

Learning to Catch the Wave? Regional Demands for Constitutional Change in Contexts of Asymmetrical Arrangements

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ABSTRACT: Constitutional reforms affecting the asymmetrical allocation of powers between the constituent units of a federal or quasi-federal state have been generally studied as a bilateral relationship between the federal government and the region(s) asking for special treatment. In contrast, this paper examines the crucial role that non-specially empowered regions can play in these processes by raising anti-asymmetry reactions in the form of ‘catching-up’ and ‘blocking’ demands. A theoretical argument is developed concerning the causal mechanism linking several relevant conditions together (type of asymmetry, the distribution of national identities across regions, relative economic development and party politics) and lying between them and the alternative outcomes.

KEY WORDS: Asymmetrical federalism, federal constitutional change, regional demands, catching-up demands, blocking reactions, inter-regional comparisons

Introduction

In preparation for a new round of constitutional negotiations after the failure of Meech Lake, a report by the Select Special Committee on Constitutional Reform of the Legislative Assembly of Alberta emphatically concluded that “any constitutional recognition of Quebec’s distinct society must not confer additional powers or special privileges on the province or people of Quebec which are not available to other Canadians and their governments” (Alberta, 1992: 13). Alberta’s position illustrates the growing resistance to Quebec’s demands of increased asymmetry, widely shared within English-speaking Canada.

Nationalists in Catalonia have seen with jealousy the fiscal privileges and constitutional treatment granted to Basque and Navarrese. As part of its 2004

electoral manifesto, *Convergència i Unió* (CiU) committed to “moving away from the financial arrangement homogeneous to all Autonomous Communities” (hereafter ACs) and “seeking a new one specific for Catalonia in line with the so-called ‘*foral* system” operating in the Basque Country and Navarre (CiU, 2004: 9). In the event that the Spanish constitution was to be reformed, the party would be in a position to request a reinforced special status for Catalonia, which one of its representatives in the Catalan Parliament justified in the following terms: “There is, right now, the first additional provision meant to be primarily used in the case of the ‘*foral*’ communities of the Basque Country and Navarre ... Catalonia should also be granted its own additional provision”.¹

Unlike Alberta, Catalonia or other regions in their states, English regions have not posed a serious challenge to asymmetrical devolution in the UK. After the Scottish Parliament and the Assemblies for Wales and Northern Ireland had been set up, the Labour government was resolved to address England’s place within the Union. It proposed that directly elected regional assemblies would be created, provided they were supported in public referendums. On the 4 November 2004, voters in the North East showed ‘no appetite’ for the proposal, which was overwhelmingly rejected by 77.9%. The then Conservative spokesman for the regions, Bernard Jenkin, anticipated that “[t]he whole idea of regional government has been blown out of the water by this vote”.² Four days later, the Deputy Prime Minister and architect of the project for English regionalization, John Prescott, ruled out that further referendums would be held in other regions for the foreseeable future.

As these three vignettes show, in certain occasions regions not benefiting from asymmetry seem unconcerned about the special constitutional status, powers or prerogatives that other component units enjoy within the same federal or decentralized state. In many cases, however, regions with limited or no special autonomy try to catch-up with more empowered ones or they oppose the very principle of asymmetry on the grounds that it unfairly discriminates between territories and their inhabitants. The lack of uniform or consistent responses to asymmetry both across regions and over time raises an empirical puzzle regarding the source of such variation, which also has crucial implications for the dynamics of constitutional change and the stability of federal or quasi-federal systems. Although establishing the more adequate or just extent of regional autonomy constitutes a major area of contention for all multi-level systems, maintaining a territorial balance of powers becomes particularly problematic in those systems initially featuring asymmetrical autonomy. Indeed, asymmetry exacerbates inter-regional conflicts in a way that is likely to trigger diverging demands for territorial restructuring, in the form of constitutional reform or informal change, from regions respectively granted or

denied differentiated status or powers. In many cases, these demands call the territorial design into question permanently, thus increasing the propensity for change. To the extent that they exist and that the central government is responsive to them, the system would enter a pendulum-like process of reform, whereby each pro-asymmetry step would be followed by a ‘re-symmetrizing’ one. Alternatively, any reform attempt would be brought to an impasse as a result of those incompatible regional demands.

Despite the relevance of this matter, the question of how the different nature and scope of asymmetry affect territorial dynamics and constitutional change in federal or quasi-federal systems remains essentially unexplored (for a recent exception, see Zuber, 2011). More concerned with conceptual issues, a substantial part of the scholarship on asymmetrical federalism has been devoted to defining different dimensions and types of asymmetry, subsequently used to describe individual countries (Keating, 1998; Agranoff, 1999a; Burgess, 2006). For the most part, authors rely on a very basic dichotomy between *de facto* and *de jure* asymmetry.³ This conceals an overall tendency not to theorize about the origins of the latter which ends up being explained by reference to idiosyncratic features of a given state.⁴ The virtues of asymmetry as a means to accommodate minority nations have also been broadly discussed (Gagnon, 2001; 2010; Kymlicka, 2005; Requejo, 2005). However, this strand of the literature is mostly normative or advocatory and is not based on a solid empirical foundation, while it tends to overlook the problem of political instability and institutional change.

In a seminal account of federal asymmetry, Tarlton (1965) focused only on structural differences (i.e. *de facto* asymmetries) as a source of instability. More recently, some scholars in the field of conflict management have partly covered this gap by examining the role of special institutional arrangements (i.e. *de jure* asymmetries) as secession-preventing or secession-inducing (Kymlicka, 1998; Obydenkova, 2005; McGarry and O’Leary, 2009; Roeder, 2009). Yet, stability cannot be reduced to a problem of preserving the external borders of the state, but it has to do more generally with the nature of the territorial dynamics that might take place within the system. In that regard, several authors have shed light on the existence of ‘spill-over’ or ‘catching- up’ dynamics in asymmetrical systems (Moreno, 2001; Giordano and Roller, 2004; Watts, 2004; Blanco, 2005), while others have denounced the destabilizing effects of ‘re-symmetrization’ attempts (Maiz *et al.*, 2010; Requejo and Nagel 2010). In neither case have these phenomena been explained satisfactorily. From a game- theoretical perspective, asymmetrical federalism is also deemed unstable for it provides regional elites in specially empowered and in under-empowered regions with strong incentives to abide by the asymmetrical rules and oppose

them, respectively (Zuber, 2011). Nevertheless, ‘creating an incentive’ does not equal ‘producing the result related to it’.

To the best of our knowledge, then, the workings of asymmetry, especially in pluri-national contexts, and its consequences for federal constitutional change have not been really analysed. In particular, we face a dearth of both theoretical and in-depth empirical studies of the dynamics involved in the processes of constitutional change affecting the asymmetrical allocation of powers between the constituent units. The main reason is that, regardless of their differences in research interests and approaches, the fields of comparative federalism and conflict management, as well as the research on regionalism and regional mobilization and assertiveness, all share an almost exclusive focus on territories claimed a home to minority nations, where strong ethno-regionalist or nationalist movements exist (see Gourevitch, 1979; Horowitz, 1981; Connor, 1994; Jenne, 2007; Van Houten, 2007). By contrast, all of these literatures have neglected other regions which have traditionally shown a less enthusiastic pro-autonomy stance and have ignored the role asymmetry has played in fostering demands for regional autonomy. I believe that no explanation of federal constitutional change is possible without examining both types of regional units as actors triggering or affecting the dynamics of change within the system.

This paper is an initial attempt to contribute some insight into this subject by addressing the following question: under which conditions do under-empowered regions react to asymmetry? The argument I put forward is twofold. First, the role under-empowered regions play in processes of territorial constitutional change leading, for example, to re-symmetrization should not be underestimated or ruled out before it is examined properly. In this undertaking, I try to flesh out the already existing concept of catching-up, giving it comparative empirical significance. Second, I argue that a multi-dimensional explanatory model is required to specify the combined impact of several factors on our dependent variable: under-empowered regions’ reaction to asymmetry and their ensuing demands. No independent causal role can be attributed to asymmetry. Rather, it is a particular configuration of conditions (type of asymmetry, the distribution of national identities across regions, relative economic development and party politics) that determines the outcome of constitutional change processes. Brief empirical evidence is brought into the discussion to illustrate the different dimensions of the proposed theoretical argument.

The second section reviews the academic debate on asymmetry as entailing both stabilizing and destabilizing effects on territorial constitutional arrangements. It then summarizes the current knowledge about regional

demands of catching-up as a major component of the destabilizing dimension of asymmetry. The third section offers a selective discussion of some explanations of demands of regional autonomy in various types of regions. It also reflects on their limitations to grasp fully the process of demand-making in asymmetrically devolved countries. The fourth section draws on the literatures on asymmetrical federalism and regional assertiveness to build the theoretical argument concerning pro-symmetry reactions to asymmetry and the way to improve accounting for them. The model suggests the need to move beyond the notion of ‘catching-up demands’ to incorporate an additional form of response, namely ‘blocking reactions’. It also develops a new concept of ‘consequentiality of asymmetry’, which helps to predict the existence and direction of reactions and demands against asymmetry. The final section offers some conclusive remarks.

Catching-up Demands and Constitutional Change: A Reflection on Asymmetry and Instability

Asymmetry can be portrayed as a double-edged sword that produces potential stabilizing and destabilizing effects on territorial arrangements both at once. On normative and practical grounds, it has been advocated as a means of accommodating internal diversity whilst holding pluri-national states together (Stepan, 1999; Keating, 2001; McGarry, 2007). Through a combination of recognition and power, asymmetry satisfies minority nations’ aspirations for self-government, enabling them to exercise at regional level part of the authority the majority nation enjoys within central institutions (McEwen and Lecours, 2008). This way, the argument goes, asymmetrical autonomy may become a true alternative to independent statehood (Keating, 2001) that also contributes “to achieve flexibility in the pursuit of legitimacy and overall federal political stability” (Burgess and Gress, 1999: 53).

However, other authors have suggested that asymmetrical autonomy structures politics in a way that enhances conflict and competition, bringing political instability in the form of continuous reform demands into the system. Whether instability is measured by the “dissolution of the state” or the “dissolution of its fundamental institutions” (Roeder, 2009: 207), asymmetry is deemed to cause destabilizing effects in both senses: First, it has a ‘self-enforcing potential’ that may encourage specially empowered regions to seek further asymmetry and to radicalize their demands. The institutional experience, resources and legitimacy linked to the exercise of asymmetrical autonomy give political elites representing the ethnoterritorial group or minority nation a reinforced confidence in “their ability to go it alone, and with

an already recognized territory over which they are assumed to have some prima facie historical claim” (Kymlicka, 1998: 137). Thus, accomplishing this accommodative task may paradoxically become ‘counterproductive’, as it would not avoid, but it would only delay, the break-up of the state. In Rainer Bauböck’s (2002: 2) words, “excessive asymmetry is an inclined plane on which federations will glide downwards towards eventual dissolution”.

Second, asymmetry has a ‘self-destructive potential’ as it gives under-empowered regions incentives to fight back against the key institution of asymmetry. Following Ronald L. Watts (2004: 20), in some countries “asymmetrical arrangements or pressures for such arrangements have themselves provoked counter-pressures for symmetry”, in the form of what has been referred to as ‘catching-up’. Drawing on works largely devoted to the Spanish process of decentralization (Moreno, 2001; Aja, 2003; Giordano and Roller, 2004; Lecours, 2004; Blanco, 2005), a mechanism can be specified linking asymmetry to catching-up, which rests upon two interrelated elements: inter-regional comparative grievances and ethno-territorial mimesis.

The institutionalization of asymmetrical autonomy by the Spanish Constitution (1978) raised awareness of grievance on the part of regions which perceived themselves as losers in the territorial allocation of powers as compared to the so-called historic nationalities: Catalonia, the Basque Country and Galicia (Moreno, 2001: 97). This feeling of comparative grievance became “a sufficient catalyst for further regional mobilization” (Giordano and Roller, 2004: 2173), triggering an imitation effect in the process of identity-building and demand-making (Moreno, 2001: 100; Lecours, 2004: 81). As a result, territorial identities multiplied in regions with weak or no previous sense of distinctive consciousness (Giordano and Roller, 2004: 2169), which Spanish regions would subsequently use to legitimize their self-government demands. According to this line of reasoning, territorial emulation is embedded in the very nature of asymmetry which facilitates breaking the “original asymmetrical stigma” of the system (Blanco, 2005: 72). Far from being an exception, Spain reflects a common pattern in countries such as Belgium, Canada, Italy or Russia (Lecours, 2004; Zuber, 2011). Moreover, it offers a general lesson for politicians willing to implement some sort of asymmetrical devolution, that it “inevitably leads to a process of catch-up whereby regions with less demand parity with those that have more devolved responsibilities and competencies” (Giordano and Roller, 2004: 2180). Parallel to the idea of catching-up, yet qualitatively different to it, the notions of “coffee for everyone”—or “re-symmetrization” in its more recent technical version (Maiz *et al.*, 2010: 65)—have been used to describe the

institutional change aimed at reversing the trend towards asymmetrical devolution. Whilst the notion of catching-up emphasizes a bottom-up input from under-empowered regions, the two latter concepts portray a top-down dynamics that ultimately understands the symmetry–asymmetry conflict between regions as a bilateral dispute between two nations or between the central government and particular regions. By assuming a monolithic view of the alleged majority nation, it neglects the involvement of its component regional units in that process. In fact, the notion of re-symmetrization has been utilized to denounce the generalization of devolved powers across the board as a stratagem devised by central governments to water down the distinctive institutional position of ethno-national communities (Agranoff, 1999b: 107 – 112). In the same vein, state-wide parties have been blamed as the main actors responsible for re-centralizing and re-symmetrizing trends in countries such as Italy, Spain and the UK (Requejo and Nagel, 2010). This conclusion is at best incomplete or misleading, since the same state-wide parties or their regional branches were also the architects of asymmetrical devolution in the first place (Hopkin, 2009).

Zuber’s (2011) contribution to the discussion on asymmetry and instability entails two advantages. By modelling the creation and evolution of asymmetrical federalism as a “nested multinational game” (Zuber, 2011: 557), the author rightly combines the national dimension of conflict (majority versus minority nation) with the territorial one (regions with special powers versus regions with average autonomy). Asymmetrical arrangements are first negotiated in a “confrontational game” between the central government and the minority nation. An “upgrade game” between the central government and regions granted average autonomy follows, whereby the latter demand getting their powers increased. The “upgrade game” approximately contains what had been elsewhere described as catching-up. However, and this is the second improvement of this approach, the linkage between asymmetry and catching-up is formalized explicitly as an incentive. This way, it rejects any sort of causal determinism and the ideas of ‘sufficiency’ and ‘inevitability’ implicit in previous works. If asymmetry ‘encourages’ but does not necessarily ‘produce’ catching-up, a crucial question remains about the actual scope of such a phenomenon and the conditions of its occurrence.

Catching-up Demands and Existing Explanations of Regional Assertiveness

‘Regional assertiveness’—i.e. the phenomenon of politicians asking for the redistribution of powers and competencies between the national and regional levels of government in favour of the latter (Van Houten, 2001: 2)—has

attracted scholarly attention mostly on account of the challenge it poses to the state's authority (Van Houten, 2007). It comes as no surprise, then, that the main focus of the literature has been secessionism, or for that matter the moderation and radicalization of demands up to that extreme.⁵ If autonomy and secession are qualitatively different, then catching-up is specifically related to the former. In fact, catching-up corresponds to a particular type of autonomy demands: those which under-empowered regions make in asymmetrical contexts. On the other hand, it seems more unlikely that under-empowered regions will raise secessionist demands just for the sake of catch-up.

Traditionally, authors have sought for the explanation of regional assertiveness in structural features that distinguish the region from the rest of the country. The most immediate cause of secessionist/autonomist demands seems to be identity, defined in terms of cultural and ethnic traits. Thus, drawing on theories of ethno-nationalism, the fact that a group recognizes itself as a distinct national community is deemed the single main reason behind the emergence and rise of autonomy demands (Horowitz, 1981; Connor, 1994). Other authors have argued for a qualification of this argument by reference to the size of the minority nation relative to the majority as well as its geographical concentration (Mikesell and Murphy, 1991: 586). While the argument applies properly to Valle D'Aosta and Trentino Alto Adige in Italy, or the Basque Country and Catalonia in Spain, political elites in other places such as Lombardy in Italy and Aragon or Canary Islands in Spain have also been assertive without considering their regions as ethnically distinct.

Sometimes independently from ethnic and cultural factors, and most often in combination with them, a second group of structural explanations points to economic disparities between the region and the rest of the state as an important determinant of self-government demands.⁶ According to the internal colonialism theory (Hechter, 1975), economically disadvantaged regions have blamed their relative deprivation on the central state, supporting decentralization as a result (Ragin, 1979; Rokkan and Urwin, 1983). Well-known examples of assertive regions, such as Corsica in France, Galicia in Spain, Sardinia in Italy or Scotland in the UK, seem to confirm this argument. At the other end of the economic development continuum, relatively affluent regions have also sought to increase their political power so as to avoid domination from a poorer centre, becoming more assertive as a result (Gourevitch, 1979; Harvie, 1994; Collier and Hoeffler, 2006). This might account for demands for increased fiscal autonomy advanced by Catalan elites ever since Spanish decentralization (Pradera, 1993) or by some Western German *Länder* after unification (Benz, 1999).

While ‘structural preconditions’ may function as resources for regionalist mobilization and thus become plausible predictors of which regions are likely to be assertive, it is now well established that they fail to offer a complete explanation of the processes of regional demand-making. Indeed, they can account neither for variations in assertiveness across regions with relatively similar economic and cultural features (Van Houten, 2007: 561), nor for fluctuations in the intensity of demands over time (Jenne, 2004: 731). By contrast, political conditions are able to provide a more nuanced explanation of regional assertiveness. According to Benson and Saxton (2010: 318), both a strong sense of distinctive identity and the perception of relative cultural, economic and political deprivation are important in determining the “region’s latent mobilization potential”. On the other hand, political-institutional factors (such as nationalist representation in government, level of democracy, and a contagion effect) shape the opportunity structures and, therefore, are likely to have a major impact on the timing and strategic decisions regional actors make to move up and down the ladder of contention (Benson and Saxton, 2010).

In this vein, Van Houten (2001; 2007) proposes an explanation of fiscal autonomy demands, based on the configuration of the regional party system: these demands are likely to be stronger when regionalist parties compete against each other and weaker if the electoral arena is occupied more evenly by ethno-regionalist and state-wide parties. On the other hand, Jenne (2004; 2007) has developed a “bargaining theory of minority demands” that formalizes a triangular interaction between the minority representatives, their “host government” and an “external lobby actor”. Regional elites representing a minority nation will opportunistically decide when to radicalize or moderate their demands by taking into consideration their leverage *vis-à-vis* the centre, which is determined by their internal electoral strength and the expectations that a powerful external actor will support their claims, either politically or militarily.

The current state of the art provides alternative (sometimes complementary) causes of autonomist/secessionist demands. Yet, the main focus on, if not the ‘selection bias’ towards, highly assertive regions that are almost always part of the periphery and represent a small minority of the population of the country has come at the expense of neglecting the actual role of less assertive regional units, allegedly part of the majority nation.⁷ Whilst this would explain the absolute lack of attention to asymmetry within the scholarship on regional assertiveness, it does not resolve the problem that explanations specifically devised for regions at the avant-garde of the autonomy quest might not be applicable, or at least not in exactly the same way, to regions at the rear-

guard. This certainly holds true in what concerns territorial identity. The focus of the literature mainly on regions featuring strong ethno-nationalist movements has unwarrantedly led to us taking for granted the explanatory power of identity, even its role as a necessary condition for regional assertiveness. Arguably, however, the occurrence of catching-up demands might not require an equally strong sense of national/cultural distinctiveness.

Explanations based on the existence of regionalist parties and their weight within the structure of regional party competition cannot be extrapolated easily, either. For one thing, it is very unlikely that regions with low or moderate autonomist aspirations at the beginning of a process of asymmetrical devolution will have a party system that consists—entirely or fundamentally—of regionalist parties. Regionalist parties are marginal or non-existent in Italian regions with ordinary statute, particularly those in the centre and south of the country. Much more relevant in northern Italy, members of the federation of regionalist parties known as the *Lega Nord* are among the largest parties in Piedmont, Lombardy and Veneto.⁸ But they have not displaced state-wide parties from the regions where they compete. A very similar situation can be found in Spain. Mostly with the exception of the Canary Islands and Aragon, support for regionalist parties usually falls under 10%. The predominance of state-wide parties in Autonomous Communities, of Andalusia and Valencia,⁹ has not prevented them from advancing what could be seen to constitute examples of catching-up demands for constitutional change.

A Configurational Explanation of Demand-making in Contexts of Asymmetrical Autonomy

Some of the insights on asymmetry derived from the scholarship on comparative federalism, coupled with developments in the field of regionalism and regional assertiveness, help to build an analytical framework of regional demand-making in contexts of asymmetrical power-sharing. It encompasses three categories of analysis: the territorial entities whose demands are likely to be influenced by asymmetry; the types of reaction asymmetry might cause; and the actual impact of asymmetry in the process of demand-making. The theoretical starting point is that asymmetry constitutes an institutional incentive able to ignite autonomist aspirations and, therefore, demands for legal or constitutional reform on the part of regions which have traditionally shown moderate or no pro-autonomy stance. This carries a compelling, though insufficiently stressed, implication: the chances for asymmetrical arrangements to become a long-term solution rest primarily in the hands of under-

empowered regions and their choice to acquiesce or challenge asymmetry (Zuber, 2011: 566).

The Most-empowered Regions (MER) versus Less- or Non-empowered Regions (LER/NER)

The mainstream literature portrays asymmetry as a mechanism devised to accommodate demands by national minorities seeking recognition and greater autonomy (Keating, 1998). From this viewpoint, asymmetry-driven inter-regional tensions and grievances are perceived to affect the relationship between nationality-based units (which have their own national character) and regional-based units (which are administrative divisions of the majority nation) (Kymlicka, 1998; Zuber, 2011). In that regard, several examples have been reported of Spanish ‘regions’ reacting to enhanced powers awarded to the ‘historical nationalities’ (Blanco, 2005); the ‘rest of Canada’ opposing the special status of Quebec; or Russian ‘regions’ entering bilateral negotiations with the federal government, to get their powers upgraded in line with those granted previously to the ‘republics’ (Filippov and Shvetsova, 1999).

More generally, asymmetry constitutes a difference in the degree of autonomy that two component units enjoy relative to one another and regardless of their national character. Hypothetically, then, asymmetry can occur not only across types of territorial units—‘nations’ and ‘regions’—but also between the members of each group. Supposing a continuum from zero to full autonomy, the regions in a federal or quasi-federal country could occupy approximately the same position (symmetrical autonomy) or they could be more or less scattered between the two ends (asymmetrical autonomy).

Among all possible asymmetrical situations, Great Britain constitutes a case of a mostly non-devolved country containing several autonomous regions. The English regions (representing about 85% of the British population) remain entirely under Westminster rule, whereas Scotland and Wales are provided with their self-governing institutions. Apart from the difference between non-devolved England and the recognized Scottish and Welsh minority nations, significant variation also exists in the degree of self-government respectively granted to the latter: the Scottish Parliament enjoys primary and executive legislative powers in a wide range of domestic affairs (Scotland Act, Section 28.1) whereas competences of the Welsh National Assembly are limited to secondary legislation and other executive functions (Government of Wales Act, 1998, Section 21). In countries such as Canada or Spain, on the other hand, political autonomy is spread over the whole territory.

In these cases, asymmetry exists between some regions enjoying enhanced autonomy and several other average autonomy regions. At the beginning of the process of devolution, Spanish regions got less generous offers of self-government as compared to the historical nationalities, while the Basque Country has always enjoyed more extensive fiscal powers relative to Catalonia.

For the purposes of examining the extent to which asymmetry can trigger demands of catching-up leading to constitutional change, the actual level of autonomy regardless of the national character of the region thus provides the most appropriate classificatory criterion. In most countries, it should be possible to single out the region endowed with the highest level of autonomy, which—precisely because of that—is likely to become a benchmark against which other regions measure their own self-governing powers. The first one could be named the most-empowered region (hereafter MER). By contrast, all remaining could be called less-empowered or non-empowered regions (hereafter LER/NER). The distinction between MER and LER/NER entails an important advantage over the one distinguishing between nationality-based vs. regional-based units. While primarily suitable to analyse demand-making in low assertive regions, it is provisionally plausible to anticipate that asymmetry could also have some impact on regions whose assertiveness has been traditionally explained on the grounds of having a distinctive national identity. Importantly, this new analytical perspective does not prejudge or take for granted the explanatory value of national identity, but it allows testing it versus other factors in asymmetrical contexts.

Autonomy Demands as Reactions to Constitutional Asymmetry

Through the process of regional mobilization and demand-making, regional elites express dissatisfaction with the territorial allocation of powers in the hope to get it changed through constitutional or sub-constitutional reform to their own advantage (Van Houten, 2007). They are generally believed to complain about the concentration of powers in the hands of the central government and to promote decentralizing measures. Asymmetrical autonomy adds a second dimension of conflict concerning the horizontal distribution of powers among regions in a symmetry–asymmetry axis, which prompts regional elites to keep an eye on each other so as to scrutinize which powers are transferred elsewhere (Moreno, 2001: 98). Arguably, regions with limited or no autonomy may perceive asymmetry as suspicious of creating a position of privilege to the MER at their disadvantage, in which case the issue at stake is not, or not primarily, over-centralization but the risk of regional grievance.

Under such circumstances, demand-making ultimately becomes a defence mechanism for political actors in LER/NER, who will try to avoid other regional peers profiting more than they do. In other words, endowing a region with enhanced autonomy is likely to be construed as a discriminatory practice and thus elicit a counter-demand from LER/NER.

When theorizing about LER/NER's reactions to asymmetry, we should allow for non-uniformity in the contents of those claims. Two alternatives, and qualitatively different, responses are hypothesized here. As derived from the literature on asymmetrical federalism (Giordano and Roller, 2004; Zuber, 2011), the more intuitive one will be for LER/NER to call for increased self-governing powers in line with the autonomy standards already reached by the MER. The concept of 'catching-up demands' captures very approximately the fundamental aspect of territorial emulation they entail. If catching-up demands are shaped by developments in other parts of the country, then their contents could be deduced from the scope of self-government the MER actually enjoys or demands it has made previously.¹⁰ On the other hand, LER/NER may react to asymmetry without necessarily following the path paved by the MER. Rather than seeking an increase in their powers LER/NER could challenge asymmetrical autonomy by objecting, braking or preventing the concession of further autonomy to the MER. This attempt to stop MER from moving further away could be called 'blocking reactions'.

Catching-up demands and blocking reactions are expressions of regional assertiveness, whereby regional elites assert their position on the subject of territorial restructuring and constitutional change. Both of them move in the same direction in the symmetry– asymmetry axis, but they differ as regard the centralization– decentralization axis: the former push for an increase in the overall decentralization of the system whereas the latter represents a defence of the status quo and thus a pressure to hold back decentralization. Several examples illustrate these anti-asymmetry responses:

The setting-up of the autonomous institutions of Andalusia back in 1981 constitutes the first example of catching-up demand within the Spanish process of decentralization. Andalusians' aspiration not to be discriminated against the so-called historic nationalities drove them to undertake the approval of its statute of autonomy according to the procedure established in art. 151 of the Constitution. Although that article had been designed to work only as a "formal alibi", which in practice would guarantee the historical nationalities a provisional privileged status (Solozabal, 1996; Blanco, 2005), this procedure allowed Andalusia to get nearly the same powers to those of Catalonia, the Basque Country and Galicia, from the very beginning.

The so-called 'Camps Clause',¹¹ a more recent example of catching-up

demand, has enabled the AC of Valencia to get its Statute revised shortly before the Catalan Statute while still guaranteeing a general ratcheting-up solution that combines two symmetrizing mechanisms. On the one hand, it provides for the automatic acceptance of “[a]ny change of state-wide legislation that, on a general basis, entails the expansion of competences of all ACs”. On the other hand, “it compels the self-government institutions to promote the necessary reform initiatives” to acquire any competence not listed in the Valencian Statute of Autonomy but granted to other ACs. Following the recent Constitutional Court’s judgment on the reformed Statute of Catalonia, the regional government did not hesitate to make public its intention to increase its own self-governing powers in line with its Catalan peer, particularly in what concerns financing matters and inland waters.¹²

The Spanish case provides examples of blocking demands, too. In July 1998, nationalist parties in Catalonia, the Basque Country and Galicia signed the so-called “Declaration of Barcelona”, requesting a reform of the Constitution in order to recognize the pluri-national character of the Spanish state and to enhance the special status of the historic nationalities. Shortly after, the socialist Presidents of Andalusia, Castile La Mancha and Extremadura, responded with an alternative “Declaration of Merida”, arguing that no natural right could justify privileges or inequalities and opposing any processes that would marginalize their territories.¹³ The revised Statute of Autonomy of Catalonia also triggered blocking demands on the side of five LER/NER. Aragon, Valencia and the Balearic Islands appealed against the Catalan provision to integrate the Historic Archive of the Crown of Aragon into the General Archives of Catalonia, arguing that it should remain jointly managed by the four regions involved and the central government. Valencia, together with La Rioja and Murcia also contested the provision on the exclusive competence of Catalonia to unilaterally determine the ecological flow of Ebro River, as it would fundamentally limit the central government’s decision-making capacity on water transfers across river basins.

The 1987 Constitutional Accord, signed by Prime Minister Mulroney and the ten Premiers at a meeting held at Meech Lake on the 30 April, illustrates the dynamics of catching-up and blocking demands during the period of Canadian mega-constitutional politics. Intended to address ‘only’ the concerns of Quebec, the discussions were based on five amendment proposals the Bourassa’s government had unveiled in May 1986 as ‘necessary conditions’ to gain Quebec’s official endorsement of the 1982 Constitution Act. Mostly with the exception of the request for constitutional recognition as a distinct society, in relation to the remaining issues all other Premiers successfully sought to catch up with Quebec: if the Cullen–Couture

Agreement (1978) granting Quebec increased powers over immigration were to be enshrined in the Constitution, they would also win a right for their respective provinces to negotiate similar agreements with the federal government in the future. Quebec's veto power over changes of federal institutions would become a veto for every province on these matters. The limitation of federal spending power in areas of provincial jurisdiction with 'reasonable compensation' would apply to any province which carried on a programme or initiative that is compatible with the national objectives. All provinces would be entitled to participate in the process of appointing judges to the Supreme Court. Admittedly, what started being "the Quebec Round" became "the Provincial Round" (Cohen, 1990: 9). To come into force, the Accord had to be ratified by the Canadian Parliament and the legislatures of all the provinces.¹⁴ By the end of the ratification deadline, however, such a requirement was not met either in Manitoba, New Brunswick or Newfoundland. This way, it can be argued, three provinces posed an effective 'blocking demand' to Quebec's demand of enhanced autonomy and symbolic recognition.

Explanatory Capacity of Asymmetry

The argument concerning the impact of asymmetry on the process of demand-making is premised upon two fundamental assumptions. First, asymmetry influences regional demands in a contingent manner. Therefore, the very existence of asymmetry does not always produce catching-up or blocking demands but LER/NER may, under certain circumstances, be 'irresponsive' to asymmetry or increased asymmetry. For most of the post-devolution period, England has remained mainly indifferent to asymmetrical devolution and it has not engaged in relevant or successful attempts at regional build-up. Harvie's (1991) aphorism that English regionalism is "the dog that never barked" seems as appropriate as ever.

Second, mono-causal explanations—which have facilitated that the concepts of 'necessary and sufficient cause' and 'independent variable' have become inseparable from what is considered the standard 'scientific' method—are at best partial. Embracing the idea that "all parts are mutually constitutive and interconnected within a given case" (Ragin, 2000: 27) and, therefore, no single cause exists that has "its own separate, independent impact on the outcome" (Rihoux and Ragin, 2008: 9), this article advocates a multi-causal configurational approach to demand-making. From this perspective, it is held that neither the presence nor the absence of particular factors

but their interaction with each other ultimately accounts for the observed outcome. In other words, the concurrence of several conditions, more precisely a particular configuration of them, is required for an outcome to occur. Asymmetrical arrangements in conjunction with other structural, political or institutional conditions may favour catching-up demands, while the same factors combined differently may lead to blocking reactions. In a different combination, asymmetry could still act against either of the previous outcomes. Which is, then, the explanatory value of asymmetry?

To start with, it provides an advantageous institutional context for LER/NER, whose political representatives are more likely to advance demands either when asymmetry actually exists or when they anticipate the territorial distribution of powers will become increasingly asymmetrical. To be precise, regional demands can happen regardless of asymmetry, while its very existence does not necessarily provoke a response (as suggested by the case of the English regions). Yet, it is provisionally plausible to expect that granting asymmetrical autonomy increases the likelihood of anti-asymmetry reactions of various sorts, namely catching-up or blocking demands. For Manuel Clavero, a key actor in the creation of the autonomous government of Andalusia, the re-establishment of the Catalan Generalitat was a “window of opportunity that Andalusians could not afford to miss”.¹⁵ If the attainment of self-government for Catalonia precipitated regional demands in the early stages, the Catalan reform initiative also worked as a trigger and gave momentum to the recent processes of statutory amendment. Several Spanish regions had already started discussions about the need to revise their Statutes of Autonomies in the late 1990s. Yet, politicians in LER/NER generally agreed on the convenience to wait for the Catalan reform to come to an end, so as to accommodate their Statutes within the same framework. In fact, “[w]ithout the Catalan reform process, the reform of the Valencian, Andalusian and all other statutes of autonomy would have been very unlikely” (Ban˜ o, 2007: 368). Blair’s government seemed also to be aware of the potential emulation effects related to asymmetrical autonomy and that “[t]he expected ‘Yes’ result in Scotland... would produce a momentum for a ‘me too’ attitude in Wales” (Bradbury, quoted by Pilkington, 2002: 123). Not surprisingly, the referendum on devolution for Wales was held a week after the one in Scotland.

Ultimately, LER/NER’s response to asymmetry is a matter of choice in the hands of profit-seeking regional politicians who will strategically decide a specific course of action by taking into consideration their orientations and preferences, as well as the surrounding structural and institutional context

(Scharpf, 1997). Even outcomes of ‘apparent irresponsiveness’—no reactions—are better understood as the consequence of a strategic calculation or some sort of institutional or political constraint, than caused by indifference or unawareness of constitutional asymmetries. The remainder of the section is devoted to identifying the relevant causal conditions—asymmetry being but one of them—and to discerning the causal mechanism linking these factors together and lying between them and the outcome.

As Figure 1 represents, LER/NER’s demand-making entails the definition of the consequentiality of asymmetry for a given region, on the basis of the type of asymmetry and some structural conditions, and within an institutional

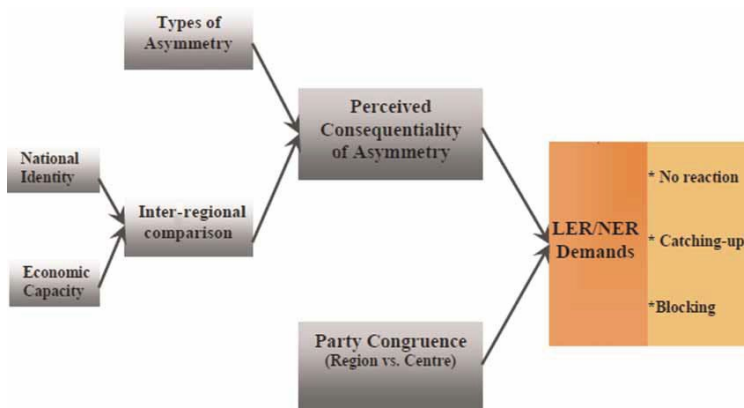


Figure 1. Explanatory framework (MER, most-empowered region; LER/NER, less-empowered region/non-empowered region)

setting shaped by inter- and intra-party dynamics. Alternative responses (no reaction, catching-up or blocking demands) can be hypothesized according to the degree of consequentiality, while the dynamics of party competition and co-operation can either facilitate or constrain the expected course of action. Regional politicians are, thus, faced with the problem of finding a balance between territorial and party interests. For the purpose of analytical clarity, demand-making is presented here as a two-staged process; each phase will be addressed in turn.

Defining the ‘consequentiality of asymmetry’.

The new concept of ‘consequentiality of asymmetry’ corresponds to the perception, by political actors in LER/NER, of the negative implications that may derive for their own region when the MER is awarded increased self-governing powers.¹⁶ More specifically, an asymmetrical arrangement is

deemed consequential if it (a) touches upon a matter within LER/NER's jurisdictional interests and (b) diminishes the LER/NER's share in the state's powers and revenues, or (c) damages LER/NER's national community and the respect it commands. Two criteria are used to define the consequentiality of asymmetry: the type of asymmetry and the LER/NER's structural conditions relative to the MER's.

Drawing on the literature on decentralization (Willis *et al.*, 1999; Falleti, 2005; Marks *et al.*, 2008; see also Benz and Colino, 2011, this issue), several domains of regional authority and institutional capacity can be affected by asymmetry, thus creating four types:

- *jurisdictional asymmetry* corresponds to the different policy fields over which regional governments exercise legal and/or executive responsibility;
- *fiscal asymmetry* refers to the varying decision-making capacity regional governments have over public revenue and taxation powers;
- *representation asymmetry* is concerned with the existence of special rules for the participation of some regional constituent units at central government institutions;
- *symbolic asymmetry* occurs whenever a region is granted a distinct constitutional status.

Except for the *representation asymmetry* (for all regions are likely to share a great desire for participation and influence at central decision-making institutions), the remaining types concern matters of variable interest to different regions. For instance, increased control over port facilities and regulations granted to the MER seems specifically meaningful and consequential for seaside LER/NER, not for landlocked ones. In general, then, consequentiality is a case-specific or 'relative' notion, in the sense that the same asymmetrical arrangement can be consequential for LER/NER *X* and non-consequential for LER/NER *Y*, while one LER/NER can perceive detrimental impacts to stem from asymmetrical arrangement *X* but no detrimental effects to arise out of asymmetrical arrangement *Y*.

The second criterion used to calibrate the degree of consequentiality (low, moderate or high) builds upon the conventional ethno-cultural and economic explanations of regional assertiveness. Yet, these factors are interpreted in a way that is congruent with contexts of asymmetrical autonomy as it highlights the dynamics of inter-regional comparison at work in these cases. Accordingly, from a perspective that considers the LER/NER's national community and its position of economic affluence or deprivation compared to

the MER's, consequentiality constitutes a 'relational' notion. Provided that an asymmetrical arrangement is meaningful to a given region, two hypotheses can be formulated linking the LER/NER's structural conditions to a certain degree of consequentiality and to an anti-asymmetry reaction.

- The more exclusive the nature of a LER/NER's sense of identity and/or the more similar its economic capacity compared to the MER, the higher the perception of consequentiality of asymmetry will be. The behavioural implication being: other things being equal, highly consequential asymmetry will lead to catching-up demands.
- The more inclusive the nature of a LER/NER's sense of identity and/or the more it differs from the MER in economic capacity, the more moderate the perception of consequentiality of asymmetry will be. The behavioural implication being: other things being equal, moderately consequential asymmetry will lead to blocking demands.

Several examples illustrate the interplay of both criteria and their usefulness in accounting for the outcomes.

One of the most resilient battlegrounds of successive Catalan governments has been the transformation of revenues raised by the central government in Catalonia into subsidies transferred to the least affluent regions (fiscal redistribution).¹⁷ Following Catalan demands for increases in fiscal autonomy, the regional governments in Andalusia and Extremadura have opposed those claims as a fracture of the principle of inter-territorial solidarity, while pushing for further economic transfers from the centre. Ensuring the availability of resources necessary to carry out their functions constitutes a general priority of regional governments. Those representing well-off LER/NER are expected to raise catching-up demands since an increase in their own revenues would compensate for the corresponding decrease in central government transfers. The opposite holds true in the case of poorer regions with narrow tax bases. With a GDP per capita in Andalusia and Extremadura that approximately represent 66% and 60% of the Catalan average (INE, 2008), their blocking demands are thus consistent with the hypothesized influence of relative economic deprivation on LER/NER's reactions to asymmetry.

Quebec's demands for asymmetrical status and symbolic recognition (*symbolic asymmetry*) were perceived as moderately consequential for Albertans, whose understanding of Canada as a multinational society and, accordingly, its sense of national identity was significantly affected by those claims. As a response, successive regional governments have championed the cause of 'provincial equality'. Without explicitly rejecting the notion of

‘Quebec being a distinct society’ yet denying the conferral of additional powers as a natural corollary, Alberta has indeed opposed the principle of distinctiveness to Quebec.

The broader self-government powers awarded to Scotland as compared to Wales have triggered dynamics of catching-up throughout the process of Welsh devolution, the last cornerstone being the referendum held on 3 March 2011 that resulted in a ‘Yes’ vote for full law-making powers and the ensuing Commencement Order approved by the National Assembly of Wales on 29 March 2011, needed to bring these new powers into force. The constraints associated with the original devolution settlement based on secondary legislative powers provide strong functional reasons for Welsh demands (Bradbury, 2003). Furthermore, the quest for increased autonomy has often been framed as a matter of national pride and aimed at rescuing Wales from a second-class nation status.¹⁸

Influence of party politics on NER/LER’s reaction of asymmetry.

A first glance into the changes that took place between the signing of the Meech Lake Accord and its collapse during the ratification process immediately reveals a striking fact: the three provinces that failed to endorse it (Manitoba, New Brunswick and Newfoundland) had elected new governments in the meantime, whose new Premiers had expressed serious reservations about the document at a time when they were opposition leaders. Although just one example, it makes it worthwhile to reflect on how the literature about the relationship between political parties and territory could enlighten the analysis of LER/NER’s demand-making.

Drawing on Riker’s (1964) argument that parties mirror the degree of (de)centralization of the federation itself, a burgeoning scholarship exists that looks at the linkages between the territorial structure of the state, political parties and party systems (Willis *et al.*, 1999; O’Neill, 2003). On the one hand, several authors see decentralization as encouraging the emergence and/or strength of non-state-wide and regionalist parties (Brancati, 2006) or compelling state-wide parties to adapt their organization and strategies to multi-level arenas of competition (Roller and van Houten, 2003; Bratberg, 2009; Swenden and Maddens, 2009; Thorlakson, 2009). Causal explanations flow the other way round, too. For instance, both regional demands and central governments’ decisions to decentralize have been accounted for by reference to party competition dynamics and partisan political calculations (Van Houten, 2007; Hopkin, 2009; Sorens, 2009). Party dynamics are deemed to play an important role in the intergovernmental co-ordination of public policies. Indeed, party incongruence between central and regional

governments is associated with more conflictual relationships and requires formalized inter-party channels. On the contrary, party congruence tends to lead to informal, less institutionalized and more co-operative intergovernmental relations (Swenden and McEwen, 2008; Bolleyer *et al.*, 2010).¹⁹

It seems provisionally plausible that party (in)congruence may shape the process of demand-making in a significant manner. Under conditions of party congruence, vertical linkages exist that regional politicians will have to take into consideration as part of the cost-benefit assessment of alternative courses of action. Arguably, these linkages may limit the capacity of a congruent LER/NER to voice demands corresponding to the consequentiality of asymmetry, if they deviate too much from the central government's decision. Conversely, conditions of party incongruence may facilitate LER/NER reactions as an instrument of party confrontation, even if they do not necessarily reflect the expectations according to the consequentiality of asymmetry. A hypothesis concerning the relation between party (in)congruence and anti-asymmetry reactions can be formulated as follows: other things being equal, the likelihood of LER/NER's catching up demands and blocking reactions diminishes under conditions of party congruence and increases under conditions of party incongruence.

After the Statute of Autonomy of Catalonia had been approved, several attempts were made by UCD central government to close the procedure of article 151 and to redirect the process of decentralization in the rest of the country through article 143. These attempts worked against aspirations in Andalusia to achieve full autonomy since the very beginning and strengthened deep feelings of comparative grievance in the region. During the referendum for Andalusian self-government, for example, UCD headquarters recommended abstention. This decision forced Manuel Clavero Arevalo, first Minister of the Regions and president of UCD in Andalusia, to turn in his immediate resignation. On the other hand, Rafael Escuredo, leader of the regional branch of PSOE entered a three days' hunger strike, a decision he justified in the following terms "I refuse to be a silent witness to the discrimination against the Andalusian people" (*Blanco y Negro*, 13 February 1980).

Conclusions

Sub-state demands constitute an important dimension in the process of federal

constitutional change, as they entail complaints about the territorial structure of the state that the central government will have to address sooner or later through some form of constitutional change or informal evolution. This paper develops an analytical model aimed at accounting for the specificities of regional demand-making in pluri-national states featuring asymmetrical power-sharing arrangements. From a conceptual point of view, a new classification of regional units is introduced, that distinguishes between less-empowered/non-empowered regions (LER/NER) and the most-empowered region (MER). On the other hand, the model coins two types of regional demands which provide qualitatively different inputs into the debates on constitutional territorial restructuring: catching-up demands (defined as the phenomenon of LER/NER asserting their own right of self-government) and blocking reactions (referred to LER/NERs' attempts to brake the concession of further autonomy to the MER). Moving away from a straightforward attribution of causality, the model advocates a complex causal mechanism—i.e. 'consequentiality of asymmetry'—whereby several relevant factors reinforce and/or counterbalance one another. Asymmetry can be judged consequential and, thus, expected to advance catching-up or blocking demands, only once LER/NER's identity and economic capacity relative to MER's have been taken into account, while conditions of party (in)congruence ultimately act as either facilitators or constraints on the LER/NER's final decision.

While the literatures on asymmetrical federalism and regional assertiveness have generally developed without talking to each other, the analysis presented here suggests that a fine-tuned understanding of demand-making in asymmetrical contexts can be achieved only by connecting these two strands of scholarship. Moreover, the theoretical analysis developed so far conveys an important conclusion for constitutional change. By virtue of an initial asymmetrical devolution a system may be trapped into a continuous bargaining over the concrete allocation of powers among its constituent regions, with strong incentives for LER/NER to oppose asymmetry. Asymmetry increases the propensity for change within the system, paving the way towards a permanent process of negotiation and renegotiation of constitutional rules. Furthermore, the above reflection has important implications for our conclusions on the accommodation capacity of asymmetry. If asymmetrical arrangements are initially a matter of bilateral negotiation between the central government and political elites representing the minority nation, their long-term survival cannot be ensured without the acquiescence of the under-empowered regions. This calls for a closer

attention to LER/NER and the crucial role they are destined to play as regard constitutional/institutional change in asymmetrical federal or quasi-federal systems.

Preliminary evidence from different countries has been brought into the analysis that illustrates the different dimensions of the theoretical argument. However, the general plausibility of the model remains provisional until broader in-depth empirical research is conducted. Arguably, the paper opens a new avenue for empirical research of application to the field of constitutional politics. Apart from ‘formal asymmetries’ embedded in the constitution of a country, there are some more flexible asymmetries defined in ordinary legislation or non-binding intergovernmental agreements. Taking this into account, it might also be worth examining whether the constitutional or non-constitutional character of asymmetries affects the intensity of those inter-regional dynamics of conflict and competition induced by asymmetry and whether catching-up demands and blocking reactions are equally relevant to the functioning of the system and intergovernmental dynamics on a daily basis.

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Notes

¹Francesc Homs i Molist’s contribution to the Round Table: “Catalonia and the Territorial Articulation of the State”, Catalan Parliament 19 – 21 September, 2007.

²BBC News. 5 November 2004. Available at http://news.bbc.co.uk/go/pr/fr/-/2/hi/uk_news/politics/3984387.stm (accessed 20 May 2011).

³*De facto* asymmetry refers to the impact of structural conditions (fundamentally geographical, cultural and socio-economic ones) on the relative power and relations of different regional units with each other and with the federal government. On the other hand, *de jure* asymmetry corresponds to the differential treatment and powers the constitutional/statutory rules assign to a regional unit or that it enjoys in practice. While valuable as a general clarification, this conventional distinction has obvious limitations for political research. As Baier and Boothe (2008) rightly point out, classifying structural differences might be more suitable as a research subject for geographers or demographers, whereas

political scientists should be more interested in differences created politically.

⁴As meritorious exceptions to this trend, Congleton *et al.* (2003) Filippov and Shvetsova (1999) and Zuber (2011) have explained asymmetrical federalism as the result of a political bargaining among central and regional political elites.

⁵Among all other demands (such as affirmative action, symbolic recognition, cultural and linguistic autonomy and regional autonomy), demands for independence put the authority and territorial integrity of the state at greatest risk (Mikesell and Murphy, 1991; Jenne, 2007). Benson and Saxton (2010) have also developed a new variable of ‘contentious ethno-nationalist expression’ ranging from electoral politics to non-violent protest and to violent rebellion.

⁶Parks and Elcock (2000) elaborate on the combined effect of “nationalist” and “functionalist” pressures behind claims for self-government.

⁷See Fearon and Laitin (2003), Guibernau (1999), Jenne (2004; 2007), Gurr (1993) or Saideman and Ayres (2000).

⁸The Liga Veneta has become the major party after the regional elections of 2010.

⁹The Partido Andalucista (hereafter PA) obtained its best electoral result (about 11% of votes) in the elections to the regional parliament held in Andalusia in 1990. A similar result was the combined support for Unitat del Poble Valencia-UPV and Unio Valenciana in the regional elections of 1991.

¹⁰The notion of catching-up is not incompatible, but it partly overlaps, with what the neo-functional theory of European integration refers to as geographical spill-over. Both the modified version of neo-functionalism applied to the analysis of sub-state regionalization (Evans, 2000; Bradbury, 2003) and the account of autonomy demands as induced by asymmetry underline the role of institutional arrangements in affecting the process of territorial restructuring. However, they differ over a crucial aspect: the former sees across the board devolution as a ‘logical extension’ from asymmetrical autonomy through a process of incremental changes. The approach proposed here sees it as a fracture, and points to inter-regional conflictual dynamics within this evolution.

¹¹See the 2nd Additional Provision of the Reform of the Statute of Autonomy of the AC of Valencia (Organic Law 1/2006, BOE n. 86, 11 April 2006).

¹²“El Gobierno valenciano aplicara la ‘clausula Camps’ para asumir privilegios de Cataluña”, *El Mundo*, 29 June 2010.

¹³Full text published in *El País*, 10 October 1998. For a thorough analysis of both the Declaration of Barcelona and the Declaration of Merida, see Lopez Aguilar (1999).

¹⁴The National Assembly of Quebec was the first to pass the required resolution on the 23 June 1987. Thus, in accordance with paragraph 41 of the Constitution Act of 1982, a three-year period was open for the remaining ten legislatures to ratify the Accord on or before the 23 June 1990.

¹⁵Interview, Seville, August 2005.

¹⁶It differs significantly from the “logic of consequentiality” developed by March and Olsen (1989).

¹⁷Catalonia was the second net contributor to the central state treasury in the years 1991 – 2005, while Andalusia was the main recipient of central transfers during the same period (Uriel and Barberán, 2007).

¹⁸See “Views of the People of Wales”, (Richard Commission, 2004: 27 – 43); “Second-class status fear for Wales” (*Western Mail*, 19 May 2004); “LibDem call on Brown to set Wales free” (*South Wales Evening Post*, 27 May 2007).

¹⁹Generally speaking, congruence exists when both central and regional governments are composed of the same party or coalition partners. Incongruence occurs, on the other hand, when LER/NER’s governing party(ies) differ from those at the central government. For the purposes of the research, however, the definition of party congruence has to be calibrated by reference to the integrated or split character of the party and the actual autonomy of regional branches. (For a detailed analysis of these matters, see Thorlakson, 2009.)

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