

PSA Annual Conference, 19-21 April 2011, London, *British and Comparative Territorial Politics*
Group panel

4/13/2011

Federacies and Conceptual Stretching: A Critique of the Category of “Federacy”

Dr. Jaime Lluch, Santander Fellow in Iberian and European Studies, European Studies Center,
St. Antony’s College, Oxford University jaime.lluch@gmail.com

Abstract

Both Ronald L. Watts and Daniel Elazar have written that the universe of “federal political systems” includes unions, constitutionally decentralized unions, federations, confederations, *federacies*, associated states, condominiums, and leagues. For them, “federacies” are “political arrangements where a large unit is linked to a smaller unit or units, but the smaller unit retains considerable autonomy and has a minimum role in the government of the larger one, and where the relationship can be dissolved only by mutual agreement” (Watts et al. 1999b) (Elazar 1991). Federacies are important because they are the kinds of arrangements one would think of when thinking of contemporary actually-existing autonomies. Given that federacies are perhaps the kind of asymmetrical arrangements that best encompass the meaning of “autonomy” and that both Elazar and Watts agree that Puerto Rico is the quintessential case of a “federacy” in the world, I will take the case of Puerto Rico to critique the category of “federacy.” My argument is that the category of “federacy” is misapplied to the case of Puerto Rico (and to other comparable cases), and that it is an example of “conceptual stretching” (Sartori). Scholars of comparative federalism need to find a more nuanced category to describe contemporary actually-existing autonomies such as Puerto Rico.

Keywords: Federacies, Conceptual Stretching, Autonomy, Federalism

Conceptual Stretching in Comparative Politics

Both Ronald L. Watts and Daniel Elazar have written that the universe of “federal political systems” includes unions, constitutionally decentralized unions, federations, confederations, *federacies*, associated states, condominiums, and leagues. For them, “federacies” are “political arrangements where a large unit is linked to a smaller unit or units, but the smaller unit retains considerable autonomy and has a minimum role in the government of the larger one, and where the relationship can be dissolved only by mutual agreement” (Watts et al. 1999b) (Elazar 1991). Federacies are important because they are the kinds of arrangements one would think of when thinking of contemporary actually-existing autonomies. There are more than 20 such arrangements in existence, including the Farøe Islands, Åland Islands, Greenland, etc.

Both Watts and Elazar cite the Puerto Rico-USA relationship as the quintessential example of a “federacy.”

Given that federacies are perhaps the kind of asymmetrical arrangements that best encompass the meaning of “autonomy” and that both Elazar and Watts agree that Puerto Rico is the quintessential case of a “federacy” in the world, I will take the case of Puerto Rico to critique the category of “federacy.” My argument is that the category of “federacy” is misapplied to the case of Puerto Rico (and to other comparable cases), and that it is an example of “conceptual stretching” (Sartori 1970, 1984). Scholars of comparative federalism need to find a more nuanced category to describe contemporary actually-existing autonomies such as Puerto Rico.

The notion of “conceptual stretching” in comparative politics is based on the analysis of adapting categories pioneered by Giovanni Sartori in relation to conceptual traveling (the application of concepts to new cases) and conceptual stretching (the distortion that occurs when a concept does not fit the new cases). It is based on a classic understanding of the meaning of categories: extension and intension. The former is the set of entities to which a category refers, while the latter refers to the set of meanings and attributes that defines the category. “This classical understanding of categories helps address the problem of conceptual stretching, When scholars take a category developed for one set of cases and extend it to additional cases, the new cases may be sufficiently different that the category is no longer appropriate in its original form. If this problem arises, they may adapt the category by climbing the ladder of generality, thereby obeying the law of inverse variation. As they increase the extension they reduce the intension to the degree necessary to fit the new contexts. For example, scholars engaged in a comparative study of patrimonial authority might add cases to their analysis that only marginally fit this category. To avoid conceptual stretching, they might move up the ladder of generality and refer to the larger set of cases as instances of traditional authority” (Collier and Mahon 1993).

Federacies

In “federal political systems,” in contrast to unitary systems, there are two (or more) levels of government, which thus combine elements of shared-rule through common institutions and regional self-rule for the governments of the constituent units. This broad genus includes a spectrum of species, including unions, constitutionally decentralized unions, federations, confederations, “federacies,” associated states, condominiums, leagues, and joint functional

authorities. (Watts 1999: 7)¹ Elazar defines a “federacy” as follows: “whereby a larger power and a smaller polity are linked asymmetrically in a federal relationship in which the latter has substantial autonomy and in return has a minimal role in the governance of the larger power. Resembling a federation, the relationship between them can be dissolved only by mutual agreement.” (Elazar (ed.) 1994: xvi) Elazar cites the Puerto Rico-USA relationship as an example of a “federacy” (Elazar 1987: 56) (Elazar (ed.) 1994: 292). An examination of the Puerto Rico case shows that federacies have little to do with federalism, and are in fact distinct status arrangements that are more properly seen as “autonomies,” of which there is a wide variety. “Federacies” is a category that stretches the species of federalism, and is in the end not a helpful category to understand the types of institutional arrangements referred to.

Federacies and Actually-Existing Autonomies

To understand what is a federacy, we need to examine their institutional arrangement and their relation with federalism. We also need to know how they relate to actually-existing autonomies. My argument is that most federacies are actually exemplars of “non federalist autonomies.” As can be seen in Figure 1 below, these are one of the varieties of actually existing autonomies in the contemporary world.

Contemporary autonomies embody in their institutional design both federalist and non-federalist elements. Existing scholarship has failed to explore this important axis of variation

¹ As Watts notes, “federalism” is not basically a descriptive term, but rather a normative term which refers to the proposal of multi-tiered government combining elements of shared-rule and regional self-rule. “It is based on the presumed value and validity of combining unity and diversity and of accommodating, preserving, and promoting distinct identities within a larger political union. The essence of federalism as a normative principle is the perpetuation of both union and non-centralization at the same time.” (Watts 1999: 6)

among contemporary exemplars of autonomy. Thus, I present in Figure 1 an original typology of presently-existing autonomies that shows a continuum between those cases with the most pronounced federalist-like elements and those with the strongest non-federalist characteristics. Some of the cases of actually-existing autonomies are very small territories or have very small populations.² There is a wide variety of autonomies in the contemporary world (Benedikter 2007), but I will concentrate in the narrative description on some of the larger cases that are prototypical exemplars of autonomism, encompassed by my scope conditions. I am interested in autonomies located in federations or federal political systems. Given that the latter term is a broad genus, at its outer edge one can find “decentralized unions with some federal features” (Watts 2008), a category which includes the U.K. and Italy.

Non-federalist ←=====→ Federalist

<u>Autonomies in Unitary States</u>	<u>Non-federal autonomies in FPS</u>	<u>Devolutionary autonomies in FPS</u>	<u>Semi-federal autonomies in FPS</u>
Corsica	Puerto Rico (1952-)	Scotland (1998-)	Catalonia (1978-)
Aland Islands	Northern Mariana Islands (1976-)	Wales (1998-)	Euskadi (1978-)
Faroe Islands	Guam (1950-)	Northern Ireland (1998-)	Galicia (1978-)
Crimea	Nunavut (1999-)	South Tyrol (1948-) ³	
Gagauzia	Isles of Man, Jersey, Guernsey	Valle d’Aosta (1948-)	
		Sardegna (1948-)	
		Sicily (1948-)	
		Friuli-Venezia Giulia (1963-)	

²Contemporary instances of actually-existing autonomist relationships include: Åland Islands/Finland, South Tyrol/Italy, Farøe Islands/Denmark, etc. (Suksi 1998; Lapidoth 1997; McGarry 2002).

³ Italy is a regionalizing and federalizing union state with five special status autonomous regions and 15 ordinary regions, particularly after the Reform of Title V of the Constitution in 2001.

Figure 1. Varieties of actually-existing autonomies.⁴

Non-federal autonomies. On one end of the spectrum we have actually-existing autonomies that are non-federalist territorial units, having few federalist elements, and in fact exhibiting a number of anti-federalist characteristics. Elazar cites the Puerto Rico-USA relationship as the prototype of a “federacy,” although he mischaracterized the nature of the relationship, as I explain below (Elazar 1991).⁵

There are four ways in which an autonomy such as Puerto Rico is non-federalist. First, the powers of the autonomic unit are not constitutionally entrenched. Second, an autonomic unit is non-federalist if it is constitutionally subordinate to the center. In other words, the division of powers between the center and the autonomy is so subaltern that in essence the “shared rule” component between the central and subunit governments is weak or practically inexistent. Third, autonomies are non-federalist if their influence over the policy-making institutions of the center is extremely weak or negligible. Fourth, autonomies are non-federalist if the two orders of government that have been set up are so unequal that the element of “self rule” in the relationship gives the autonomy a special status that is outside the federation that controls the central state.

⁴ FPS= “federal political systems.”

⁵ Puerto Rico is a non-federal autonomy, which is officially an unincorporated territory belonging to the federal political system that is the USA state, and subject to the plenary powers of the U.S. Congress under the Territorial Clause of the U.S. Constitution. It is not a “free-associated” state (Keating 2009; Benedikter 2007).

In autonomies such as Puerto Rico the formal distribution of legislative and executive authority between the two levels of government is not constitutionally entrenched. A review of the origins of the current political status of Puerto Rico as an “unincorporated territory” of the US demonstrates that it is a judicial and statutory creation, not a constitutionally entrenched level of government. Since 1898, Puerto Rico has been an “unincorporated territory” of the United States, and its people are US citizens by virtue of a federal statute passed in 1917. Although the US Constitution provides for “states” and “territories,” the category of “unincorporated territory” was sculpted by the U.S. Supreme Court, which held in a series of cases known as the “Insular Cases” that Puerto Rico belongs to the USA, but is not part of it (Rivera Ramos 2001). In 1952, it was established as an *Estado Libre Asociado* (ELA), artfully translated into English as “Commonwealth.” Public Law 600 was passed by the US Congress in 1950 and it aimed to provide constitutional government for the people of Puerto Rico. After approval by the people in a referendum, Congress ratified the Puerto Rican Constitution, and newly baptized ELA came into effect on July 25, 1952. (Ramírez Lavandero 1988).

Autonomies such as Puerto Rico are non-federalist because they are constitutionally subordinate to the center. The “shared rule” component between the central state and the autonomous unit is weak or practically inexistent. The power to terminate or modify the Puerto Rico-USA relationship rests squarely on the U.S. Congress, contrary to what Elazar asserts (Elazar 1987, 1991). During 1952-53 the US succeeded in getting Puerto Rico off the agenda of the UN Decolonization Committee in part by arguing that the ELA was a compact of a bilateral nature whose terms may only be changed by common consent. However, soon thereafter Congress and the Executive branch started to behave “as if no compact of any kind existed and as if Puerto Rico continued to be a territory or possession of the United States, completely

subject to its sovereign will. Puerto Rico leaders would spend the rest of the century unsuccessfully trying to convince the United States to allow full decolonization” (Trías Monge 1997; Hernández Colón 1991). Supporters of the ELA have tried on several occasions to negotiate a “culminated ELA,” starting with the Fernós-Murray bill of 1959, but they have been unable to obtain the consent of the US Congress. However, Congress continues to assume that it can unilaterally exercise plenary powers over Puerto Rico under the territorial clause of the US Constitution, and the US government contends that sovereignty over Puerto Rico resides solely in the United States and not in the people of Puerto Rico (Trías Monge 1997). In the ELA-U.S. federal government relationship, there is a “higher” or “senior” level of government and a “lower” or “junior” authority. The subunit government has less sovereignty in its sphere than the federal government in its own. This violates one of the defining elements of the federal idea: that the subunit governments “have as much sovereignty in their sphere as the...federal government has in its” (Griffiths et al. 2005).

Autonomies such as Puerto Rico are non-federalist if their influence over the policy-making institutions of the center is weak or negligible. Under the ELA, Puerto Rico has a degree of self-government, with local government institutions that are similar to the ones in the U.S. states. Puerto Rico enjoys fiscal autonomy, and income received from sources in Puerto Rico is not subject to federal personal income taxation. However, most federal laws apply, but Puerto Rico has no effective representation in Congress, except for a token representative that has no right to vote there. Nor do the residents of Puerto Rico vote for the U.S. federal executive. This is an element of the status quo that is clearly anti-federalist, given that the Puerto Rican case is an extreme one: there is no real representation in the institutions of the central state (Karmis and Norman 2005). On the other hand, given that local governmental institutions and agencies are

controlled by Puerto Ricans, some of the ethnosymbols of nationhood are present in the form of flags, hymns, institutions of culture, education system, etc., and such matters as representation in sports teams in international events have also become subtle mechanisms of nation-building.

Autonomies are also non-federalist if the two orders of government that have been set up are so unequal that the element of “self rule” in the relationship gives the autonomy a special status arrangement that is not on an equal footing with the core institutional apparatus of the central state. The ELA is not part of the whole, given that it is a special status that is outside the US federation, while being an unincorporated territory that is in a subordinate relationship with the central state. In essence, the ELA-USA federal government relationship has some elements of empire, and nearly none of federalism.

Autonomism in Puerto Rico has until very recently been the dominant political tendency there since the 1950s, and this long-standing exemplar of territorial autonomy continues to be an acceptable model of autonomy for many in the U.S. government as well.

Thus, Puerto Rico is better conceptualized as an exemplar of autonomism, and to be specific of nonterritorial autonomism. The category of federacy is less helpful to explain it.

Devolutionary autonomies. Autonomies that are created in “union-states” or unitary states, undergoing a process of asymmetric decentralization or “devolution,” have some federal features. Those that have been created in the United Kingdom since 1998 are the most illuminating contemporary exemplars of the cases covered by my scope conditions. I will here focus on Scotland, although some of the generalizations will also be applicable to Wales, and, less so, to Northern Ireland (Loughlin 2001; Keating et al. 2001).

“Devolution” is a distinctly British term coined in the 19th century, and it has some similarities with federal political systems but with a number of distinct features. Powers and governmental authority have been transferred to the territories and nations, but the ultimate sovereignty of the Westminster Parliament remains unaltered. “Westminster retains the constituent power and could even suspend or abolish the devolved institutions (as happened in Northern Ireland in 1972, 2000, and 2002)” (Keating 2005). The devolved institutions of the U.K. are not currently constitutionally entrenched and Westminster could theoretically change them unilaterally and by ordinary law. The custom at present is that “London will ‘normally’ not overrule the Scottish Parliament on devolved matters, but it insists on a residual claim to do so” (Keating 2009). These are non-federalist elements that devolutionary autonomies in the UK share with non-federalist autonomies such as Puerto Rico because their autonomic (or devolutionary) institutions are constitutionally subordinate to the center. It also violates the general federalist principle that “federalism involves a polycentric noncentralized arrangement in which neither the constituent governments nor the general government can unilaterally alter the constitutional distribution of power” (Griffiths et al. 2005). The devolved institutions in the U.K. have a constitutionally subordinate status rather than coordinate status. Some scholars see the U.K. as a “federal political system” (McGarry 2002). Other scholars such as Ronald Watts have questioned whether the U.K. is a “quasi-federation,” and have argued that it is closer to the model of a decentralized union with some federal features (Trench 2007; Keating 2009). Moreover, the language of classic federalism may not be sufficient to understand devolutionary autonomies (Suksi 2010).

In Scotland, as in federal political systems, some competences have been devolved to Scotland, some have been reserved to the center, and others are shared between the two. Yet,

unlike a genuine federation, “the constitutional limits apply only to Scotland and not to Westminster, which retains the right to legislate even within devolved spheres, although under the Sewell conventions...this should happen only with the consent of the Scottish Parliament” (Keating 2005). In addition, the UK institutional arrangement is highly asymmetrical, given that “Westminster continues to rule directly in England and proposals for regional government there fall far short of creating units comparable with Scotland. This creates a structural imbalance since Westminster, doubling as the UK and English government, will be the predominant partner” (Keating 2005; Trench 2007). Moreover, as Alan Trench noted, the powers of the devolved administrations in the U.K. are significantly lesser than those of the UK government, which in many aspects is able to outmaneuver them. “Their powers are contingent, dependent on the passive restraint and non-opposition of the UK Government or its active cooperation” (Trench 2007). The relationship between the devolved institutions and the U.K. government is not one of co-ordinate partners, and thus the name “federal” cannot be fully applied to a system where the governments of the devolved administrations are subordinate to the center (Suksi 2010; Wheare 1941).

Semi-federal autonomies. Since the 19th century, two visions of Spain have competed with each other: a homogeneous vision that has sought to establish congruence between state and nation, and a pluralist vision, which has its roots in the republican federalist tradition (Ghai 2000; Fossas 2000; Keating 2000; McRoberts 2001; Caminal 2002). The Spanish model of state established by the 1978 Constitution is a quasi-federation, consisting of 17 “autonomous communities” (ACs) having the constitutional right to self-rule. Spain is not a federation in name and is not yet a fully-formed federation, but it does exhibit some of the institutional characteristics of contemporary federal political systems. According to Eliseo Aja, it is a federal

political system because it features the constitutional recognition of the right to autonomy, the institutions of the ACs do not depend on the central state, two levels of government were created when the ACs were configured with their own institutions, and intergovernmental conflicts are resolved by the Constitutional Court according to judicial criteria (Aja 2003). “State of Autonomies” can be considered an example of ‘devolutionary federalism’, and is analyzed as such by many scholars (Griffiths et al. 2005; Moreno 2001). Some have argued that it is in an early stage of an evolutionary path that could possibly lead eventually to a type of asymmetric federalism (Moreno 2001). “As a unitary state engaged in devolutionary federalization within its own borders by a process characterized by considerable asymmetry, Spain is an interesting example of an effort to accommodate variations in the strengths of regional pressures for autonomy” (Watts et al. 1999; Karmis and Norman 2005).

Decentralization in Spain is designed for all the territorial subunits and not only for some of them, which is characteristic of federations. Yet, as Ferran Requejo has noted, despite the federalizing impetus of the State of Autonomies, “there are many arguments that would suggest that perhaps it would be more appropriately situated in the group of ‘regional states’” (Requejo Coll 2005). It does not have some important institutional and procedural elements that usually define “federations” (Suksi 2010; Fossas 2001; Arbós Marín 2004). For example, the ACs are not constituent entities. The Constitution establishes “the indissoluble unity of the Spanish Nation” (Art. 2) and the ‘Spanish people’ as subject of the “National sovereignty” (Art. 1). In fact, some of the ACs did not even exist before 1978. In addition, the decentralization of legislative powers is unclear. The central state maintains its hegemony through the *leyes de base* and *leyes orgánicas* that are the same throughout the state and can be developed with a centralizing animus. There may be areas of overlap between “the regulations of central and

‘autonomous’ powers in the majority of subjects without clear procedural rules of ‘shared government’ (Requejo Coll 2005). Moreover, unlike the executive and legislative powers, the State of Autonomies has had “practically no effect on the structure of the judiciary, which continues to be that of a centralized state” (Requejo Coll 2005). Finally, the State of Autonomies is a long way from any model of fiscal federalism. In sum, the de facto political evolution of the model has demonstrated that Spain still lacks some of the fundamental traits of federations, according to Requejo.

Therefore, autonomies such as post-1978 Catalonia, Euskadi, and Galicia are semi-federal autonomies. Of the three types of actually-existing autonomies examined here, they have the most pronounced federalist elements, although they are not subunits of a federation. Hence, they are properly classified as autonomies.

Autonomies: Towards a Definition

We thus need to develop better our definition of autonomies. Asymmetry in federal political systems arises to meet the challenges of diversity within federal societies, and it refers to the differentiation of status and rights between the constituent units of a federal system (Ghai 2000). In federal systems, two distinct types of asymmetry exist: *de jure* and *de facto*. *De facto* asymmetry refers to variations (commonly observable in most federations) in size and wealth of constituent units, geography, population, economic development, etc. *De jure* asymmetry emerges out of deeply rooted historical factors, and is often a response to the existence of plurinational diversity (Agranoff 1999). Forms of autonomy that are symmetrical are likely to “work unproblematically only in states that are nationally homogeneous” (McGarry 2007a).

Asymmetry may be further distinguished by whether it relates to full-fledged constituent units of a federal system or to peripheral political units. The latter may be “peripheral” because of geographical remoteness, or because they have a small population, or are a large but sparsely populated territory. Such territories have commonly required a “degree of self-government and representation in the central institutions different from the full-fledged member states, thus involving considerable asymmetry” (Agranoff 1999). Such territories may be granted a special status arrangement that may exhibit horizontal, vertical, or symbolic asymmetry (Henders 2010).

While *de jure* symmetry is typical of most federations, it is not universally so (Agranoff 1999; McGarry 2007a; Benedikter 2007; Ghai 2000; Légaré 2008). Canada, Belgium, Malaysia, and India are the prototypes of federations with asymmetric elements (Ghai 2000; Agranoff 1999; Keating 1999). Moreover, although interest in asymmetry originally arose out of the examination of asymmetrical relations within federations (Tarlton 1965), asymmetry is also observable in the broader genus of “federal political systems.”

Actually-existing autonomies are typically exemplars of *de jure* asymmetric arrangements, and they may be full-fledged constituent units of a federal political system (e.g., Catalonia), or may be peripheral units of a federal system (e.g., Puerto Rico), or may be special status arrangements within a unitary state (e.g., Corsica) (Cordell and Wolff 2004; Henders 2010; Légaré 2008). Autonomism is by definition asymmetrical, and the question of negotiating and sustaining asymmetry is fundamental to the design and operation of autonomy (Ghai 2000; Benedikter 2007). As Rafael Hernández Colón, a former three-time governor of Puerto Rico and president of the autonomist party there during 19 years, explained when contrasting the ideological stance of federalists with the ideology of autonomism: “[federalists] believe that the

only way that their federalism can be realized is symmetrically...We autonomists are the ones that propose an asymmetrical approach...Now, this is one of the major problems we face when we talk about a “new pact” [with the USA]...i.e., the symmetry...[of the U.S. federation].”⁶

In federations and in actually-existing autonomies within federal political systems, autonomist parties and their leaders and militants generally reject models of classic federation. They may be advocates of asymmetry within a broadly-understood federal political system, but not of federation. As one PPD militant wrote: “the U.S. federation has little flexibility to attend the autonomist claims that Puerto Rico (or other territories) could make in its relation with the U.S.” To the extent they propose a form of autonomism that exists within a broadly-defined “federal political system,” the special status arrangement they propose may be a type of highly asymmetrical form of federal system. But, they are very hesitant to support any model of federalism that resembles a federation. The United States, for example, is a federal political system composed of a symmetrical federation with 50 full-fledged constituent units and the federal capital, two “federacies,” a number of small unincorporated territories, and maintains relations with three associated states (Griffiths et al. 2005; Benedikter 2007; Légaré 2008). For well over a century, autonomists in Puerto Rico (one of the “federacies”) have favored autonomism within the U.S. federal political system, but not within the U.S. federation. Similarly, contemporary autonomists in Catalonia favor a special status arrangement within the Spanish state, but reject a model of federation for Spain.

In some contemporary federations, certain national parties of sub-state national societies may put forward proposals for asymmetric federation. Such parties are federalist parties with a

⁶ Personal interview with Rafael Hernández Colón, May 13, 2006, Ponce, Puerto Rico.

program for asymmetric decentralization of the federation. At various times since the 1960's, for example, this kind of proposal has been put forward by the *Parti Libéral du Québec*, or the *Partit dels Socialistes de Catalunya* at present. These parties are not supporters of autonomism and are electoral rivals of autonomist parties, given that they are advocates of a model of federation with asymmetric elements.

Federations or federal political systems, moreover, may also have national parties of sub-state national societies that put forward proposals for autonomism. Generally speaking, autonomist proposals within an actually existing federation or federal system reject a model of classic federation. Even federations with elements of asymmetry are inadequate in the autonomist political imagination. They are not interested in being a constituent unit of a federation. Exemplars of this kind of autonomist parties are: *Convergència Democràtica de Catalunya* (CDC), *Partido Popular Democrático* and the *Action Démocratique du Québec*. Autonomist parties are ideological rivals of parties that favor a model of asymmetric federation, such as *Iniciativa per Catalunya-Verds* (IC-V) in Catalonia. Jaume Bosch, the vice-president of IC-V, explained his federalist predilections as follows: “Many people would say the Spanish state is a federalizing system but in reality it is not...Our option is for a federalism... that has a lot in common with the ideas of Miquel Caminal on pluralist federalism. Our starting point is the recognition of Spain as a plurinational and plurilingual state....”⁷ As one prominent autonomist leader in Catalonia remarked: “as a nationalist, I want the maximum sovereignty within a realist context...[i.e.,] within a superior political unit.”⁸ As my findings below indicate, autonomist

⁷ Personal interview with Jaume Bosch, December 3, 2004, at IC-V headquarters in Ciutat Vella, Barcelona.

⁸ Personal interview with Ramon Camp (MP for CDC), September 23, 2004, at the Catalan Parliament, Barcelona.

militants reject federation because they believe that federations tend to homogenize all of their full-fledged constituent units, even those that have asymmetric features.

Autonomists favor instead forms of autonomism that are special status arrangements, and some of these models may be asymmetrical arrangements within broadly-defined federal political systems. As José Arsenio Torres, one of the major intellectual exponents of autonomism in Puerto Rico, explained: “[The PPD] believes that the ELA represents the best of both worlds: participation in the American world, migration [opportunities], trade, federal transfers...[while maintaining] a cultural distance...and although we don’t have all the powers of sovereignty, it is a *quid pro quo*, and thus it is a pragmatic political status.”⁹

Conclusion

In “federal political systems,” in contrast to unitary systems, there are two (or more) levels of government, which thus combine elements of shared-rule through common institutions and regional self-rule for the governments of the constituent units. This broad genus includes a spectrum of species, including unions, constitutionally decentralized unions, federations, confederations, “federacies,” associated states, condominiums, leagues, and joint functional authorities. (Watts 1999: 7)¹⁰ Elazar defines a “federacy” as follows: “whereby a larger power and a smaller polity are linked asymmetrically in a federal relationship in which the latter has substantial autonomy and in return has a minimal role in the governance of the larger power.

⁹ Personal interview with José Arsenio Torres, March 22, 2005, San Juan, Puerto Rico.

¹⁰ As Watts notes, “federalism” is not basically a descriptive term, but rather a normative term which refers to the proposal of multi-tiered government combining elements of shared-rule and regional self-rule. “It is based on the presumed value and validity of combining unity and diversity and of accommodating, preserving, and promoting distinct identities within a larger political union. The essence of federalism as a normative principle is the perpetuation of both union and non-centralization at the same time.” (Watts 1999: 6)

Resembling a federation, the relationship between them can be dissolved only by mutual agreement.” (Elazar (ed.) 1994: xvi) Elazar cites the Puerto Rico-USA relationship as an example of a “federacy” (Elazar 1987: 56) (Elazar (ed.) 1994: 292). An examination of the Puerto Rico case shows that federacies have little to do with federalism, and are in fact distinct status arrangements that are more properly seen as “autonomies,” of which there is a wide variety. “Federacies” is a category that stretches the species of federalism, and is in the end not a helpful category to understand the types of institutional arrangements referred to. Most federacies are actually “nonfederalist autonomies.”

Bibliography

- Ackrén, Maria. 2009. *Conditions for Different Autonomy Regimes in the World: A Fuzzy Set Application*. Abo: Abo Akademi University Press.
- Ackrén, Maria, and Pär M. Olausson. 2008. "Condition(s) for Island Autonomy." *International Journal on Minority and Group Rights* 15:227-58.
- Agranoff, Robert. 1999. *Accommodating diversity : asymmetry in federal states*. Baden-Baden: Nomos.
- Aguilera de Prat, Cesáreo. 2002. *Partidos y Estrategias Nacionalistas en Cataluña, Escocia, y Flandes*. Valencia: Tirant Lo Blanch.
- Aja, Eliseo. 2003. *El estado autonómico : federalismo y hechos diferenciales*. 2* ed ed. Madrid: : Alianza Editorial.
- Baras i Gómez, Montserrat. 2004. *Els Militants dels Partits Polítics a Catalunya: Perfils Socials i Percepcions Polítiques*. Barcelona: ICPS.
- Bartkus, Viva Ona. 1999. *The dynamic of secession*. Cambridge, UK ; New York: Cambridge University Press.
- Beissinger, Mark R. 2002. *Nationalist mobilization and the collapse of the Soviet State*. Cambridge, UK ; New York: Cambridge University Press.
- Benedikter, Thomas. 2007. *The world's working regional autonomies : an introduction and comparative analysis*. New Delhi ; New York: Anthem Press.
- Burgess, Michael, and Alain Gagnon. 1993. *Comparative federalism and federation : competing traditions and future directions*. Toronto ; Buffalo: University of Toronto Press.
- Caminal, Miquel. 2002. *El federalismo pluralista del federalismo nacional al federalismo pluralista*. Barcelona: Paidós.
- Cordell, Karl, and Stefan Wolff. 2004. *The ethnopolitical encyclopaedia of Europe*. Houndmills, Basingstoke, Hampshire ; New York: Palgrave Macmillan.
- Culla, Joan B. 2001. "De la primera victoria al vintenni en el poder (1980-2000)." In *El Pal de Paller: Convergència Democràtica de Catalunya (1974-2000)*, ed. J. B. Culla. Barcelona: Pòrtic.
- Elazar, Daniel Judah. 1987. *Exploring federalism*. Tuscaloosa, AL: University of Alabama Press.

- . 1991. *Federal systems of the world : a handbook of federal, confederal, and autonomy arrangements*. Harlow, Essex, U.K: Longman Current Affairs.
- Fossas, Enric. 2000. *Les transformacions de la sobirania i el futur polític de Catalunya*. 1. ed. Barcelona: Proa.
- Gagnon, Alain, and Raffaele Iacovino. 2007. *Federalism, citizenship, and Quebec : debating multinationalism*. Toronto ; Buffalo: University of Toronto Press.
- Ghai, Yash P. 2000. *Autonomy and ethnicity : negotiating competing claims in multi-ethnic states*. Cambridge, UK ; New York: Cambridge University Press.
- Gibbins, Roger, Guy Laforest, and Institute for Research on Public Policy. 1998. *Beyond the impasse : toward reconciliation*. Montréal: Institute for Research on Public Policy.
- Griffiths, Ann L., Karl Nerenberg, and Forum of Federations. 2005. *Handbook of federal countries, 2005*. Montreal ; Ithaca [N.Y.]: Published for Forum of Federations/Forum des fédérations by McGill-Queen's University Press.
- Guibernau i Berdún, M. Montserrat. 2004. *Catalan nationalism : Francoism, transition and democracy*. London ; New York: Routledge.
- Hale, Henry. 2004. "Divided We Stand: Institutional Sources of Ethnofederal State Survival and Collapse." *World Politics* 56 (2):165-93.
- Hale, Henry E. 2008. *The foundations of ethnic politics : separatism of states and nations in Eurasia and the world*. Cambridge ; New York: Cambridge University Press.
- Hannum, Hurst, and Eileen Babbitt. 2006. *Negotiating self-determination*. Lanham: Lexington Books.
- Hechter, Michael. 2000. *Containing nationalism*. Oxford and New York: Oxford University Press.
- Henders, Susan J. 2010. *Territoriality, asymmetry, and autonomy : Catalonia, Corsica, Hong Kong, and Tibet*. 1st ed. New York: Palgrave Macmillan.
- Horowitz, Donald. 2007. "The Many Uses of Federalism." *Drake Law Review* 55:953-65.
- Karmis, Dimitrios, and W. J. Norman. 2005. *Theories of federalism : a reader*. 1st ed. New York, N.Y.: Palgrave Macmillan.
- Keating, Michael. 1999. "Asymmetrical Government: Multinational States in an Integrating Europe." *Publius* 29 (1):71-86.
- . 2000. "The Minority Nations of Spain and European Integration: A new framework for Autonomy?" *Journal of Spanish Cultural Studies* 1 (1):29-42.
- . 2001. *Plurinational democracy : stateless nations in a post-sovereignty era*. Oxford, England ; New York: Oxford University Press.
- . 2004. *Plurinational democracy : stateless nations in a post-sovereignty era*. Oxford: Oxford University Press.
- . 2005. *The government of Scotland : public policy making after devolution*. Edinburgh: Edinburgh University Press.
- . 2009. *The independence of Scotland : self-government and the shifting politics of union*. Oxford ; New York: Oxford University Press.
- Keating, Michael, Trevor C. Salmon, and Queen's University (Kingston Ont.). School of Policy Studies. 2001. *The dynamics of decentralization : Canadian federalism and British devolution*. Montreal ; London: Published for the School of Policy Studies, Queen's University by McGill-Queen's University Press.
- Kymlicka, Will. 1995. *The Rights of minority cultures*. Oxford ; New York: Oxford University Press.
- . 1998. *Finding our way : rethinking ethnocultural relations in Canada*. Toronto ; New York: Oxford University Press.
- Lapidoth, Ruth. 1997. *Autonomy : flexible solutions to ethnic conflicts*. Washington, DC: United States Institute of Peace Press.

- Légaré, André and Suksi, Markku. 2008. "Rethinking the Forms of Autonomy at the Dawn of the 21st Century." *International Journal on Minority and Group Rights* 15:143-55.
- Lijphart, Arend. 1977. *Democracy in plural societies : a comparative exploration*. New Haven: Yale University Press.
- . 1979. "Consociation and Federation: Conceptual and Empirical Links." *Canadian Journal of Political Science* 12 (3).
- . 2008. *Thinking about democracy : power sharing and majority rule in theory and practice*. London New York: Routledge.
- Loughlin, John. 2001. *Subnational democracy in the European Union : challenges and opportunities*. Oxford ; New York: Oxford University Press.
- McGarry, John. 2002. "Federal Political Systems and the Accommodation of National Minorities." In *Handbook of Federal Countries*, ed. A. L. Griffiths and K. Nerenberg. Montreal: McGill-Queen's University Press.
- . 2007a. "Asymmetry in Federations, Federacies, and Unitary States." *Ethnopolitics* 6 (1):105-16.
- McGarry, John and O'Leary, Brendan. 2007b. "Federation as a Method of Ethnic Conflict Regulation." In *Multinational Federations*, ed. J. Pinder and M. Burgess. London: Routledge.
- McRoberts, Kenneth. 1997. *Misconceiving Canada : the struggle for national unity*. Toronto ; New York: Oxford University Press.
- . 2001. *Catalonia : nation building without a state*. Don Mills, Ont. New York: Oxford University Press.
- Moore, Margaret. 1998. *National self-determination and secession*. Oxford ; New York: Oxford University Press.
- Moreno, Luis. 2001. *The federalization of Spain*. London ; Portland, OR: F. Cass.
- Murkens, Jo Eric, Peter Jones, and Michael Keating. 2002. *Scottish independence : a practical guide*. Edinburgh: Edinburgh University Press.
- Norman, W. J. 2006. *Negotiating nationalism : nation-building, federalism, and secession in the multinational state*. Oxford: Oxford University Press.
- O'Leary, Brendan, John McGarry, and Kh alid *S*ali*h. 2005. *The future of Kurdistan in Iraq*. Philadelphia: University of Pennsylvania Press.
- Olausson, Pär M. 2007. *Autonomy and Islands: A Global Study of the Factors that Determine Island Autonomy*. Abo: Abo Akademi University Press.
- Pujol, Jordi. 1997. *Tot Compromis Comporta Risc*. Barcelona: Edicions 62.
- Ramírez Lavandero, Marcos. 1988. *Documents on the Constitutional Relationship of Puerto Rico and the United States*. 3rd ed. Washington, D.C.: Puerto Rico Federal Affairs Administration.
- Requejo Coll, Ferran. 2005. *Multinational Federalism and Value Pluralism: the Spanish Case*. New York: Routledge.
- Riker, William H. 1964. *Federalism: origin, operation, significance*. Boston,: Little.
- . 1987. *The development of American federalism*. Boston: Kluwer Academic Publishers.
- Rivera Ramos, Efrén. 2001. *The legal construction of identity : the judicial and social legacy of American colonialism in Puerto Rico*. Washington, DC: American Psychological Association.
- Roeder, Philip G. 1991. "Soviet Federalism and Ethnic Mobilization." *World Politics* 43:196'232.
- Safran, William, and Ramón Maíz Suárez. 2000. *Identity and territorial autonomy in plural societies*. London ; Portland, OR: Frank Cass.
- Stepan, Alfred C. 2001. *Arguing comparative politics*. Oxford ; New York: Oxford University Press.
- Suksi, Markku. 1998. *Autonomy : applications and implications*. The Hague ; Boston: Kluwer Law International.

- . 2010. "Sub-State Governance through Territorial Autonomy: On the Relationship between Autonomy and Federalism" In *Conference on Autonomy: Imagining Democratic Alternatives in Complex Settings, April 13-17, 2010* Universidad Carlos III, Getafe (Madrid).
- Tarlton, John. 1965. "Symmetry and Asymmetry as Elements of Federalism: A Theoretical Speculation." *Journal of Politics* 27:868-69.
- Taylor, Rupert. 2009. *Consociational theory : McGarry and O'Leary and the Northern Ireland conflict*. London ; New York: Routledge.
- Treisman, Daniel. 2007. *The architecture of government : rethinking political decentralization*. Cambridge ; New York: Cambridge University Press.
- Trench, Alan. 2007. *Devolution and power in the United Kingdom*. Manchester: Manchester University Press.
- Trías Monge, José. 1997. *Puerto Rico : the trials of the oldest colony in the world*. New Haven [Conn.]: Yale University Press.
- Watts, Ronald L. 1966. *New federations: experiments in the Commonwealth*. Oxford,: Clarendon P.
- . 2008. *Comparing federal systems*. 3rd ed. Montréal: Published for the School of Policy Studies, Queen's University by McGill-Queen's University Press.
- Watts, Ronald L., Queen's University (Kingston Ont.). Institute of Intergovernmental Relations., and Queen's University (Kingston Ont.). School of Policy Studies. 1999. *Comparing federal systems*. 2nd ed. Kingston, Ont.: Published for the School of Policy Studies, Queen's University by McGill-Queen's University Press.
- Weller, M., and Stefan Wolff. 2005. *Autonomy, self-governance and conflict resolution : innovative approaches to institutional design in divided societies*. London ; New York: Routledge.
- Wheare, K. C. 1941. *What federal government is*. London: Macmillan and co.
- . 1953. *Federal government*. 3d ed. London, New York,: Oxford University Press.
- Winter, Lieven de, and Huri Türsan. 1998. *Regionalist parties in Western Europe*. London ; New York: Routledge.
- Wolff, Stefan. 2009. "Complex Power-Sharing and the Centrality of Territorial Self-governance in Contemporary Conflict Settlements." *Ethnopolitics* 8 (1):27-45.