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Managing Intergovernmental Relations in Federal Systems. Intergovernmental Councils and the Making of Public Policy

Palgrave Macmillan (2020)

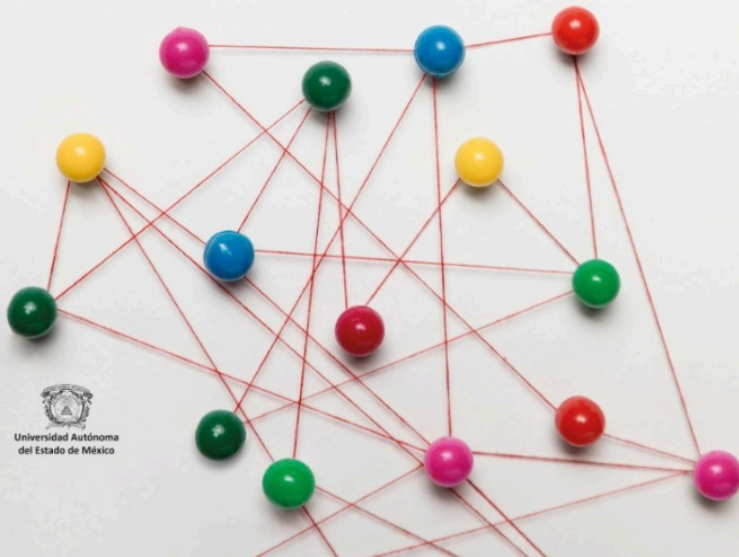


Estudio introductorio
Joel Mendoza Ruiz, Eduardo José Grin y Vicente Ugalde

Gestión de interdependencias en sistemas federales

Consejos intergubernamentales y creación de políticas públicas

Johanna Schnabel

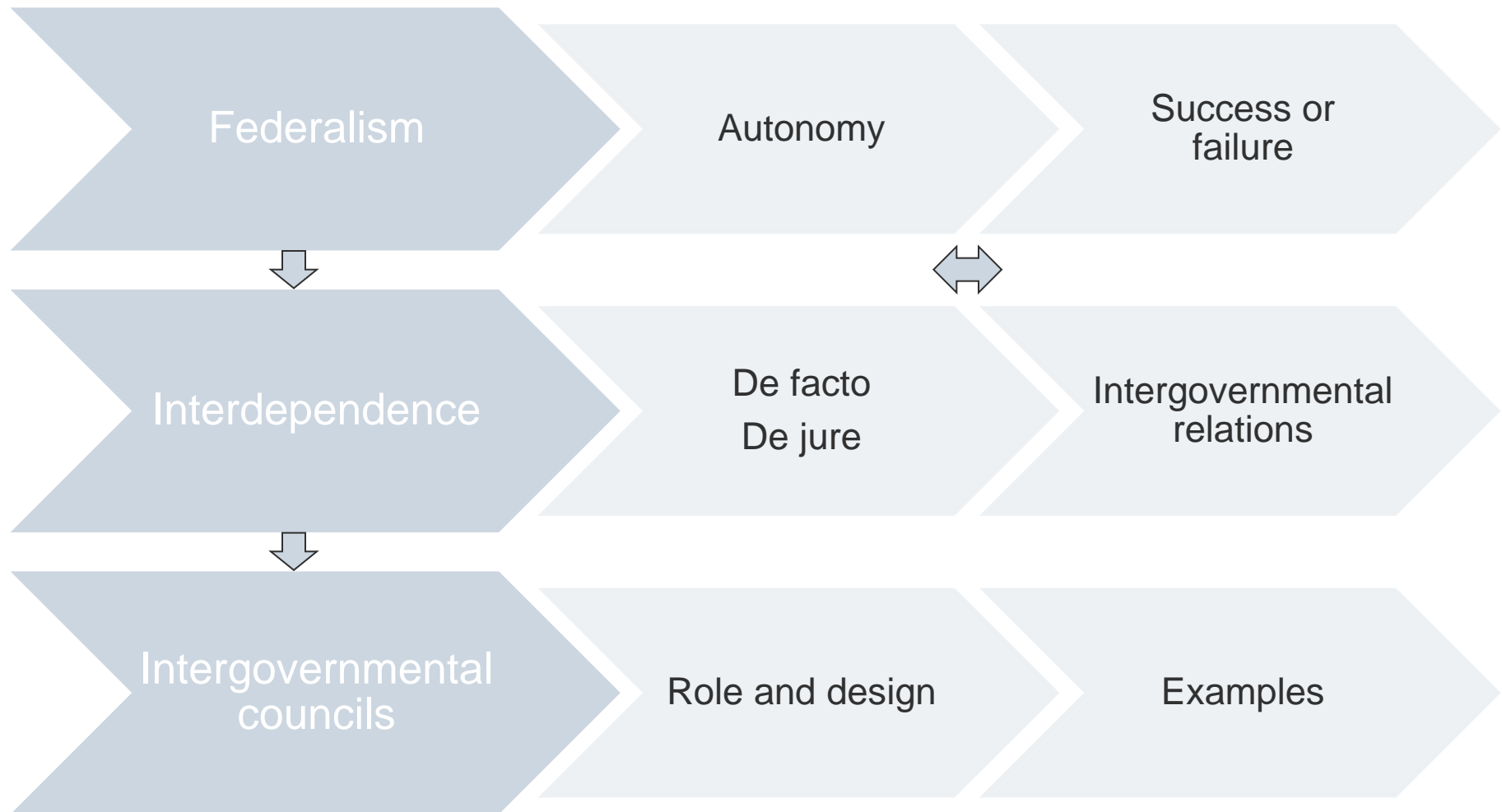


How intergovernmental councils can help ‘making federalism work’



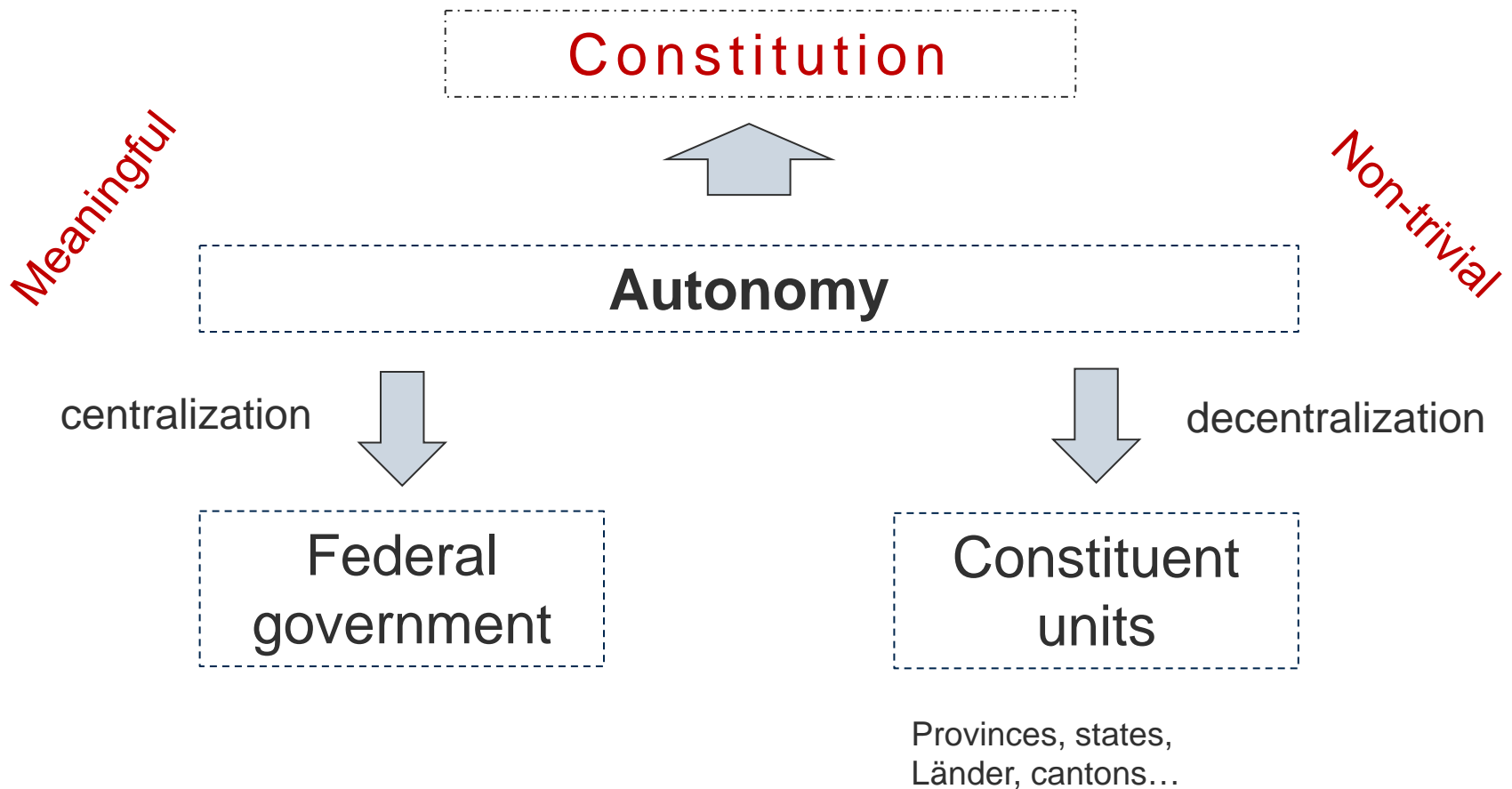


Overview





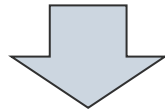
Federalism





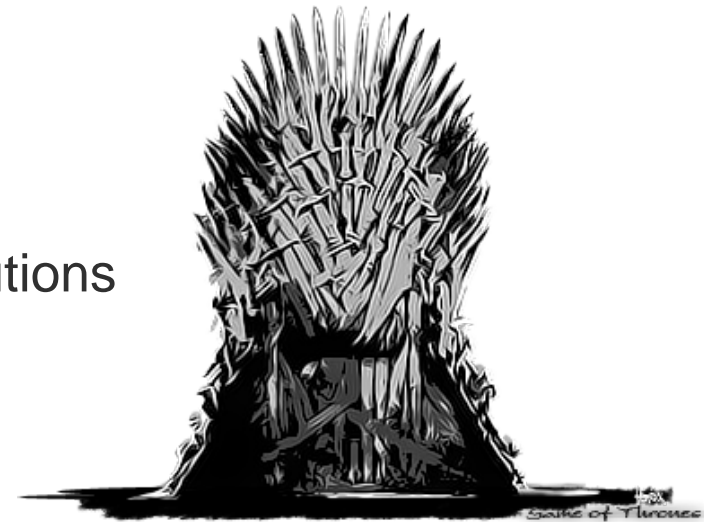
Interdependencies in federal systems

- *De jure*: concurrent or shared powers; administrative federalism
- *De facto*: cross-cutting policy problems, fiscal dependencies



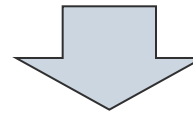
Autonomy under threat

- ❖ Individual policy solutions
- ❖ Imposed policy solutions
- ❖ Non-compliance with policy solutions





Interdependencies



Intergovernmental relations

Mechanisms through which the governments of a federation interact to coordinate policymaking.





Intergovernmental councils

More or less regular meetings of members of the different governments of a federation (also called forums or conferences)

- The most formal mechanisms of intergovernmental relations
- Generalist vs policy-specific (sectoral) councils
- Vertical vs horizontal councils

Intergovernmental councils help **protect governments' autonomy** if they ensure that governments

- ❖ adopt joint policies;
- ❖ whenever there are interdependencies;
- ❖ and do so in a collaborative manner.

└───┬───> Level of institutionalization, role of the federal government

INTERGOVERNMENTAL COUNCILS IN GERMANY

1. How do they work?
2. How effective are they in protecting governments' autonomy?





Council system

| | Horizontal councils | Vertical councils |
|--------------------------|---|---|
| Generalist councils | Conference of Minister-Presidents <i>Bundesrat</i> | (Conference of Minister-Presidents) |
| Policy-specific councils | e.g., <ul style="list-style-type: none">• Standing Conference of Ministers of Education• Conference of Finance Ministers• Conference of Health Ministers• Conference of Ministers of the Economy | e.g., <ul style="list-style-type: none">• Conference of Ministers of Agriculture• Conference of Ministers of the Environment• Stability Council |

Close interactions between different councils & Bundesrat & Land representations



Example 1: National Educational Standards

Education = jurisdiction of the *Länder*, but strong (de facto) **interdependencies**: citizen mobility, citizen preference of uniformity / equivalent living conditions

>> Threat of FG intervention <<

Intergovernmental council: *Standing Conference of Ministers of Education (KMK)*

- Strong level of **institutionalization** of KMK
- Federal government not a member
- Strong **external pressure and shared policy ideas**

⇒ **Collaboration** → joint policy

⇒ **Länder's autonomy in education protected**



Example 2: Constitutional Debt Brake

Strong **fiscal interdependencies**: tax sharing, generous equalization scheme, joint credit rating

>> Joint fiscal rule needed <<

Intergovernmental councils: *Federalism Reform Commission II, Bundesrat, Stability Council*

- Strong level of **institutionalization** conducive to compromising
- Federal government as a partner
- External pressure and shared ideas

⇒ **Collaboration** → joint policy

⇒ **Fiscal autonomy protected**





Issues

IGR as a key aspect of the operation of federal systems

➤ Intergovernmental councils as the most formal mechanism

Councils can help protect governments' autonomy, if successful they can counterbalance the centralization experienced in many federations

But: **dominance of the federal government** as a major issue

Strengthening the constituent units' voice and influence:

- Institutionalization matters
- Horizontal councils

Recommendations

-  Rotating chair, independent secretariat
-  Frequent and regular meetings
-  Working groups and committees
-  Coordination among constituent units
-  Different types of councils