speeches against govt plans: embarrass govt, offer alternative
 - (2) Stronger role with more bargaining with government in consensual:
 - (a) govt negotiation with opposition plays stronger role
 - (b) more developed committee systems, although role more in details than policy per se; bills often to committee for negotiation & compromise before to floor (as opp. to majoritarian)
 - (c) some can even set own agenda & timetable & sometimes amend bills
- g. Examples of parliamentary roles:
 - (1) Scand. parl's closest to congressional model:
 - (a) rel. strong committees w/ stable membership, often on govt commissions to formulate policy
 - (b) parl. arranged by geog. rather than party => more cross-party log-rolling, esp. on regional issues
 - (c) FI (until repealed 1992): almost all bills require 2/3 majority => more compromise
 - (d) DE: minority govt. illustrates strength of parl. function of govt's strategic position in parl
 - (2) IT at one far extreme:
 - (a) party leaders set policy agenda; much policy even designed in party committee
 - (b) secret ballot in legis. through 1988 => harder to enforce party discipline => more govt.-opp. and govt.-backbench negotiation and compromise
 - (c) parl. committees very strong: explicit lawmaking powers to scrutinize all legis. & even finalize and approve some (without going to floor!)
 - (d) but even so: *leggine* [DEFINE] and *partitocrazia* [DEFINE]
- 3. Governmental Oversight: watchdog role, background question of degree replaced by media in this role; methods differ across systems:
 - a. *Question Time* [DEFINE]:
 - (1) frequency and required response time varies
 - (2) cat & mouse game of words with opp. trying to embarrass govt, govt trying not to give too much away while not lying
 - (3) Pattern: 88# of questions => more effective oversight? or still no bite, or even devalue by use?
 - b. Interpolation: like question time, except response can be debated in parl if

- sufficient # request
- c. Oversight committees: exist, but nowhere near as developed as in presidential systems [WHY?]
- D. Party Discipline (one study reported 99.8% party-line voting in Norway):
1. The Centrality of Party Discipline to Governmental Dominance:
 - a. MP virtually must vote party line + Govt must have parl majority => Govt passes its agenda
 - b. ==> “legislature” acts as a group of parties, not as some large # of individuals
 2. Sources of Party Discipline (discussed above, & more later, for now):
 - a. Party leaders have “unpleasant punishments” for backbenchers [IDEAS?]
 - (1) party label needed for election, can be denied
 - (2) ambitious MP’s must note leaders gatekeepers to positions of power (ministries, e.g.)
 - b. Positive reinforcements:
 - (1) Sense of identity, loyalty to common purpose: after all, share party ideology
 - (2) Opt-out provisions often exist for individual MP’s on key issues [WHEN MORE, LESS?], but, n.b., not often to any real effect on vote [in PO, MP steps aside, replaced by other party mem to take vote]
 - (3) Decision within the party on the party’s governmental program may be fairly democratic
 - (4) Some negotiation (degree hard to ascertain with certainty) occurs *before* bill proposed to floor
 - c. Some evidence that backbenchers becoming more assertive (i.e., party discipline on decline)
 3. P.D. key to democratic responsibility in parliamentary systems: Govt resp. to Parl. resp. to voters, with clear links on whom to blame/credit (easy for voters...)
 - a. ==> Voters vote for Parties (smaller “personal vote”)
 - b. ==> MP’s think of selves as representing block of interests represented by party
 - c. 1+2==> less distributive and more national politics
 - d. 1+2==> less incumbent advantage
 - e. 1+2==> party label, w/ disc. to ensure its full meaningfulness, valuable to MPs, backbenchers & leaders (maintain it), & voters (demand it)
- E. Summary Assessment:
1. Role of Parliaments 8 or 9?
 - a. Arguments for 9:
 - (1) 8 technical sophistication & complexity of legis. and policymaking; parl lacks resources, org. to deal
 - (2) 8 # groups in compromise (follows from above) => 9 govt willingness to allow parl. amend
 - (3) 8 scrutiny role replacement by media
 - (4) 8 casework workloads => 8 casework workloads => 9 time for significant legislation?, but...
 - b. Arguments for 8
 - (1) 8 casework workloads => 8 citizen appreciation of parl role?

- (2) 8 professional MP
 - (3) 8 resources of common MP
 - c. GLM say seems parliaments on rise despite all the critics
 - 2. *Variation in parliamentary power: function of rules, but also of strategic position of govt in legislature.*
 - 3. Centrality of PARTY DISCIPLINE
- IV. Courts and Constitutions: Gallagher, Laver, Mair ch. 4
- A. Background:
 - 1. Constitution (“Basic Laws”) = Rules of the Game; Courts & Judges = Referees
 - 2. As 8 edu. & 8 single-issue politics, 8# issues taken not to legis (seen as slow, ineffective) but to courts [DISC]
 - 3. Courts once ignored in discussing most dems’ politics, but now judicial review central fact of life everywhere
 - B. Common Law and Civil Law traditions
 - 1. Civil Law (Roman system): Most of Europe (plus Latin America, Louisiana, and parts of Canada)
 - a. Laws of parliament are the law—every legal decision begins from the legal code, not from precedent
 - b. Two strands/sources: Code Napoléon (BE,LU,NE,IT,SP,PO), German Civil Code (GE,NO,SW,DE,FI,IC)
 - c. Judges apply, they do not make, the law; see selves & are seen as more civil servants
 - d. Parliament supreme; indeed, judges often search *travaux préparatoires* to aid interpretation.
 - 2. Common Law (British system): UK, most of US, most of CA, AL, NZ, IR, MA)
 - a. Less emph. on “laws” of parliament, more on “The Law” of accumulated precedent: previous judgements (and constitution) *are* the law, until explicitly overwritten (by hard process specifically described)
 - b. Judges interpret, but here only the final law as written (not *travaux préparatoires*) is usually base for it.
 - c. ==> greater judicial-legislature conflict potential under Common Law
 - 3. Much evidence of convergence; degree to which Civil Law converging toward common partly function of declining specificity (rising vagueness) with which laws written.
 - C. Judge Appointment Procedures: in virtually all places, top judges appointed by govt &, to varying degree, removable by parl majority
 - 1. can & do appoint by partisan persuasion, but also can be difficult to keep in line because:
 - a. strength of removal provisions varies +
 - b. legal tradition/strong norm of judicial independence +
 - c. strong public opinion against partisan-eering of judges ==>
 - 2. Results:
 - a. No UK judge removes since 19th C
 - b. Publics generally have strong belief in indep.(n.b., similar in US toward Supreme

- Ct. but Gore v. Bush)
 - c. Accusations of partisan bias abound [DISCUSS why in appointment system; and for elected judges]
 - d. Esp. IT case cited for partisan judges—much more overt there => IT (&US?) most highly politicized judges
- D. Judicial Review: DEFINE
1. Extent of Judicial Review Varies: non-existent; in regular courts; in “supreme” courts; both (US, PO, others)
 2. European Court of Justice has judicial review over any member’s domestic laws for accord w/ EU constitution
 3. No Explicit Judicial Review
 - a. UK: no written constitution => vague => issue of unconstitutionality doesn’t arise, or different guise; *ultra vires* [DEFINE] exists, but nothing stops parliament from simply writing such law
 - (1) constitution from: statute law (written laws accepted as big ones)...
 - (2) ...common law (customs of basic government forms and processes)
 - (3) ...convention (elite accepts some set of implicit prohibitions)
 - (4) ...works of (scholarly) authority
 - b. NE: courts expressly forbidden judicial review (undermines parliamentary supremacy)
 4. Limited judicial review
 - a. SZ: court can strike down *canton* but not federal law
 - b. BE: only those laws concerning balance of powers between levels of government reviewable
 - c. Traditionally weak in Scandinavia:
 - (1) only NO long history w/ review, not much significant;
 - (2) SW has strong constitutional provisions for review, but not much used (seen to undermine parl. supr.)
 - (3) FI: pres. may refuse to ratify legis. as unconst., but parl. uses legal advisors to pre-vet
 5. Explicit, extensive judicial review: 75 of 160 constitutions in world; many use separate constitutional courts
 - a. Types of Review:
 - (1) *Concrete v. Abstract* review [DEFINE]
 - (2) *A Priori v. A Posteriori* review [DEFINE]
 6. Strong Constitutional Courts: US, CA, FR, GE, IT, AU, SP, PO (rest: JA weak; AL, NZ mid-to-weak)
 - a. All appointed by government, usually to longer terms than govt and hard to remove
 - b. All are highly political appointments, and likely becoming more so
 - c. Recall that in many systems, some of pres. power stems precisely from being able to call for such review.
 - d. French Constitutional Council illustrates many further points about strong const’l courts:

- (1) Courts are inherently weak political actors:
 - (a) often decisions only declaratory;
 - (b) enforcement always lacking;
- (2) So courts rely for their efficacy on
 - (a) moral (and intellectual) authority
 - (b) public support
 - (c) political-elite willingness to follow its decisions.
- (3) Most adopt several strategies to accommodate this weakness:
 - (a) if they can, delay addressing politically contentious issues until attention fades
 - (b) sometimes distinguish b/w unconst'l & null&void (or similar "it's unconst. but..." strategies)
 - (c) relatively few laws are actually revoked (FCC: about 5%)—this partly b/c govt's pre-vet bills)
 - (d) conditional constitutionality: if bill means X, then constitutional, taking most constitutional view of what law means, which may dampen lawmakers' intent without outright revoking it.

V. We skip Gallagher, Laver, Mair ch. 5 on the EU because too big and other courses here spend whole semester on EU

VI. Administration (Bureaucracy) and Local Government: Gallagher, Laver, Mair ch. 6

A. Administration

1. Background:

- a. "Bureaucrats" do most day-to-day implementation of most of what is vital to Jane and Joe Citizen
- b. Ideal of the depoliticized bureaucracy: administration merely a technical problem, not a political one...

2. Two Key Factors in *Political* Relation between Civil Service and Policymakers/Politicians

- a. Civil Service "Culture": Generalist (e.g., UK, IR, IT, SP, PO) v. Technocratic (e.g., FR, GE) Civil Service
 - (1) assessed on general administrative & managerial skills (human skills, liberal arts) v. specialist, technical training (economist, lawyer, engineer)
 - (2) occurs through and matters because training & recruitment, socialization differ
 - (3) Why some technocratic others generalist? one influential argument: naval v. land-army based territorial domination implies different needs for domestic organization
- b. Politicization of Senior Civil Service (mostly via appointment, promotion processes)
 - (1) *Spoils system* [DEFINE] most developed in US, but general to all democracies, perhaps growing
 - (2) Excluding US, Anglo-world at one end: staunchly nonpartisan bureaucracy the norm
 - (3) Continental Europe in between: Francophone world—ministerial *cabinets*: teams of trusted upper civil servants brought with the minister, far less

formalized elsewhere in Europe

3. Self-Interested Bureaucracy:
 - a. budget and size maximization (Niskanen; Wildavsky)
 - b. “bureau-shaping”: making job more congenial in various ways, implies inter alia status quo bias (Dunleavy)
 4. Other key question in comparative public administration: relative autonomy of bureaucracy
 - a. *Yes, Minister!* [great show, catch an episode]: view that bureaucrats know what’s really happening, pol’s not, so b’s great latitude to make *effective* policy what they want (or at least not to move if don’t want)
 - b. Ministerial (political) power: opposite view that ultimate responsibility with pol., pol. has complete authority and real power over b’s “quality of life” ==> all real power w/ pol., b’s just at margin
 - c. Obviously, a matter of degree, and it varies [HYPOTHESES] [ASIDE: Principal-Agent Situations]
- B. Local Governments: *Federal v. Unitary States*; Systems of Local Government
1. Federalism: (constitutional) entrenchment of some level of local/regional government in national policymaking
 - a. Examples (in rough order of degree): SZ, US, now BE, ({order uncertain} AL, CA, GE), AU, (now UK?)
 - b. Most have bicameral legislatures in which upper house rep’s regions and has significant powers, e.g. veto
 - c. Fed local govts gen’ly more powerful than unitary...GLM do not stress enough: even if explicit powers at any moment might be less, b/c federal localities have constitution, courts, & Upper-House protection
 - d. [DISC] Explain varying “degree of federalism”, i.e., varying power of regions v. center in fed systems?
 - (1) Constitutional provisions:
 - (a) residual powers to whom,
 - (b) power of the purse,
 - (c) constitutionally enconced protectors like courts, upper houses, etc.
 - (2) Strategic situations at national level, and among set of local levels—complicated interplay here
 - (3) Social structure, history, and jurisdictional map overlay:
 - (a) SZ cantons date to 13th C, language homog./religious nearly by canton not nation, strong ID, etc.
 - (b) ...to...US history, some ID...to...
 - (c) Germany: federalism a nearly fully political construct (some historical root, but match poor)
 2. [DISC] Centralizing v. decentralizing pressures? What logical issues involved in power allocation across levels?
 3. Local Government:
 - a. federal or unitary, all: at least one level local govt (commune, municipality), most have one intermediate level (province, region); in unitary, though, local has

- whatever power center chooses to give
- b. degree of local accountability—election v. appointment; budgetary control—varies
 - c. relationship across levels not usually strictly hierarchical; more separate responsibilities/powers: in federal, constitutionally defined, in unitary, by legislation, so more easily changed
 - d. typical local powers:
 - (1) nearly all: land use and environment control, services to property (fire, garbage, utilities)
 - (2) some: police but this varies widely, usu. several law-enforcement divisions at mult. levels
 - (3) often: some combo of local pub trans, local roads, schools, health & human services, public housing
 - e. Several unitary countries *special regions* with more federal-like prescribed powers: e.g., UK, SP, IT, DE
 - f. Key to local autonomy is budgetary control, esp. on revenue side:
 - (1) sources: local property, business, income taxes; local service charges; transfers from other levels
 - (2) most argue: the greater the reliance on first two and less on last, the more effectively autonomous