

## COUNTRIES WITH FEDERAL SYSTEM

(AS RESEARCHED BY DR. CLARITA CARLOS, NATIONAL DEFENSE COLLEGE)

COUNTRY	TYPE OF FEDERALISM	POWERS OF CENTRAL GOVERNMENT	POWERS OF FEDERAL UNITS
1. AUSTRIA	Competitive	National government <ul style="list-style-type: none"> <li>▪ Defense</li> <li>▪ Foreign Policy</li> <li>▪ Immigration</li> <li>▪ Trade</li> <li>▪ Customs and excise</li> <li>▪ Post and telegraph services</li> <li>▪ Air and sea transport</li> </ul>	States and territories <ul style="list-style-type: none"> <li>▪ Administration of internal matters</li> <li>▪ Sovereign and has powers to make laws for its own welfare</li> <li>▪ No armed forces other than the police</li> </ul>
2. Austria	Permissive	Federal government <ul style="list-style-type: none"> <li>▪ Foreign Affairs</li> <li>▪ National Security/Defense</li> <li>▪ Justice</li> <li>▪ Finance</li> <li>▪ Civil and Criminal Law</li> <li>▪ Police Matters</li> <li>▪ Education</li> </ul>	Provinces <ul style="list-style-type: none"> <li>▪ Indirect federal administration in elections, highway police and housing affairs</li> <li>▪ Within federally established guidelines: social welfare, land reform, and provincial administration</li> <li>▪ Municipal affairs (trash removal and zoning), preschool and kindergarten, construction laws, fire control, and tourism.</li> </ul>
3. BELGIUM	Competitive	Central Government <ul style="list-style-type: none"> <li>▪ Defense</li> <li>▪ Power to declare war and conclude treatise</li> <li>▪ Legislation</li> </ul>	Regions <ul style="list-style-type: none"> <li>▪ Planning</li> <li>▪ Transportation</li> <li>▪ Water</li> <li>▪ Energy</li> </ul>

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		<ul style="list-style-type: none"> <li>Judiciary: A special court was established in 1989 to resolve constitutional conflicts arising from the transfer of power from the central government to regional authorities</li> </ul>	<ul style="list-style-type: none"> <li>Regional Development</li> <li>Education</li> <li>Health Care</li> <li>Communications</li> <li>Large degree of Autonomy, a traditional that originates in feudal times.</li> </ul>
4. BRAZIL	Competitive	Federal government <ul style="list-style-type: none"> <li>Defense</li> <li>Fiscal and budgetary matters</li> <li>Treatises</li> <li>Supreme federal Tribunal: principal judicial power</li> </ul>	States and municipalities <ul style="list-style-type: none"> <li>The federal judiciary enjoys considerable independence and autonomy</li> <li>Each state has a governor and a legislature.</li> <li>Federal revenue-sharing program, established by 1988 constitution, provides states with substantial resources.</li> <li>Municipalities; local taxation, planning and basic services.</li> </ul>
5. CANADA	Competitive	Responsibility for social welfare care is divided between federal and provincial governments	

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		Federal Government <ul style="list-style-type: none"> <li>▪ Unemployment</li> <li>▪ Insurance</li> <li>▪ War veterans</li> <li>▪ Old age pension</li> <li>▪ Family allowances</li> </ul>	Provinces <ul style="list-style-type: none"> <li>▪ Amendments of the provincial Constitution (except with respect to the office of Lieutenant Governor)</li> <li>▪ Direct taxation within the province in order to raise a revenue for provincial purposes</li> <li>▪ Borrowing money on the sole credit of the province</li> <li>▪ Establishment and tenure of positions in the provincial public service and appointment and payment of their incumbents</li> <li>▪ Education</li> <li>▪ Management and sale of public lands belonging to the province and timber and wood thereon</li> <li>▪ Property laws</li> <li>▪ Nonrenewable natural resources, forestry resources, and electrical energy</li> <li>▪ Establishment, maintenance and management of hospitals, asylums and charitable institutions in and for the province, other than marine hospitals</li> <li>▪ Health insurance</li> <li>▪ Welfare programs</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Municipal institutions in the province</li> <li>▪ Shop, saloon, tavern and other licenses in order to raise revenue for provincial, local or municipal purposes</li> <li>▪ Local works and undertakings</li> <li>▪ Incorporation of companies with provincial objects</li> <li>▪ Solemnization of marriage in the province</li> <li>▪ Property and civil rights in the province</li> <li>▪ Administration of justice in the province, including the constitution, maintenance and organization of provincial courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those courts</li> <li>▪ Imposition of punishment by fine, penalty or imprisonment for enforcing any law of the province made in relation to any matter coming within any classes of subjects enumerated</li> <li>▪ Generally all matters of a merely local or private nature in the province</li> </ul>

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6. FEDERAL ISLAMIC REPUBLIC OF THE COMOROS	Permissive	<p>National government</p> <ul style="list-style-type: none"> <li>▪ The president also nominates governors for each of the three islands for five-year terms.</li> <li>▪ The president is both the head of state and head of government.</li> <li>▪ The Supreme Court normally consists of at least seven members: two chosen by the president, two elected by the Federal Assembly, and three chosen by the respective island councils</li> <li>▪ Federal legislation include defense, communications, law international trade, federal taxation, economic planning, and social services.</li> </ul>	<p>Island areas</p> <ul style="list-style-type: none"> <li>▪ Assigns autonomy to the three constituent islands in matters that, in accordance with the constitution, do not come within the preview of the national government.</li> <li>▪ Each of the islands has its own governor chosen by the president I conjunction with governing council composed of the islands' mayors.</li> </ul>
7. ETHIOPIA	Cooperative	<p>Federal government</p> <ul style="list-style-type: none"> <li>▪ The Federal Supreme Court has final jurisdiction over federal cases</li> </ul>	<p>Regions</p> <ul style="list-style-type: none"> <li>▪ Each region has a regional council that may establish lower levels of jurisdiction</li> <li>▪ Based from the 1994 Constitution, individual ethnic groups within a region have the right to form their own regions or secede from the federation</li> </ul>

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			<ul style="list-style-type: none"> <li>Regional supreme courts have final jurisdiction over regional concerns and may serve as federal first-instance courts</li> </ul>
8. GERMANY	Cooperative	The federal and Lander governments share concurrent powers in several areas, including civil law, refugee and expellee matters, public welfare, land management, consumer protection, public health, and the collection of vital statistics	
		Federal government <ul style="list-style-type: none"> <li>Defense</li> <li>Foreign Affairs</li> <li>Immigration</li> <li>Transportation</li> <li>Communications</li> <li>Currency Standards</li> </ul>	Lander <ul style="list-style-type: none"> <li>Most Lander (federal units) have unicameral legislatures, whose members are elected directly by popular vote.</li> <li>Education, law enforcement, regulation of radio and television, church affairs, and cultural activities</li> <li>The Lander retain significant powers of taxation. Land officials collect most federal taxes.</li> <li>Half of the members of the Federal Convention, which elects a federal president, are Land officials, and the Land governments also, take part in the selection of judges for the federal courts.</li> </ul>

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9. INDIA	Permissive	<ul style="list-style-type: none"> <li>▪ Criminal law</li> <li>▪ Marriage and divorce contracts</li> <li>▪ Economic and social planning</li> <li>▪ Population control and family planning</li> <li>▪ Trade unions</li> <li>▪ Social security and education</li> </ul>	
		Union governments <ul style="list-style-type: none"> <li>▪ Foreign policy</li> <li>▪ Defense</li> <li>▪ Communications</li> <li>▪ Currency</li> <li>▪ Taxation on corporations and nonagricultural income</li> <li>▪ Railroads</li> <li>▪ Matters requiring legislation that are not specifically covered in the listed powers lie within the exclusive domain of the central government</li> <li>▪ Creating new states, combining states, changing state boundaries, and terminating a state's existence</li> <li>▪ Create and dissolve any of the union territories</li> </ul>	State government legislate on such subjects as <ul style="list-style-type: none"> <li>▪ Law and order</li> <li>▪ Public health and sanitation</li> <li>▪ Local government</li> <li>▪ Betting and gambling</li> <li>▪ Taxation on agricultural income, entertainment, and alcoholic beverages</li> </ul>
10. MALAYSIA	Permissive	Federal government <ul style="list-style-type: none"> <li>▪ Foreign affairs</li> <li>▪ Defense</li> <li>▪ Internal security</li> <li>▪ Justice (except where Islamic</li> </ul>	States <ul style="list-style-type: none"> <li>▪ Limited by federal Constitution, except for Sabah and Sarawak which are self-governing states</li> <li>▪ immigration</li> </ul>

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		native laws prevail) ▪ federal citizenship ▪ finance ▪ commerce ▪ communications ▪ industry and transportation	▪ civil service ▪ custom matter
11. MEXICO	Permissive	National government ▪ Presidents have historically played a decisive role in the selection and removal of state governors ▪ The powers of the congress include the right to pass laws, impose taxes, declare war, approve the national budget, approve or reject treaties and conventions made with foreign countries, and ratify diplomatic appointments. ▪ Supreme Court of Justice: Highest court ▪ Funnel revenue to the municipal governments in a clientelist fashion.	States ▪ Each state has its own constitution, modeled on the national charter. ▪ The right to legislate and levy taxes other than interstate customs duties ▪ State (and local) governments also have executive, legislative, and judicial branches. ▪ Little revenue-generating potential or political power.
12. MICRONESIA	Competitive	Central government ▪ The United States is responsible for internal security and defense and provides financial assistance to the public.	States ▪ The four states have considerable autonomy. Each has a unicameral legislature, a governor, and a lieutenant governor.



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			<ul style="list-style-type: none"> <li>The states and some municipalities have courts at the local level.</li> </ul>
13. NIGERIA (Federal Military Government)	Coercive	<p>Federal government</p> <ul style="list-style-type: none"> <li>Locus of power: the president and the Armed Forces Ruling Council: law-making powers that could no be challenged in any court of law.</li> <li>The federal judiciary had appellate jurisdiction I appeals emanating from the state judiciaries.</li> <li>Economy</li> <li>Education</li> </ul>	<p>States</p> <ul style="list-style-type: none"> <li>The state governments had to abide by federal directives and were subject to coordination by National Council States.</li> <li>Implementation of policies formulated by the federal government.</li> <li>Local governments: jurisdictional competence in matters such as markets, automobile, parks and collection of local taxes.</li> </ul>
14. PAKISTAN	Competitive	<p>Federal government</p> <ul style="list-style-type: none"> <li>Legislative power</li> <li>Federal Sharia Court: administers the supreme law of the land.</li> <li>Fiscal Policy</li> </ul>	<p>Provinces</p> <ul style="list-style-type: none"> <li>Each province has a governor, a Council of Ministers headed by chief minister appointed by governor, and a provincial assembly</li> <li>Health</li> <li>Education</li> <li>Agriculture</li> <li>Roads</li> <li>Seats in the National Assembly are allocated to each of the four provinces, the Federally Administered Tribal Areas, and Islamabad Capital Territory on the</li> </ul>

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			basis of population. <ul style="list-style-type: none"> <li>▪ The president appoints governors of the provinces.</li> </ul>
15. RUSSIAN FEDERATION	Permissive	Federal government <ul style="list-style-type: none"> <li>▪ Protection of the rights of citizen</li> <li>▪ Defense</li> <li>▪ Foreign policy</li> <li>▪ Space</li> <li>▪ Meteorology and standards</li> <li>▪ Large development programs</li> <li>▪ Legislative guarantees of a common market</li> <li>▪ Federal budget</li> <li>▪ Taxation</li> <li>▪ Money Creation</li> <li>▪ Common Infrastructure (power and transportation systems)</li> <li>▪ Full control of natural resources</li> <li>▪ May act independently in foreign policy</li> <li>▪ Enjoy considerable economic independence, etc.</li> </ul>	Regions and Municipalities <ul style="list-style-type: none"> <li>▪ Local jurisdictions: managing municipal property, establishing and executing regional budgets, establishing and collecting regional taxes, and maintaining law and order.</li> <li>▪ Flexibility is a goal of the constitutional provision allowing bilateral treaties or charters between the central government and regions on power sharing.</li> <li>▪ Authority to pass laws accord with the constitution and existing federal laws.</li> <li>▪ Internal affairs</li> </ul>
16. SOUTH AFRICA	Cooperative	Agriculture, education, housing, police (in part), tourism, regional planning, urban and rural development, and welfare services, are areas of joint national and provincial control.	

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		<p>National government</p> <ul style="list-style-type: none"> <li>Judiciary: Western and Islamic legal principles are blended. It consists of a <i>supreme court</i> and several courts of first instance: the former deals with emirate-federal or inter-emirate disputes and crimes against the state, and the latter cover administrative, commercial, and civil disputes and the federal government. Other legal matters are left to local judicial bodies.</li> </ul>	<p>Provincial government</p> <ul style="list-style-type: none"> <li>Matters of exclusive provincial control include various planning, cultural, sporting, and recreational matters.</li> </ul>
17. SWITZERLAND	Competitive	<p>Federal government</p> <ul style="list-style-type: none"> <li>Supervises external and internal security</li> <li>Transportation affairs</li> <li>Forestry</li> <li>Water conservation and the like</li> <li>Foreign policy</li> <li>Customs</li> <li>Postal</li> <li>Telephone and telegraph systems</li> <li>Monetary systems</li> <li>Military organizations</li> <li>Extensive social insurance program</li> </ul>	<p>Cantons</p> <ul style="list-style-type: none"> <li>Police authority</li> <li>Education</li> <li>Social welfare</li> </ul>

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18. UNITED ARAB EMIRATES	Cooperation	<p>Federal government</p> <ul style="list-style-type: none"> <li>▪ Supreme Council of the Union functions as the highest federal authority.</li> <li>▪ General policy</li> <li>▪ Legislation on all matters of state</li> <li>▪ Ratification of federal laws and decrees, including those relating to the annual budget and fiscal matters</li> <li>▪ Ratification of internal treaties and agreements</li> <li>▪ Assent to the appointment of the prime minister and Supreme Court of the Union judges.</li> <li>▪ Foreign Policy</li> <li>▪ Security</li> <li>▪ Immigration</li> <li>▪ Communication</li> </ul>	<p>Emirates</p> <ul style="list-style-type: none"> <li>▪ Individual emirates exercise residual powers.</li> <li>▪ Administering customs and setting rates are functions reserved to the individual emirates.</li> <li>▪ Supreme Council of the Union composed of rulers of seven emirates.</li> <li>▪ The Constitution separates legislative and executive powers into federal and emirate jurisdictions.</li> </ul>
19. UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	Competitive	<p>Central government</p> <ul style="list-style-type: none"> <li>▪ Fiscal Policy, Defense</li> <li>▪ Comprehensive social-security system provides cash benefits for sickness, maternity, temporary disability, and unemployment; family allowances; and old-age, invalidity, permanent disability, and survivor pension</li> </ul>	<p>Island areas</p> <ul style="list-style-type: none"> <li>▪ Elects three members to the European Parliament</li> <li>▪ Three sources of revenue: (1) a share of UK revenue, (2) non-tax revenue collected locally, (3) specific and nonspecific payments from UK to bridge gap between income and expenditures.</li> <li>▪ Public road transport outside</li> </ul>

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			<p>Belfast municipal services has been nationalized.</p> <ul style="list-style-type: none"> <li>▪ The Northern Ireland Transport Holding Company has controlled the airways.</li> <li>▪ The health services, education, and social services are patterned on those of the UK House of Commons was closely modeled on Westminster, which was responsible for matters relating to the crown, war and peace, the armed forces, and foreign powers, as well as trade, navigation, coinage and many other.</li> </ul>
20. UNITED STATES OF AMERICA	Competitive	<ul style="list-style-type: none"> <li>▪ Closely parallel structures</li> <li>▪ Shared responsibility on education, public health and social welfare</li> </ul> <p>Federal government</p> <ul style="list-style-type: none"> <li>▪ Defense</li> <li>▪ Coinage</li> <li>▪ External Trade</li> <li>▪ Executive: President</li> </ul>	<p>States</p> <ul style="list-style-type: none"> <li>▪ Own constitution</li> <li>▪ Agriculture and conversion</li> <li>▪ Highway and motor vehicle supervision</li> <li>▪ Public safety and correction</li> <li>▪ Professional licensing</li> <li>▪ Regulation of inter-state business and industry</li> </ul>

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21. VENEZUELA	Cooperative	<p>National government</p> <ul style="list-style-type: none"> <li>▪ Executive: president as head of the state and the armed forces</li> <li>▪ Legislative: Senate and Chamber of Deputies</li> <li>▪ Judiciary: It has no autonomous state courts. Supreme Court of Justice is the highest court of the land.</li> <li>▪ A strong and independent judiciary protects Civil and human rights.</li> </ul>	<p>Municipalities</p> <ul style="list-style-type: none"> <li>▪ Day-to-day local affairs administration is vested in the municipal councils.</li> <li>▪ Municipal councils have considerable autonomy over revenue distribution to their districts but they are not empowered to raise revenue locally</li> </ul>
22. YUGOSLAVIA	Cooperative	<p>National government</p> <ul style="list-style-type: none"> <li>▪ Human rights</li> <li>▪ Financial Management</li> <li>▪ Foreign Policy</li> <li>▪ Defense</li> <li>▪ Social Welfare</li> <li>▪ Environmental Protection</li> <li>▪ Executive: <i>President</i> and <i>Prime Ministers</i>, both cannot be from the same republic</li> <li>▪ Legislative: <i>Chamber of Republic</i> is responsible for deciding matters pertaining to the equality of republics and may look into any issue deemed important from the point of view of equality; <i>Chamber of Citizens</i> decides matters of common interest to the joint state.</li> </ul>	<p>Local governments</p> <ul style="list-style-type: none"> <li>▪ Republican government has specific rights in international affairs and defense.</li> <li>▪ Local governments in Siberia's communes (<i>opštini</i>) serve as a basic unit for services and tax collection.</li> </ul>

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		<ul style="list-style-type: none"> <li>Judiciary: Constitutional Court; and Federal Court, has jurisdiction over acts of federal government and also serves as a tribunal of appeal.</li> </ul>	

**Cooperative Federalism** (Ethiopia, Germany, South Africa, UAE, Venezuela, Yugoslavia)

- Shared functions, focus on providing services, broadly collaborative patterns.
- National states and natural governments cooperate in solving problems
- Powers of the state consistently diminish
- Intertwined policy-making and administrative functions of state and national government

**Competitive Federalism** (Australia, Belgium, Brazil, Canada, Micronesia, Pakistan, Switzerland, UK, USA)

- National government has worked to reduce its role in state and local government
- Congress requires the state and local governments to take a regulation action
- “Carrot-and-stick” approach

**Coercive Federalism** (Nigeria) – Federal Military Government

- Federal government continues to “direct” the state-policy
- Preemption of state laws
- Unfunded mandates

**Permissive Federalism** (Austria, Comoros, India, Malaysia, Mexico, Russian Federation)

- The state are subordinate to the national government and that they derive their existence and authority from the national government.
- States have only those powers and authorities permitted to them by the national government.

(Data are from **Encyclopedia Britanica**, <http://www.britanica.com>, **Encarta Online Encyclopedia**, <http://encarta.msn.com>, “**Federalism: What is federalism?**”, <http://thisnation.com/federalism-what.html>, and “**History of US Federalism**,” <http://w3:satelink.net/~kala/fed/fed/history.htm> .