

# Regime Change and the Federal Gamble: Negotiating Federal Institutions in Brazil, Russia, South Africa, and Spain

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This article proposes a theoretical framework to explain the negotiated federal outcomes in countries undergoing regime change and investigates its applicability to a diverse set of countries—Brazil, Russia, South Africa, and Spain. It considers the intersection of reform strategies, the normative and organizational preferences of constituencies enlisted for regime negotiations, and the conflicts associated with regime change. Two key variables—the balance of power and violence predictions—translate actors’ preferences into federal institutional outcomes. A comparative case study analysis evaluates the argument and demonstrates the conditions under which regime reform strategies have a more direct impact on intergovernmental bargaining venues and why some shifts in the balance of power have led to more substantive institutional concessions.

How do the dynamics of competitive regime transitions affect the development of federal institutions?<sup>1</sup> Research shows that reform strategies carried out to transform an authoritarian political system can have profound effects on resulting systems of democratic governance (Munck and Leff 1997). In multiethnic countries or those with strong regional identities, the dissolution of one type of political system and the installation of another provides a “window of opportunity” to renegotiate the division of power between central and regional political authorities (Leff 1999). How that particular window is managed can make a significant difference. Linz and Stepan (1992, 1996) argue that sequencing statewide elections before regional ones was significant for Spain’s post-Franco development of statewide parties, the prioritization of a democratization agenda, and the moderation of regional radicalism. Alternatively, in the Soviet Union and Yugoslavia, regional elections in the early 1990s shifted the reform agenda from liberalization to subnational independence and central state dismemberment. Despite questions concerning the feasibility of sequencing regional elections first in then-unitary Spain (Leff 1999), Linz and Stepan’s work represents an important theoretical point of departure concerning reform strategies and institutional outcomes.

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Similarly, regime reform strategies are argued to have a significant impact on the development of federal institutions. For example, in Brazil, the military regime's electoral manipulations and the re-activation of patronage to state-based elites in the 1970s reinforced historic patterns of personalized and subnationally oriented party politics and gave those elites considerable input in the constitutional negotiations process of 1986–88. This contributed to the creation of a very decentralized federal system in which state governors' political leverage is high (Samuels and Abrucio 2000). In the early 1990s, Russian President Boris Yeltsin's strategy of accommodating ethnically defined republics' autonomy demands while imposing federal control over other regions appears to have taken a more circuitous path toward bilateralism in which all regions' autonomy levels were separately negotiated between central and regional executives (Solnick 2002). How can we account for this shift? Evidence from South Africa and Spain suggests that political actors, fearing (further) instability and violence, made concessions that had a substantial impact on their resulting federal systems (Gunther 1992; Steytler and Mettler 2001). How do those institutional compromises compare to Russia's, where bargaining between the national executive and republics was broadened in the aftermath of the violent showdown between the president and national legislature in late 1993?

Although analyses of simultaneous regime change and federal negotiations in particular national contexts have provided rich theorizing and evidence, comparisons of these processes beyond regionally bound cases are few.<sup>2</sup> Moreover, regime reform strategies in some countries appear to have a direct impact on the nature of federal institutions, as in the example of Brazil. Yet, in other countries such as Russia the institutional translation is less direct. To improve our understanding of these processes, this article proposes a theoretical framework to explain the negotiated federal outcomes in countries undergoing regime change and investigates its applicability to a diverse set of countries—Brazil, Russia, South Africa, and Spain.<sup>3</sup>

Drawing on the comparative federalism, regime change, and institutions literatures, this article traces how regime reform strategies impact the construction of intergovernmental bargaining venues. Such strategies, adopted to weather a significant regime crisis, draw in key constituencies that participate in regime change bargaining. From there, the debates and struggles over actors' institutional preferences are settled according to the balance of power and predictions of violence and extremism. Intergovernmental bargaining venues are the institutional arenas where representatives of the federal center and constituent units regularly interact, negotiate, and debate intergovernmental authority allocations (Filippov, Ordeshook, and Shvetsova 2004). When such bargaining between the authorities of the center and subunits and also between the various subunits is structured in a national legislature, it is termed a "within bargaining" venue because regional units

are represented within central state institutions. A “without bargaining” venue coordinates intergovernmental interaction outside central state structures, whereby regions engage the center in a more ad hoc and institutionally less regularized manner “as if it were some external force” (Filippov, Ordeshook, and Shvetsova 2004, 117). Given the numerous types of institutions associated with federal systems, attention to the construction of such venues provides a focused outcome for analysis. Moreover, it allows for a more nuanced assessment of institutional resilience, adaptation, and change beyond the evaluation of center-region power differentials that, while helpful in describing changes within a particular federal system, are more difficult to compare across countries.

### **Federalism, Institutional Choice, and Regime Change**

Much of the classic literature examines the selection of federal institutions as a deliberative process aimed at solving various economic, political, and security dilemmas (Riker 1964; Wheare 1964; Oates 1972). More recent studies show how democratization, internal ethnic pressures, and the desire to deepen democratic legitimacy drive decentralization and federalization (Elazar 1995; Stepan 2001). A growing body of research investigates how various political and economic gains inform politicians’ decisions (O’Neill 2003; Congleton, Kyriacou, and Bacaria 2003; Qian and Weingast 1997). Examinations of institutional variables such as electoral systems, party organizations (Filippov, Ordeshook, and Shvetsova 2004; Garman, Haggard, and Willis 2001), subnational coordination (Montero 2001a), and regional infrastructural capacity (Ziblatt 2006) show how political choices and federal design are shaped by the already existing institutional milieu. As a whole, this expansive literature has provided valuable insights concerning complex bargaining processes, the emphasis on strategic agency, the interaction of the institutional context, and the costs and benefits associated with empowering lower levels of government.

To return to the puzzles posed earlier, investigating the path from regime reform strategies to federal outcomes requires a re-assessment of the conditions of federal design. First, the conceptualization of institutional choice as a bargain between utility-maximizing actors often assumes a relatively narrow set of costs and benefits associated with federalism. Yet, evidence shows that very intense preferences arising from elites’ estimations of their countries’ historical and institutional experiences have had significant bearing on federal outcomes. For example, by balancing centralists’ fears concerning state unity and Basque and Catalanian demands for regional autonomy, the open-ended decentralized institutions negotiated as part of Spain’s 1978 Constitution were intended to avert the political battles surrounding the contentious 1931 Constitution and the outbreak of civil war (Powell 2001). Prior to 1992, the African National Congress (ANC) in South Africa had rejected

federal options, arguing that regional autonomy would allow for the continuation of the apartheid system of homelands. It eventually advocated a more centralized system of “cooperative government,” which reflected the party leadership’s thinking about how a strong state could repair the harmful effects of regional autonomy under apartheid. These two examples suggest that decision makers across countries do not have a similar range of preferences and beliefs about federalism, and their normative preferences can make a difference for institutional design.

Second, the proposition that federal design aims to solve particular political, economic, and security dilemmas discounts the distributional contests over the benefits of such institutions. We know that powerful political actors attempt to influence institutional debates less out of a concern for socially efficient designs and rather to ensure their self-interested preferences (Knight 1992; McFaul 1999; Luong 2002). Extending this distributional view of institutions to the regime change environment, actors face considerable pressure to gain strategic advantage over their opponents. The uncertainties surrounding regime change—the absence of predictable “rule of the game,” shifting coalitions and institutional preferences, and an overwhelming range of institutional decisions and temporal constraints—make long-term predictions about the effects of institutions very difficult (Karl 1990; McFaul 1999). As a result, decision makers’ strategies are often directed at the shorter-term gains calculable today and significant for defeating opponents or for ensuring their own political survival. Within this context, negotiations of federal institutions become entangled with the struggles associated with regime change and the underlying power differentials between incumbents and opposition (Luong 2002).

Finally, conflict and force have been central to analyses of federal origins (Riker 1964; Stepan 2001), collapse (Bunce 1999), and regulation in hybrid regimes (Taylor 2007), but violence alone cannot explain different federal outcomes. Popular mobilization, street violence, and extremism can guide politicians’ calculations (Bermeo 1997), and the evidence of institutional accommodation in the face of violence requires us to rethink claims linking regional extremism and successful attempts at secession. Because regional radicalism can threaten state unity, actors may engage in concessionary actions to stave off such threats (Stepan 2001). Most often, studies investigating federal origins recognize how coercion and the threat of violence can shape the construction of federal unions as opposed to unitary states or even loose cooperation in international organizations (Riker 1964; Gibson and Fallei 2004; Rector 2009). What remains understudied, however, is how extremism and violence impact the form of federal institutions in states, which, due to processes unleashed by political liberalization and regime change, face pressures to renegotiate territorial power allocations.

My approach linking regime change dynamics to federal institutional outcomes situates actors and their disputes as central to the bargaining process.

These disagreements are defined by actors' normative assessments of their own country's institutional experiences and can produce intense political debates about the continued existence and legitimacy of the state. They are also distributional due to the political and economic gains to be made by empowering regional governments. The strategic immediacy and uncertainties of regime reform, however, complicate distributional calculations, which become driven by attention to actors' relative power and the shorter-term gains of surviving the regime gamble. Analysis of this strategic environment also includes assessments of the potential effects of violent confrontation, which can produce varying forms of institutional accommodation. To capture all of these elements of federal negotiations during regime reform, I develop a theoretical framework that considers the intersection of reform strategies, the normative and organizational preferences of constituencies enlisted for regime negotiations, and the conflicts associated with regime change.

### **Regime Change and Federal Institutions: A New Synthesis**

Renegotiating territorial power allocations takes place in a state undergoing fundamental political change, precipitated by an acute crisis of some sort (Przeworski 1991; Leff 1999). Such political openings may constitute a liberalization process intended to broaden the authoritarian regime's support base or an attempt to launch a regime transition.<sup>4</sup> Although social pressures for change may vary and depend on a host of factors, authoritarian incumbents must still cope with potential popular unrest. For that reason, they seek to expand their social and political support to maintain liberalized control or to launch a regime transition.

The institutional context of the authoritarian regime powerfully shapes the availability and types of constituencies that powerbrokers may entice to join their reform project and the strategies used to engage these constituencies (Karl 1990; Bunce 2003). Additionally, the country's institutional structure (i.e., federal or unitary) and ethnonational composition inform the nature of political and economic demands produced by the regime opening (Leff 1999). Given an existing menu of coalition options, regime reformers select the constituencies they believe would make suitable allies and may base their choices on successful past approaches of constructing regime support. Yet by no means are their decisions structurally pre-determined. Rather, they seek institutionally favorable coalitions to increase their political support, enhance their leverage over other regime and societal forces, and ensure their political survival.

This process is consequential for the construction of intergovernmental bargaining venues because reform strategies shape the coordination of competing elite constituencies, who then have official sanction to articulate their preferences for institutional change (Munck and Leff 1997).<sup>5</sup> With their reform strategies, incumbents identify the particular constituencies they wish to attract to the regime

project. Their methods also indicate the preferred political arena for negotiation. For example, elections pave the way for a parliamentary forum in which parties will debate the form of new institutions. In the absence of electoral reforms, concessions to potential alliance partners more likely lead to negotiations in an extra-parliamentary setting. Such forums provide the context of regime change negotiations, but more important are the actors permitted to participate because their institutional preferences, along with those of the regime reformers, are the most significant for crafting the institutional rules of the new regime.

Although these actors are drawn in by incumbents' reform strategies, their institutional preferences reflect their normative and distributional positions concerning the desirability of federalism. Previous analyses have considered the causal impact of either normative or distributional preferences on regime and institutional outcomes (McFaul 2002; Easter 1997), yet institutional decisions often involve both. Moreover, given the divisive debates surrounding the adoption of federalism in some countries, it seems appropriate that both sets of preferences are considered. Normative preferences are principally country-specific and as discussed in the previous section, may entail assessments of the destructive or constructive potential of federal institutions. Nonetheless, we can make some general observations about organizational self-interest and preferences for intergovernmental bargaining venues. Statewide parties are more likely to favor a national legislature for regional representation given the centrality of the electoral arena and legislature to their activities. In contrast, actors whose political power is not substantially furthered by gaining national legislative seats generally prefer extra-parliamentary bargaining alternatives. Regional parties, due to their territorially specific representation and appeal, are often less interested in particular forms of representation and instead press for autonomy for their particular regions (Brancati 2005). Their advocacy of asymmetric autonomy may result in their rejection of equal legislative representation for all regions. Because actors' political ambitions are also conditioned by their normative assessments, not all political parties favor regional legislative representation and may even reject what they perceive as perniciously federal and disintegrative options.

On their own, these actors' preferences do not determine the construction of intergovernmental bargaining venues. The conflicts inherent to regime change—the balance of power and violence predictions—translate actors' normative and distributional preferences into federal institutional outcomes. The balance of power between opposing forces is measured either in terms of election outcomes, with more than 60 percent of the vote indicating a clear victory for one side (McFaul 2002), or the assessments of country experts in the cases of extra-parliamentary regime negotiations. Outcomes resulting from even power balances are most difficult to predict because actors can engage in institutional compromise or protracted conflict, as neither side can impose its institutional preferences. With

lopsided scenarios, the powerful can create institutions more to their liking. Institutional imposition, however, is tempered by negotiators' predictions of the effects of extremism and violence (Bermeo 1997). The level of institutional accommodation depends on whether the winners estimate that their decisions will provoke destabilizing violence that may threaten the integrity of the state. In other words, fears of violent confrontation are likely to produce some concessions, even if the balance of power decisively favors a particular set of actors. Conversely, few concessions are forthcoming in the absence of such concerns. Attention to these variables helps us to understand the conditions under which regime reform strategies have a more direct impact on the nature of federal institutions and why some shifts in the balance of power have led to more substantive institutional concessions.

This analysis evaluates how strategies adopted by regime reformers activate particular constituencies and set the stage for normative and distributional debates about new institutions. The different values in the balance of power and negotiators' estimates of the effects of violence on the future of the state are the factors by which institutional preferences are reconciled, leading to the construction of different intergovernmental bargaining venues. In probabilistic terms, parliamentary intergovernmental bargaining venues result when national parties without strong aversions to federalism figure among the winning set of negotiators and are not overly concerned that implementing their institutional preferences will provoke destabilizing violent confrontation. Substantial pressure from regional parties or a subset of regional actors, none of whom prefer a legislative intergovernmental bargaining venue, is likely to produce bilateralism when the balance of power is relatively symmetric. Even when powerful national actors prefer a parliamentary venue of intergovernmental bargaining, violent and secessionist pressures from particular regional actors are likely to produce bilateral concessions.

## Case Selection and Methodology

Relying on the rich evidence produced by studies on regime transitions and federal negotiations, the remaining analysis evaluates the formation of intergovernmental bargaining venues in four countries that simultaneously negotiated competitive regime transitions and the territorial division of power: Brazil, Russia, South Africa, and Spain. Taken together, these cases represent considerable geographic diversity and variation in the outcome of interest (i.e., legislative and bilateral venues), reducing the likelihood of selection bias (Geddes 2003). Likewise, the values of the causal factors—the balance of power and violence predictions—differ substantially across countries yet are sufficiently similar to allow for the examination of counterfactuals. Hence, a most different systems research design highlighting the common causal factors is most appropriate to show how these factors work to



produce different outcomes (Przeworski and Teune 1970). Table 1 identifies the key elements producing particular intergovernmental bargaining venues in each country.

## Evidence

### Brazil's Party-Fragmented Legislature

In the early 1970s, Brazil's military regime, in power since the 1964 coup, embarked on reform to boost regime allies, resolve internal divisions over presidential succession, and to confront the growing opposition from the middle classes and urban populations who had benefited from economic growth during the late 1960s and early 1970s. Electoral reforms were launched with President Ernesto Geisel's decision in 1974 to permit direct state and national legislative elections. This reversed the practice of indirect elections which had been designed to construct a new political elite based in the pro-regime National Renovating Alliance (ARENA) (Samuels and Abrucio 2000). Unexpectedly, opposition gains undermined the regime's legislative majorities and compelled additional reforms. A primary target was the opposition MDB (later renamed the Party of the Brazilian Democratic Movement, PMDB), whose electoral support was split by the regime's authorization of multiple parties, a decision that overturned the 1965 two-party decree. Manipulations of electoral laws in favor of ARENA's successor, the Party of Democratic Socialism (PDS), and simultaneous federal and state elections in 1982 demonstrated the regime's desire to use the electoral arena to benefit its party. The opposition nevertheless increased its electoral gains in 1978 and 1982, particularly in the more urban and developed southern states, impelling the regime to permit a democratic transition or risk a societal pushback against repression (Skidmore 1989).

To thwart the potential for leftist radicalization, the regime also appealed to traditional state elites by selectively targeting federal funds for social spending, housing programs, and construction projects (Hagopian 1996). Previously blocked out of the centralist governing coalition due to their autonomous sources of authority, traditional state-based elites, especially in the less developed North and Northeast, were re-integrated in the regime party and benefited from several reforms that increased rural states' legislative representation. These reforms offered traditional elites the opportunity to reinforce their positions, strengthened by fiscal decentralization, while nominally supporting the military regime (Samuels and Abrucio 2000).

These reform strategies enlisted parties and state-based traditional elites as significant actors for regime change bargaining, which was to occur in a parliamentary forum characterized by subnationally fragmented and ideologically weak parties. Historically, centralized and disciplined national parties had been



**Table 1** Impact of reform strategies, constituencies, and regime change conflicts on intergovernmental bargaining venues

	Regime incumbents' reform strategies	Constituencies enlisted in negotiations	Regime change conflicts: Balance of power and violence predictions	Intergovernmental bargaining venue
Brazil	Boost regime allies and splinter the opposition: electoral reforms and federal patronage	Subnationally fragmented and programmatically weak parties	Subnational regime allies able to advance reform agenda; few predictions of state breakdown	Party-fragmented legislature
Russia	Build alliance with ethnic republics: autonomy concessions for republics and subordination of remaining regions	Regional executives and legislators, central legislators	Stalemated balance and conflict; executive victory over legislature; concessions due to fears of state dissolution similar to the Soviet Union	Executive bilateralism (Shift to intra-party bargaining with success of United Russia party)
South Africa	Build alliances to negotiate transition: identify potential party allies and advocate multiparty negotiating forum	Central and regional parties, representatives of homeland governments	Stalemated balance and conflict; reduced threat of violence; overwhelming ANC electoral victory and few concessions	Party-centralized legislature
Spain	Build consensus for transition: parliamentary approval and electoral concessions to opposition	Programmatic and regional parties	Even balance and compromise; heightened terrorism in Basque region and perceived threat to state unity	Embedded bilateralism

rejected in favor of localized political machines that mobilized voters not on the basis of party programs but access to patronage. Holding more competitive elections while simultaneously releasing federal patronage to state and local powerbrokers reinforced the long-held belief that patronage has electoral value.<sup>6</sup> This return to the familiar particularistic pursuit of party politics contributed to weak national political organizations and party discipline. Additionally, governors' political independence gained in the 1982 elections, combined with increased levels of state patronage and decentralized candidate nominations within parties, discouraged discipline in parties that emphasized local and state interests and politically expedient coalition building at the expense of programmatic coherence (Samuels and Abrucio 2000). Finally, the regime's electoral manipulations contributed to the problem of fluid party affiliations. The splintering of the old MDB created several new opposition parties with the PMDB as the largest and most heterogeneous. In addition, PDS dissidents defected to the new PFL (Party of the Liberal Front), and many former ARENA and PDS politicians migrated to the PMDB (Mainwaring 1999).

These subnationally fragmented, ideologically weak parties revitalized by the liberalization process were elected to the National Constituent Assembly (CNA) in 1986. The PMDB won more than half of the 559 seats, but its infiltration by former ARENA and PDS members, particularly among the traditional elites, produced a balance of power in favor of the regime's subnational allies, particularly when one considers that the PMDB and the PFL together held more than two-thirds of the NCA's seats (Souza 1997). In addition, despite the enormous rallies organized in 1984 to press for direct presidential elections and general increases in strike activity (Bermeo 1997), radical mobilization was muted and produced few predictions of any kind of state breakdown. Hence, this transitional environment allowed traditional state-based elites to pursue their own visions of federal reconstruction.

Since the onset of political liberalization, winning elections had become crucial to exercising political power, and parties, even despite their weak organizations and particularistic bent, were the main vehicle to achieve such power. Apart from the desire to curb presidential excesses under the military regime and restore Congress to its pre-1964 status, the re-invigoration of the national legislature as the intergovernmental bargaining venue was driven by the potential distributional advantages for legislators (Fleischer 1990). Teasing out the normative and interest-based rationales of more specific proposals for federalism is complicated by the fact that those leading the debates were often subnational elites who stood to gain considerably from a more fiscally and politically decentralized federation. During the negotiations, few opposed the resuscitation of states' authority, which many claimed would improve fiscal efficiency and democratic accountability (Souza 1997). Since loyalty to locality took priority over party identification and discipline (with the leftist Worker's Party being one notable exception), it was not surprising

that the outcome was a constitution that generously empowers states' and municipalities' access to fiscal resources. What is more, the absence of reforms to strengthen parties, improve party system fragmentation, and reduce governors' control over parties reproduced the partisan fragmentation of the CNA, its subnational leanings, and the difficulties of crafting coalitions in the Congress (Munck and Leff 1997).

Because intergovernmental bargaining in democratic Brazil suffers from considerable partisan fragmentation and unreliable parliamentary majorities, broad legislative coalitions are required for each policy proposal. Governors' control of distributive and political resources translates into significant influence over federal legislators, adding a subnational dimension to coalition construction that hampers the federal executive's ability to respond to economic crises (Samuels 2000). Acting against states' interests has been difficult for governments because constructing legislative coalitions typically requires cooperation from state-level political bosses to mobilize congressional support. For example, in executing the Real Plan in 1993–94, the federal government was successful at arresting inflation and reducing some of the most damaging macroeconomic effects of profligate subnational spending. Yet, President Cardoso still had to make numerous side-payments to ensure the support and cooperation of governors and their federal deputies (Samuels 2003).

Some analysts contend that Brazil has entered a “new” politics of the governors similar to previous periods of subnational eminence (Samuels and Abrucio 2000). Indeed, many institutional features conditioning intergovernmental bargaining, including the open list PR system, smaller states' overrepresentation in the legislature, and governors' control of state party machines, reflect a significant level of continuity with past practices. However, this analysis has shown that these attributes have endured because the parties and traditional elites enlisted to participate in regime negotiations benefited from a favorable balance of power and few fears of state dissolution. Activated by electoral reforms and federal patronage, they re-established a form of legislative intergovernmental bargaining that reinforced their power based in localized political machines. However, the recent increase in parties' programmatic coherence as a result of economic reforms restricting discretionary spending (i.e., patronage) may improve the programmatic possibilities of coalition building and consequently may reduce the fragmented nature of Brazil's intergovernmental bargaining (Hagopian, Gervasoni, and Moraes 2009).

### **Russia's Executive Bilateralism**

The Soviet Union's unraveling had significant bearing on reform options in Russia. To bolster support for much-needed economic reforms, Gorbachev reached out to the public with *glasnost*, or liberalized censorship. To infuse the Communist Party

with public accountability and neutralize conservatives' resistance, he also permitted semi-competitive national elections in 1989 and more open regional elections in 1990. Unforeseeably, they fragmented the Party's hierarchy—the intergovernmental bargaining venue between the Union and republics—and emboldened nationalist mobilization organized in the Baltics, the Caucasus, Ukraine, and Moldova (Filippov, Ordeshook, and Shvetsova 2004).<sup>7</sup> The election of the Congress of People's Deputies in 1989 did little to mediate the increasingly confrontational situation between the regime and opposition, and the 1990 regional elections strengthened calls for republican independence. Episodes of violent state intervention (e.g., in Georgia, Azerbaijan, and Lithuania) pushed the country toward its dissolution and division into fifteen independent states.

In a context of substantial electoral reform, the unraveling of the Communist Party, inter-governmental “war of laws,” and republican sovereignty declarations (including Russia's in June 1990), Russian president Boris Yeltsin built an alliance with the ethnic republics within Russia by accommodating their leaders' demands while maintaining centralized control over the non-ethnic regions.<sup>8</sup> Although couched in the language of democratization and local efficiency, Yeltsin's exhortation to republican elites to “take as much sovereignty as [they could] hold on to” countered Gorbachev's belated attempts to build his own coalition with regional leaders.<sup>9</sup> This effectively sanctioned republican authorities' declarations of legal supremacy, citizenship, and ownership of resources and property (Kahn 2002). Special concessions, such as “free economic zone” status and the authority to export lucrative resources, were expanded and formalized by the March 1992 Federative Treaties (Treisman 1999), which affirmed the republics' “sovereign” nature and their voluntary association with the center. Meanwhile, the non-ethnic regions remained subordinated to central executive authority in gubernatorial appointments (until 1996), the structure of regional institutions, and central supervision through presidential envoys. Although obstructive regional legislatures, outspoken appointed executives, and wayward presidential representatives opposed this “presidential vertical,” executive control over the regions differed significantly from the bargaining approach with the republics.

Yeltsin's reform strategy singled out republican presidents, most of whom were popularly elected between 1991 and 1994, and involved direct and informal bargaining with them. National legislators' mounting opposition to economic reforms, non-ethnic regions' participation in associations to lobby Moscow for greater autonomy, and several republics' collective defections in withholding tax payments and demanding additional prerogatives induced Yeltsin to hold an extra-parliamentary constitutional assembly of central and regional executives and legislators in the summer of 1993. While national legislative leaders rejected the jurisdiction of this forum and began work on their own constitutional draft, the stalemated balance of power between Yeltsin and his opponents in the legislature

encouraged him to reconcile republican and regional leaders' demands (Aron 2000). Republican leaders insisted upon retaining their "sovereign" status and wanted the Federative Treaties included in the new constitution. Conversely, the non-ethnic regions feared second-class status and pressed for symmetric authority for all units. Because it was feared that a loose confederation threatened the state's territorial integrity, the executive draft declared all 89 regions equal and denied the republics the right of secession. Yet at the same time, it included the Federative Treaties and placated demands for intergovernmental bilateral treaties (Tolz 1993).

Although Yeltsin's October 1993 victory in the violent showdown against the parliament shifted the balance of power in his favor, the imperative to protect Russia from the Soviet Union's fate moderated his compulsion toward institutional imposition that characterized other realignments such as the newly created presidency (Treisman 1999; Baturin et al. 2001; McFaul 2001). Similar to the executive draft debated months earlier, the 1993 Constitution purged the republics' confederal agenda by declaring all regions equal subjects of the federation while still allowing the republics to have state languages and constitutions rather than regional charters. More importantly, it offered a legislative arena for intergovernmental bargaining, in the form of the Federation Council to which each region would send two members, as well as bilateral bargaining through intergovernmental treaties. The Federation Council, however, was largely sidelined due to the substantial opportunities for exclusive deals offered by the bilateral treaties (Solnick 2002; Remington 2003). The first treaty was negotiated with the republic of Tatarstan; by 1998, forty-two republics and regions had attained their own treaties, marking a clear shift from executive bargaining with just the republics to executive bilateralism with all regions. Through these treaties, Yeltsin permitted subnational executives to carve out extra-constitutional spheres of authority with little to no legislative or party oversight and no public or civil society involvement (Kahn 2002; Stoner-Weiss 2006). In return, he improved relations with particular regions, satisfied some aspirations for greater autonomy, and gained subnational support for the 1996 presidential election. In addition, the selective nature of fiscal transfers to regions and the special access that individual regional executives enjoyed by virtue of their good rapport with Yeltsin ensured the executive, bilateral nature of intergovernmental bargaining (Treisman 1999).

Shortly after his election in 2000, President Vladimir Putin introduced centralizing reforms intended to weaken subnational leaders and rationalize the legal mayhem caused by the bilateral treaties. Undeniably, Yeltsin's executive bilateralism, particularly due to its opaque and unaccountable nature, had compromised the potential for a unified legal, economic, and political space. Executive bilateralism was poorly equipped to maintain a fine balance of intergovernmental authority because coordinating institutions such as the legislature and political parties were underdeveloped and could not prevent

incessant bargaining of the federal system's fundamental rules. Yet, asserting centralized control over all regions—by reforming the Federation Council, appointing presidential envoys in new federal districts, abrogating bilateral treaties, shifting fiscal resources to the center, squeezing out regional parties, and canceling gubernatorial elections, among others—raises the fear of an unconstrained center that seeks to eliminate regional autonomy altogether (de Figueiredo, McFaul, and Weingast 2007).

How has centralization changed the nature of intergovernmental bargaining in Russia? In Brazil, the center's increased fiscal leverage as a result of the Real Plan and reduced patronage opportunities may modify the party-fragmented character but not the site of intergovernmental bargaining. Centralization in Russia, however, has begun to alter bargaining in the direction of intra-party interactions in United Russia. Executive bilateralism resulted from concessions to both ethnic republics and non-ethnic regions despite a shift in the balance of power in Yeltsin's favor. Concerned that Russia would suffer the same disintegrative fate as the Soviet Union, Yeltsin modified his earlier reform strategy of accommodating the republics and maintaining executive control over the remaining regions to permit bilateral bargaining for all regions. Despite centralizing reforms under Putin, the Kremlin initially continued to cooperate selectively with leaders from strategically important regions such as Tatarstan, Bashkortostan, Chechnya, and Kaliningrad, and in 2007 concluded a new treaty with Tatarstan that was ratified by the regional and federal legislatures (Chebankova 2007, 2008). Evidence of governors' collective pressure on the Kremlin to change federal laws affecting regional authority, however, portends a shift away from bilateralism (Chebankova 2008). Additionally, United Russia's cooptation of regional elites—seventy-two regional governors had joined the party by 2007, and it controlled majorities in seventy-six out of eighty-six regional legislatures—and the coordination of local and regional elections to favor the Kremlin's interests demonstrate the growing significance of intra-party bargaining for intergovernmental relations (Konitzer and Wegren 2006; Reuter and Remington 2009). However, center-region interactions are now more hierarchical and less integrative in binding the political fortunes of elites, which will further erode the federal principle of power-sharing.

### **South Africa's Party-Centralized Legislature**

Escalating pressures from the ANC-labor insurgency, business leaders' demands for rapprochement with the ANC, and the disintegration of the National Party's (NP) internal coalition prompted President F. W. de Klerk to announce in early 1990 that the ANC and other opposition parties would no longer be banned and that all political prisoners would be released (Wood 2001). Benefiting from the ANC's

organizational weaknesses produced by years of repression and the detention of many of its leaders, the NP took the reform initiative by reaching out to potential party allies and advocating a multiparty forum to negotiate the regime transition (Jung and Shapiro 1995). Overtures to the Colored and Indian parties, homeland leaders,<sup>10</sup> and the Zulu-dominated Inkatha Freedom Party (IFP) led by Chief Buthelezi, the former chief minister of the KwaZulu homeland, resulted most notably in a short-lived partnership between the government and the IFP. The ANC, allied with the South African Communist Party (SACP) and the Congress of South African Trade Unions (COSATU), favored elections to a constituent assembly that it most likely would win. Recognizing that a successful transition would require cooperation with ruling elites, ANC president Nelson Mandela agreed to an extra-parliamentary negotiating forum despite objections within the liberation movement (Thompson 2000).

Eight political parties and representatives from the ten homeland governments were enlisted to participate in the Convention for a Democratic South Africa, or CODESA (Thompson 2000). Beyond supporting a full-scale territorial re-organization and regional representation in an upper chamber, the NP's position on provincial self-rule was equivocal due to its primary support for power-sharing in the central government and the protection of minorities to ensure the voice of its mostly white and dispersed support base (Steytler and Mettler 2001). Government departments' lobbying efforts against decentralization and reports concerning homelands' weak administration also diminished the NP's potential support for strong regional autonomy (Humphries, Rapoo, and Friedman 1994). As for the ANC, only in 1992 was there a modest shift in its long-standing rejection of federal options, which it had derided as a ruse for the regime to resist the dismantling of the apartheid system of homelands. Instead, the ANC argued that the country needed a centralized state and capable local government to overcome the harmful effects of apartheid. Persistent support for regionalism among other parties provoked a debate within the ANC, and its eventual embrace of "cooperative government" with substantial overriding powers for the central government and indirect parliamentary representation for provinces very much reflected its centralist preferences (Humphries, Rapoo, and Friedman 1994). Finally, the IFP, whose brief alliance with the NP accorded it a major seat at the negotiating table, envisioned a more confederal blueprint that recognized KwaZulu's "sovereignty" and supported similar proposals for a white/Afrikaner homeland (Barber 1994).

A stalemated balance of power, demonstrated by the deadlock between the ANC and NP over the national government's structure and the interim constitution, was complicated by the emergence of a substantial right-wing threat and spiraling political violence. The Conservative Party, an NP rival seeking to protect white privilege, made gains in local and by-elections in early 1992 and rejected the



government's position on dismantling apartheid. Political assassinations carried out by government agents left an estimated 16,000 persons killed between 1990 and 1994 (Thompson 2000), and open warfare in KwaZulu between ANC and IFP supporters raised fears of impending civil war. A sense of urgency and realization that the ANC leadership had lost control over mass protests eventually brought its negotiators back to the table (Jung and Shapiro 1995).

When negotiations resumed in late 1992, the NP and ANC hammered out the details of the Government of National Unity (GNU) in secret bilateral talks and made the terms public in February 1993. In the Multi-Party Negotiating Council, representatives from the IFP, the Afrikaner Volksfront (AVF) led by a former head of the South African army, and the homeland governments of Ciskei and Bophuthatswana walked out, protesting the rejection of their proposals for a loose confederation that included an Afrikaner *Volkstaat* and the homelands. Given the gridlocked balance of power, last minute amendments to the interim constitution such as the newly demarcated KwaZulu–Natal province, the possibility for a *Volkstaat* council, and wider provincial powers were incorporated to ensure their peaceful participation in the election (Steytler and Mettler 2001).

The ANC's overwhelming electoral victory in 1994 ended the stalemate and put institutional design firmly in its hands.<sup>11</sup> Similar to the shift in the balance of power in Russia, the ANC was able to expunge the confederal proposals of the IFP and white right wing. However, although fears of a civil war loomed large, violence had abated shortly before the 1994 elections. This put ANC leaders in a very different position because they assessed that their actions would not re-ignite violent confrontation, especially with the supporters of the IFP. Although the IFP and NP unsuccessfully protested the level of provincial autonomy eventually codified in the 1996 Constitution, relations between Mandela and IFP leader Buthelezi improved substantially, and Buthelezi remained Home Minister even after Mandela left politics.

In addition to the ANC's legal commitment to uphold the constitutional principles of the interim constitution, several constraints prevented the party from rejecting federalism altogether. These included a constitutional drafting process that incorporated public input, decisions reached by consensus, and bilateral meetings on particularly difficult issues, as well as the requirement of the Constitutional Court's approval and a two-thirds parliamentary majority to adopt the new constitution.<sup>12</sup> Still, the resulting mode of intergovernmental bargaining closely reflects the ANC's centralist inclinations. The upper legislative chamber, the National Council of Provinces (NCOP), ensures the nine provinces a modicum of participation in central decision making, although its somewhat limited authority and the diminutive list of exclusive provincial powers raise questions about the country's federal credentials (Hawker 2000).<sup>13</sup> The ANC's sizable majorities in the

National Assembly and control of almost all provincial governments since 1994 have ensured that intraparty interactions, with the national party leadership's sway over "deployed" provincial cadres and NCOP delegations, dominate intergovernmental bargaining.<sup>14</sup> Owing to a closed list PR system and concurrent elections, the national party organization selects premiers, and by separating the provincial positions of premier from party leader, the ANC has been able to install premiers without drawn-out negotiations with provincial party members since 1998 (Hawker 2000). Premiers' competence rather than local popularity is therefore more highly valued. Removing premiers and redeploying them are also considered necessary to maintain discipline, unity, and coherence in the ANC and allied SACP and COSATU, reinforcing the intraparty nature of intergovernmental bargaining (Lodge 2005). Despite limited instances of provincial assertiveness, these dynamics, underpinned by tight party discipline, have resulted in an exceptionally high level of agreement between the National Assembly and NCOP, with NCOP delegates acting as representatives of their party and not their provinces (or a bit of both).

In contrast to Brazil and Russia, the nature of intergovernmental bargaining in South Africa thus far has not faced any serious political challenge. Even with the MinMEC meetings between national ministers and their provincial counterparts and formal structures to coordinate intergovernmental policy issues (e.g., the Budget Forum and Finance and Fiscal Commission), the ANC's current political dominance and the opposition's weakness ensure the party-centralized nature of intergovernmental bargaining. Although it seemed as if the balance of power in the multiparty negotiating forum would produce more permanent concessions to confederalist forces, the ANC's overwhelming electoral victory in 1994 and the substantially reduced fear of civil war paved the way for its prevailing bargaining position in relations between the federal center and provinces. Bound to the federal principles of the interim constitution, the ANC opted for a party-centralized legislature. Increased party competition in the future may allow for more meaningful NCOP and provincial participation in national legislative processes, but without a viable black opposition party, the ANC maintains its status as the only real partisan option for millions of voters and preserves its dominance over the provinces and the NCOP. In the April 2009 elections, with challenges from the breakaway ANC-faction, Congress of the People (Cope), and the white-dominated Democratic Alliance (DA), the ANC's popularity fell only slightly, from 70 percent in 2004 to 66 percent, and it still controls eight of the nine provincial legislatures (South Africa IEC 2009). Moreover, the public's perception of the provincial governments as inept, corrupt, or both weakens the possibility that demands for greater provincial assertiveness will emanate from voters (Lodge 2005, Ch. 2; Southall 1998).

### Spain's Embedded Bilateralism

Heightened working class militancy, intra-regime struggles over succession, and targeted violence carried out by Basque separatists pushed Spain toward regime transition after the death of long-time dictator, Francisco Franco, in 1975. Prime Minister Adolfo Suárez<sup>15</sup> pursued a strategy of consensus-building to gain the cooperation of regime supporters as well as the radical leftist and regionalist opposition. With the endorsement of King Juan Carlos, Suárez submitted a draft Law for Political Reform, proposing the parliament's dissolution and democratic elections. After extensive negotiations and government guarantees that capitalist investments and top military positions were secure, the Cortes approved the Law, which the public strongly endorsed in a national referendum held in December 1976 (Maravall and Santamaría 1986). Suárez then approached the opposition communists, socialists, and moderate Basque, Catalanian, and Galician nationalists and agreed to some of their demands concerning open party competition, political amnesties, and a proportional electoral law, leaving the politically explosive issue of decentralization for the democratically elected Cortes (Gunther 1992).

Appealing to the legislature to hold democratic elections ensured that parties would participate in constitutional negotiations. Programmatic and regional parties contested the 1977 elections, which resulted in a fairly even balance of forces and created intense constitutional negotiations lasting fifteen months. Suárez's newly formed Center Democratic Union (UCD) won 166 seats in the Congress of Deputies, and the opposition Socialist PSOE gained 118 seats.<sup>16</sup> The Communist PCE and the right-wing Popular Alliance (AP) won nineteen and sixteen seats, followed by Catalanian and Basque nationalists with eleven and eight seats, respectively (Spain Ministry of Interior 2009). Reflecting an emergent rejection of Francoist centralism, the PSOE and PCE favored far-reaching decentralization and an appointed legislative chamber to represent the newly negotiated autonomous communities (ACs) for the so-called "historic nationalities" in Catalonia, the Basque Country, and Galicia (Linz 1989; Roller 2002).<sup>17</sup> The Basque and Catalanian parties proposed privileged autonomy for these particular ACs and a restoration of pre-Franco institutions and Statutes of Autonomy. AP deputies' ties to the former regime led them to prefer limited administrative decentralization for the fifty already-existing provinces and popular election to the Senate. The UCD supported more expansive decentralization for all regions and the existing Senate as the territorial chamber for the provinces (Colomer 1995).

The relatively even balance among the main parties and fears that terrorist bombings and street demonstrations in the Basque region threatened state unity produced concessions that paved the way for bilateral intergovernmental bargaining. The minority UCD government took the Catalanian and Basque parties' demands seriously and alleviated the right and the military's concern that

officially defining the state as federal would eviscerate its authority and unity (Agüero 1995).<sup>18</sup> As a result, the UCD accepted two main routes to autonomy in the 1978 Constitution—Article 151’s “fast track” for the historic regions and Article 143’s “slow track” for the others—in return for maintaining the Franco-era provinces and their Senate representation (Colomer 1995).<sup>19</sup> Given that 208 Senators are directly elected by the politically less relevant provinces and only 51 are appointed by AC legislatures, intergovernmental bargaining remains largely bilateral and not based in the Senate (Roller 2002).

The result has been bilateral bargaining characterized by a “never-ending spiral” of regional competition and substantial asymmetries that the historic regions have sought to protect (Montero 2005, 75). The first autonomy statutes with the Basque Country and Catalonia led other regional elites to mobilize public campaigns for comparable levels of autonomy. The governing UCD sought to slow down these “comparative grievances,” but the PSOE, in a partisan attempt to weaken its rival, campaigned for Andalusia’s referendum in favor of the “fast track” process. The attempted military coup in February 1981, partly provoked by alarm over these regional statutes, compelled the UCD and PSOE to pass the Organic Law for the Harmonization of the Autonomy Process (LOAPA). Despite being struck down in 1983 by the Constitutional Court, LOAPA promoted a political consensus that decentralization should be symmetric (Gunther, Montero, and Botella 2004). Since then, both PSOE and conservative Popular Party (PP) governments have sought to reduce the autonomy gaps between the four fast-track regions and the remaining thirteen ACs and have promoted sectoral conferences designed to coordinate intergovernmental relations on a multilateral basis (Börzel 2000). Yet concerns over harmonization, more recently manifest in the Second Autonomy Accords in 1992, revisions of some autonomy statutes in 1994, and transfers of health and education jurisdictions in 2002 have motivated the historic communities to defend their shrinking autonomy advantages. They have brought several high-profile cases to the Constitutional Court, making the Court a significant source of intergovernmental adjudication (Agranoff and Ramos 1997). In addition, their rejection of Senate reform has successfully stalled the transformation of the upper house into an institutionally significant territorial chamber with uniform AC representation (Roller 2002). Although participation in the sectoral conferences has increased due to expanded regional responsibilities for implementing European-level policies, bilateralism continues to prevail, as evidenced by the recent re-negotiation of the Catalanian statute (Colino 2009).

Initially activated by Prime Minister Suárez’s strategy of gaining parliamentary approval and making electoral concessions to the opposition, the programmatic and regional parties elected in 1977 confronted two conditions that produced significant institutional concessions. The relatively even balance of power between the forces of the old regime and opposition, whose preferences for the level and

manner of decentralization were also divided, as well as concerns that the actions of Basque terrorists would undermine the transition and destroy the Spanish state created a transitional environment ripe for institutional concessions along bilateral lines. Yet, in contrast to Russia's executive variant, Spain's embedded bilateralism is more firmly grounded in parliamentary politics with robust oversight institutions. Reflecting reformers' emphasis on the parliament as the source for regime reform and the success of Spain's democratization process, embedded bilateralism has a higher level of institutional endurance that prevents a single set of political actors from unilaterally overhauling the system. For example, autonomy statutes require public approval, negotiations between regional and national legislators, and ratification by the national legislature. Intergovernmental negotiations also have become more embedded in partisan competition at both the national and regional levels whereby regional parties offer governments political support in return for autonomy concessions. Unlike the archetypal cooperation *within* party organizations found in integrated parties, this party coordination reinforces asymmetry and bilateral interactions with the center. For example, in exchange for supporting the PP's minority government elected in 1996, the Catalanian Convergence and Unity party (CiU) and the Basque PNV extracted dispensations on tax collection, more than what their regions had gained under the previous PSOE government (Gunther, Montero, and Botella 2004). Additionally, the relatively weak representation of subnational representatives in the Congress and the centralization of party organizations encourage extra-parliamentary lobbying and hence bilateralism given few internal party mechanisms supporting multi-level bargaining within parties (Montero 2005, 2007).

## Conclusion: Implications for Studying Federalism

In investigating the somewhat familiar proposition that regime reform strategies have consequences for the shape and nature of negotiated federal institutions, this study has three main findings. First, incumbents' reform strategies more directly contribute to federal institutional outcomes when regime change conflicts are negligible and concessions are not perceived as necessary to ensure state unity. Brazil's party-fragmented legislative venue is indicative of this particular type of outcome and resulted from the regime's recruitment of historically powerful subnational politicians, who then went on to advance their own reform agenda for federalism. In contrast, Russia's federal system initially took shape in the form of asymmetric bargaining between the national executive and the ethnically defined republics. In the aftermath of the violent events of October 1993, Yeltsin estimated that he needed the support of all regional leaders to ensure the state's integrity, which encouraged him to offer executive bilateralism for all regions. Although his victory in forcefully subduing his parliamentary opponents afforded him

the luxury of dispensing with their objections to presidentialism, imposing federal design had greater limitations because of the concern that the Soviet Union's dynamic of disintegration was being replayed in the Russian Federation. Conversely, significant shifts in the balance of power do not necessarily create institutional concessions if winners estimate their actions will not contribute to extremist violence and threats to the state. Given the decline in violence immediately prior to the 1994 elections and the ANC's overwhelming and legitimate electoral victory, the ANC was in a more powerful position than Russia's Yeltsin.

This brings us to a second finding concerning variations in institutional concessions. Intergovernmental negotiations in Russia, South Africa, and Spain demonstrate that evenly balanced power distributions combined with violent confrontation can produce institutional concessions, yet sometimes only after intense struggles have threatened to tear the country apart. The nature of such compromises depends on when the balance of power is clarified—witness the more consensual (albeit protracted) negotiations in Spain among parties aware of their electoral power compared to both Russia and South Africa, where regime change disputes created serious impasses precisely because election outcomes had not elucidated the electoral support of opposing forces. This does not suggest that one sequence provides a more optimal outcome. Spain's bilateralism permits regions to amend their statutes, thereby effecting constitutional change without formal reform (Colino 2009). Yet, if regime change in South Africa had proceeded without the multiparty negotiating forum and instead after elections had established the ANC as victor over other parties, ANC leaders may have been inclined to craft a more unitary structure.

What remains unclear, however, is whether such instances of even power balances in the absence of electoral clarification are more likely to produce conflict because actors overestimate their bargaining clout. This analysis shows how the balance of power and assessments concerning future confrontation pinpoint some conditions of institutional accommodation. Broadening the empirical scope to additional cases such as the "blood soaked and protracted process" of building Argentine federalism in the nineteenth century (Gibson and Falleti 2004, 246), the "holding together" cases of federalism in India and Belgium (Stepan 2001), and the autonomy struggles in post-Soviet Georgia can improve our understanding of the relationship between political conflict and federal institutions. While scholars of comparative federalism have focused on the ways in which federal institutions can dampen or exacerbate identity-based territorial conflicts, this analysis suggests that we also study the ways in which intergovernmental and interprovincial confrontation shape federal institutional outcomes.

Third, this analysis suggests an important implication for the study of federal stability. "To be stable, federalism requires a delicate balance of central government

powers combined with mechanisms for limiting the center's opportunism" (de Figueiredo and Weingast 2005, 127). Yet the cases investigated here demonstrate various kinds of intergovernmental imbalances, and with the exception of Russia, do not exhibit the perils of state dissolution or transition to a unitary state. Brazilian federalism has long been fraught with subnational obstructionism, which had serious implications for the country's macroeconomic health in the early to mid-1990s. Then there is the centralized federation of South Africa, where the ANC's control of the national and provincial legislatures undercuts what little autonomy the provinces have. Bilateral negotiations between Madrid and the autonomous community governments in Spain, while more democratically embedded than Russia's variant, have encouraged the ACs to claim authority not specifically contained in the 1978 Constitution, which threatens the coherence of the central state's fiscal authority (Montero 2001b). Certainly, these intergovernmental imbalances are not without their problems, but they have not (yet) produced the outcomes predicted by analysts of federal stability (de Figueiredo, McFaul, and Weingast 2007; de Figueiredo and Weingast 2005). This analysis suggests that instead of identifying a dichotomy of optimal and suboptimal outcomes in terms of federal stability, we investigate the underpinnings of federal resilience and the various safeguards associated with federal "robustness"<sup>20</sup> to construct typologies that can better illuminate institutional trajectories.

## Notes

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1. Regime change takes different forms (e.g., democratization, revolutions), and this analysis focuses on competitive transitions, during which debates over diffusing political power feature significantly in negotiations. Because not all such transitions produce democracy (e.g., post-Soviet Russia), the language of democratization is used sparingly.
2. Notable exceptions include Montero 2001b and Solnick 2002.
3. Although the full federal credentials of post-communist Russia, South Africa, and Spain may be questioned, center-region bargaining in these countries is no less politically significant than in democratic Brazil, a more unambiguous case of renewed federation. Because a definitional discussion of federation is beyond the scope of this analysis, I refer to federal institutions, federalism, and federal systems to emphasize the principles of "self-rule and shared rule" integrated in these systems (Elazar 1987).
4. In some countries, political liberalization precedes regime change, yet in others, they occur almost simultaneously.
5. In this analysis, regime reform strategies, which resemble the "modes" of transition prominent in the democratization literature, are significant for later outcomes. However,



- the language of path dependence is avoided because regime reform strategies do not necessarily create sharp breaks with past practices, and the causal factors of this analysis—the balance of power and violence predictions—do not necessarily provoke further movement along the same path (Pierson 2000; Mahoney 2001).
6. This reverses the logic of argument of Hagopian, Gervasoni, and Moraes (2009) about reduced patronage strengthening Brazilian parties' programmatic profiles.
  7. The Communist Party's territorial hierarchy began at the all-union level, followed by fifteen union republics with regional Party units, ministries, cultural and scientific institutions. To prevent power conflicts in Moscow, such institutions were not established in the Russian republic, which had its own diverse set of regional units, including ethnically defined regions, non-ethnic regions, and the cities of Moscow and Leningrad (now St. Petersburg).
  8. From the early 1990s until territorial reforms were initiated after 2000, Russia had eighty-nine constituent units, including thirty-two ethnically defined regions (twenty-one republics, ten autonomous *okrugs* within republics, and one Jewish Autonomous Oblast), fifty-five non-ethnic regions (forty-nine *oblasts* and six *krais*) and two federal cities (Moscow and St. Petersburg).
  9. Yeltsin made this statement in Kazan, Tatarstan on a trip throughout Russia in August and September 1990.
  10. Beginning in the 1950s, ten homelands were created to eventually compel settlement of blacks in "their" ethnically defined homeland, regardless of previous residency.
  11. The ANC won 62.6 percent of the popular vote, the NP 20.4 percent, and the IFP 10.5 percent (South Africa Independent Electoral Commission 2000).
  12. The Constitutional Court initially rejected the 1996 Constitution on the grounds that provincial powers had been significantly reduced and hence did not conform to the constitutional principles outlined in the interim constitution. Although the revised text still had reduced provincial powers, the Court found that they were not substantial enough to withhold its approval (Steytler 2005).
  13. The NCOP's approval is necessary to revise constitutional provisions concerning provincial authority and the NCOP, and it may vote on and amend bills dealing with provincial matters. Yet, it cannot initiate money bills, and the National Assembly can override it with a simple majority on matters not involving provincial or concurrent authority. Moreover, most authority is either concurrent or exclusive to the central government, and exclusive provincial authority only pertains to slaughterhouses, ambulance services, non-national archives, libraries, museums, local government matters, provincial planning, cultural matters, recreation, sport, roads and traffic, and veterinary services. I am grateful to an anonymous reviewer for this clarification.
  14. Each of the nine provincial delegations has four provincial government nominees, including provincial premiers, and six permanent delegates chosen by each provincial legislature. Provincial delegations vote as blocs on matters of exclusive provincial and shared authority, and delegates may vote as individuals on all other bills.
  15. Suárez was appointed in July 1976 by King Juan Carlos, Franco's official successor, after the former prime minister, Arias Navarro, made little headway toward regime change.

16. The UCD had an absolute majority in the mostly appointed and constitutionally less significant Senate.
17. A pre-autonomy process was launched in late 1977 to placate demands from the Catalan and Basque parties.
18. Although Spain's military was weaker than Brazil's and only indirectly involved in drafting the constitution, a few of its preferences were still heeded on the regional question. For example, the nationalities' right to autonomy in Article 2 is balanced by affirming the "indissoluble unity of the Spanish Nation" (Agüero 1995, 88–89).
19. Article 144 establishes an alternative route for regions that cannot fulfill the requirements set out in Article 143. I am grateful to an anonymous reviewer for drawing my attention to this.
20. Bednar (2008) argues that such robustness encompasses not only structural and political (i.e., party) safeguards, but also judicial and popular restraints to reign in central and subnational officials' opportunistic behavior.

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