Regional Autonomy in Developing Democracies Dataset

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Introduction

This dataset extends to other developing democracies the coding scheme developed by Hooghe, Marks, and Schakel for their Regional Authority Index of Western democracies and European democracies and semi-democracies.[2] I include as democracies countries that score at least "6" on the Polity IV project's overall index of regime type (variable name *POLITY2*) for at least ten consecutive years, or that score at least "6" on Polity IV's executive constraints variable (variable name *XCONST*) for at least ten consecutive years. I cover the years 1950 to 2010, and code for each year the institutions in place on December 31st.

As of this writing, the dataset covers only the four self-rule indicators from the Hooghe et al. study, not the shared-rule indicators. The four self-rule indicators are Institutional Depth, Policy Scope, Fiscal Autonomy, and Representation. I generally follow Hooghe et al. in their definitions of "regions," including the minimum threshold of 150,000 mean population for regional units in a tier. However, I also code certain ethnic autonomous regions that fall below this threshold. I follow the Hooghe et al. coding scheme precisely, except for the Institutional Depth component, where I also code as "2" those regions for which the central government may assume direct rule through a normal law-making or decree-making process (i.e., without a supermajority requirement). For more information, consult the Hooghe et al. book or the online codebook to the original Regional Authority Index.[3]

This file contains qualitative descriptions of regional autonomy over time for each region or regional tier in each country included, as well as quantitative codes on each of the four indicators. A spreadsheet version of the dataset is now available at the regional tier level.

Version 1.12 note: Typo in this file fixed for Buenos Aires' fiscal autonomy (spreadsheet unchanged). Note added above on Institutional Depth coding.

Argentina, 1983-

Argentina is a federal state with 23 provinces and an autonomous city of Buenos Aires, the capital city. The 1853 constitution, suspended and amended several times over the years, provides for significant autonomy for the provincial governments (Sections 121-129).[4] Residual powers reside with the provinces as they "reserve to themselves all the powers not delegated to the Federal Government by this Constitution, as well as those powers expressly reserved to themselves by special pacts at the time of their incorporation" (Section 121). Each province has its own constitution and directly elects an executive governor and a legislative assembly "without intervention of the federal government" (Section 122).

The constitution provides the president with sweeping powers in times of emergency like "federal intervention" and "state of siege" during which "provincial and municipal offices may be declared vacant, appointments annulled, and local elections supervised."[5] While the "state of siege" is applied rarely, Argentina has more frequently used Article 6 "federal intervention" powers to rule provinces directly.[6]

The subnational governments have competencies in all but the areas especially reserved for the national government such as national defense, currency, monetary and financial policies, foreign affairs, postal system, citizenship and naturalization, and higher education. The federal government also retains control over such matters as the regulation of commerce, customs collections, and civil or commercial codes. Although provinces have competencies over major policy areas, such as education, health services, poverty programs, social security, housing, roads, ports, environment, and natural resources, they heavily depend on the central government for funding their programs.

The capital city of Buenos Aires enjoys as much autonomy as the provinces do. However, the president appointed mayors and congress passed laws for the city until 1996 when major constitutional reforms took place. Following the reforms, the city has had an elected mayor and a 60-member legislative assembly with members elected by proportional representation for four years.[7] Unlike the provinces, the city does not have its own police force. The Argentine Federal Police take the responsibility of the city's security.

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[4] Available at: http://www.argentina.gov.ar/argentina/portal/documentos/constitucion_ingles.pdf

[5] Gall, Timothy L. and Jeneen M. Hobby (eds.) (2000). *Worldmark Encyclopedia of the Nations*, 12th ed. New York: Thomson Gale, pp. 11-34.

[6] Steve B. Webb (2003), "Argentina: Hardening the Provincial Budget Constraint," in Jonathan Rodden, Gunnar S. Eskeland, and Jennie Litvack (eds.), *Fiscal Decentralization: The Challenge of Hard Budget Constraints* (Cambridge: MIT Press), p. 191.

[7] Gall and Hobby, *Worldmark Encyclopedia of the Nations*.

Argentina is one of the most decentralized countries in Latin America in terms of public expenditure. Approximately half of total public spending occurs at the sub-national level.[8] But at the same time, it has a centralized tax collection structure. Provinces are constitutionally authorized to collect various taxes within their jurisdiction, but in practice they have delegated to the national government the task of collecting the most important taxes, including income tax, VAT, and tax on wealth. The areas that provinces directly tax include gross receipts, real estate, and cars, along with a duty applied to contracts.[9] Provinces raise about 40% of their own revenue from autonomous own-source taxes, the remainder coming almost entirely from mandatory shared revenues (*coparticipaciones*).[10]

Codings

Provinces: *Inst'l depth*=2; *Policy scope*=3; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=2}

Buenos Aires, 1983-1995: *Inst'l depth*=2; *Policy scope*=0; *Fiscal autonomy*=1; *Representation*={Assembly=0, Executive=0}

Buenos Aires, 1996-: *Inst'l depth*=2; *Policy scope*=3; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=2}

Armenia, 1991- [Note: 2012 Polity IV dataset disqualifies Armenia over this period]

Armenia is a unitary state with 10 provinces governed by centrally-appointed governors who "shall pursue the territorial policy of the Government, coordinate the activities of the territorial services of the executive bodies, save for cases prescribed by the law."[11] The constitution, promulgated in 1995 following its secession from the Soviet Union and amended in 2005, does not provide for elected officials or legislative assemblies at the regional level. Thus, the provinces are deconcentrated, general-purpose, administrative units with their governors "appointed to and dismissed from office by the decision of the Government."[12] However, subdivisions of the regions elect the Councils of Aldermen and the Heads of Community (formerly mayors).[13]

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[8] Inter-American Development Bank (1997) "Fiscal Stability with Democracy and Decentralization," Part 3 of Report on Economic and Social Progress in Latin America. Johns Hopkins University Press - IDB.

[9] Tommasi, Mariano, Sebastián Saiegh, & Pablo Sanguinetti. (2001). Fiscal Federalism in Argentina Policies, Politics, and Institutional Reform. *Economía,* The Journal of the LACEA, Vol. 1, No. 2.

[10] Webb, "Argentina," pp. 200, 205.

[11] Article 88.1, The Constitution of Armenia.

[12] Ibid.

[13] Boex, Jameson, Jorge Martinez-Vazquez, & Andrey Timofeev. 2006. An Assessment of Fiscal Decentralization in Armenia. *Problems of Economic Transition*, vol. 49, no. 1, May 2006, pp. 5–50.

The capital city of Yerevan was treated like a province until 2008 when the Armenian parliament passed the Law on Local Government of Yerevan City, which provided for an elected mayor. Until then, the President appointed and dismissed the mayor of Yerevan upon the recommendation of the Prime Minister. However, the government still retains constitutional powers to remove the elected mayor. The city elected its mayor for the first time in 2009. The law also has provisions for the city to be governed by a 65-seat City Council ("Council of Elders"), members of which are elected for four-year terms under a proportional system from party lists. The council does not hold powers to legislate on major issues.[14]

Like other communities, the government of Yerevan is authorized to "generate its budget independently". However, the centrally made law defines "the sources of the community revenues." Likewise, "[t]he law shall define the sources of community finances that will secure the discharge of their responsibilities. Responsibilities delegated to the communities shall be funded from the state budget. The communities shall establish local taxes and duties within the scope defined by law. The communities can set forth fees for their services."[15]

Codings

Provinces, 1991-: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Yerevan, 1991-2008: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Yerevan, 2009-: *Inst'l depth*=2; *Policy scope*=1; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=2}

Bangladesh, 1991-2009

Bangladesh is a unitary state with 64 deconcentrated district councils or *Zila Parishads*, including three hill districts (Rangamati, Khagrachhari and Bandarban) administered under three separate pieces of legislation. Although the hill districts were created to provide autonomy to the ethnic minorities in the areas, they are hardly different from the rest in terms of both political and fiscal autonomy. A higher tier of government known as Administrative Divisions exists, but their role is limited to supervision rather than execution of government policies and programs. Although the country's 1972 Constitution states that "Local Government in every administrative unit of the Republic shall be entrusted to bodies, composed of persons

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[14] Hancilova, Blanka. 2009. Yerevan Municipal Elections Deepen the Political Crisis in Armenia. *Central Asia-Caucasus Institute Analyst,* June 3 issue, available at: http://www.cacianalyst.org/?q=node/5118

[15] Article 106 of the Constitution.

elected in accordance with law" (Article 59, 1), no such elections have taken place at the district level so far.[16] According to the Local Government Act of 1988, the district council, headed by a government-appointed chairperson, is composed of some indirectly elected local representatives, government-nominated individuals, and the district-based government officials.[17] A similar Act in 2000 repealed the provision of appointing the council chairperson and required the body members to be elected by a popular vote; however, it has never been implemented, and now the central government simply appoints district officials.[18] Since the national parliament formulates all the major policies for the entire country, the districts are left little policy making power. The district councils are authorized to collect taxes on certain areas but do not possess any authority over their bases and rates which are set by the central government.[19]

Three districts of the Chittagong Hill Tracts are envisioned as enjoying special autonomy per the Peace Accord of 1997 and a 1998 act of parliament. These districts are envisioned as enjoying elected councils, while a deconcentrated ministry conducts executive functions.[20] However, no elections have been held.[21] Implementation of the Peace Accord has lagged in other ways, as health and education responsibilities have been transferred to the councils, but forestry, land administration, and police have not.

Codings

Most Districts, 1991-1999: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=1, Executive=0}

Most Districts, 2000-: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Rangamati, Bandarban, & Khagranchari, 1998-: *Inst'l depth*=2; *Policy scope*=1; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Bolivia, 1982-

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[16] *Westergaard, K.& Muhammad Mustafa Alam (1995).* Local Government in Bangladesh: Past Experiences and Yet Another Try. *World Development,* Vol. 23, No.4, pp. 679-690.

[17] The Local Government (Zila Parishad) Act, 1988. Available at: http://www.sai.uni-heidelberg.de/workgroups/bdlaw/tc.htm

[18] March 25, 2011 editorial of The Daily Star, a Bangladeshi newspaper. Available at: http://www.thedailystar.net/newDesign/news-details.php?nid=178980

[19] Fox, William F. & Balakrishnan Menon. (2008). Decentralization in Bangladesh: Change has been Illusive. International Studies Program Series, Working Paper 08-29, Andrew Young School of Policy Studies, Georgia State University.

[20] http://www.mochta.gov.bd/index.php/cht-issues/cht-institutions.

[21] http://www.chtcommission.org/wp-content/uploads/2011/03/CHT-Accord-Study-Final.pdf.

Until 2005, the president appointed regional executives (*prefectos*).[22] Administrative decentralization to regions became formally incorporated into the 1967 constitution, but was largely ignored in practice.[23] No taxes were determined at the regional or local levels. Departmental assemblies are indirectly elected from the municipal councils, which have been directly elected since the 1994 Popular Participation Law. Departments "received greater autonomy under the administrative decentralization law of 1995, and in a July 2006 referendum, Bolivia's four eastern departments voted in favor of increasing regional autonomy, and the other five provinces opposed the measure."[24] "For the first time in history, Bolivians chose their departmental prefects (similar to governors) by popular vote on December 18, 2005."[25]

"In 1989 Bolivia was divided into nine departments, which were subdivided into ninety-four provinces. Provinces, in turn, were divided into sections and sections into cantons. Following the French system of governance, each department is governed by a prefect, who is appointed by the president for a four-year term. Prefects hold overall authority in military, fiscal, and administrative matters, working in each substantive area under the supervision of the appropriate minister. Centralized control is ensured by the president's appointment of subprefects, officials vested with the administration of the provinces. Cantons are administered by corregidores (administrative officials named after the Spanish colonial officials), who are appointed by the prefect of their department. Serving under the corregidores are agentes (agents) who have quasi-judicial and quasi-executive functions."[26]

Departments have been restricted to coordinating between the central and municipal governments, the latter of which have received much more autonomy than have departments.[27]

Codings

Departments, 1982-2004: *Inst'l depth*=2, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=1, Executive=0}

2005-: *Inst'l depth*=2, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=1, Executive=2}

Botswana

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[22] O'Neill, *Decentralizing the State*, p. 136.
[23] Ibid., p. 144.
[24] http://www.state.gov/r/pa/ei/bgn/35751.htm, accessed March 30, 2009.
[25] Ibid.
[26] Rex A. Hudson and Dennis M. Hanratty, editors. *Bolivia: A Country Study*. Washington: GPO for the Library of Congress, 1989, http://countrystudies.us/bolivia/77.htm, accessed March 30, 2009.
[27] http://ageconsearch.umn.edu/bitstream/26356/1/dp040271.pdf.

Regional government units consist of tribes, governed by chiefs, and districts, governed by district councils. Districts fall just below the average population threshold of 150,000 required for coding. The Bushmen people lack any recognized form of self-government. Tribes have their own customary law, and their chiefs are represented in the central government's House of Chiefs, who may legislate on matters of customary law and the powers of chiefs. The framework for chieftainship is set out in the Chieftainship Act,[28] which is by reference incorporated into the Constitution of Botswana.[29] The eight recognized tribes are all ethnically Tswana. Chiefs may be appointed by the tribe, but the Minister of Local Government may remove a chief at any time if he deems it to be "in the public interest." Moreover, whenever there is a vacancy in the chieftainship, the Minister may appoint someone to be the "tribal authority." Complaints about the Minister's actions may be appealed to the President. The Chieftainship Act speaks in terms of the duties rather than rights of chiefs. They must take instruction from the Minister of Local Government on matters of crime and local development. Each tribe also has several subordinate land boards established for different townships, dealing with the application of customary law to land use.[30] These land boards are too small for the coding on regional autonomy.

Codings

Tribes: *Inst'l depth*=2, *Policy scope*=1, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=1}

Brazil, 1946-1960, 1985-

1946-1960

Under the 1946 Constitution, Brazilian states directly elected their governors and legislative assemblies. The Federal District (that includes the capital city) popularly elected its assembly, but its mayor was appointed by the President. Territories, however, did not have legislative assemblies and were administered by federal government-appointed administrators. Brazil has always been a three-tier federation, with municipalities having a constitutionally guaranteed autonomy from the states.[31]

Although the Constitution provided for some autonomy of the states, the federal government maintained control over industrial, financial, labor, election, and development policies. Article 5 of the Constitution enumerated the powers, including legislative authorities, of the federal

[28] http://www.mlg.gov.bw/docs/Documents/Chieftainship%20ACT.pdf, accessed October 6, 2010.
[29] http://www.commonlii.org/bw/legis/const/1966/, accessed October 6, 2010.
[30] http://www.mlg.gov.bw/docs/Documents/Tribal%20Land%20Legislation.pdf, accessed October 6, 2010.
[31] Celina Souza (2004), "Subnational constitutionalism in Brazil: Taxing, Spending, and borrowing," unpublished manuscript, Federal University of Bahia, http://www.federalismi.it/federalismi/document/14042004035450.pdf .

government. They included, among others, credit and insurance; transport and communications; civil, commercial, penal procedural, electoral aeronautical and labor law; general norms of law with respect to finance; insurance and social security; health; production and consumption of goods; national education policies; interstate traffic; natural resources; technical, scientific and liberal professions etc. The states and the Federal District were authorized to legislate concurrently on some of these issues like education and health. Nevertheless, the federal government prevailed whenever there was a conflict. Although the residual powers rested with the states (Article 18), the federal competence was so extensive that the states were left with few areas to legislate on. The states, but not the Federal District, had their own police forces for maintaining law and order.

According to Article 19, the states were authorized to levy taxes on the following areas: territorial property, except urban; transfer of property; sales and consignments; exportation of merchandise; state judicial service. The states were given full authority over their budget although they were dependent on the Union for much of their funding. The Federal District had the same taxing authority as the states.

1985-

Like many federations, Brazil was influenced by US federalism. Since the 1988 Constitution, despite their limited legislative role, the subnational governments enjoy considerable administrative autonomy, responsibility for policy implementation, and a share of public resources they had never enjoyed previously.[32] The states are organized and governed by the constitutions and laws they may adopt, in accordance with the principles of the federal constitution (Article 25).

Article 25(1) reserves to the states "[a]ll powers that this Constitution does not prohibit the state from exercising." Article 24(3) also grants the states the right to "exercise full legislative competence" in the absence of federal legislation. The central government's power in the area of concurrent authority, as stipulated in Article 24, is limited to establishing general rules. However, "[t]he supervenience of a federal law over general rules suspends the effectiveness of a state law to the extent that the two are contrary" (Paragraph 4). Moreover, the federal government's legislative power is so extensive that the subnational governments "are left virtually without any areas wherein they can legislate free from constraints set by the federal government."[33] The civil code, commercial code, criminal code, regulatory codes, and electoral law are all specified by federal statute and are uniform throughout Brazil. Therefore, it would not be accurate to view the states as possessing residual powers in any meaningful sense.

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[32] Ibid.

[33] Rosenn, Keith S. (2004-05). Federalism in Brazil. *Duquesne Law Review*, 43, p. 583

States do have authoritative competencies in cultural-educational policy. Article 211(3) states that the states and the Federal District shall act on a priority basis in elementary and secondary education.

Health being "a right of all … guaranteed by means of social and economic policies" (Article 196), Brazil has a unified health system financed "with funds from the social welfare budget of the Union, the states, the Federal District and the municipalities, as well as from other sources" (Article 198). As per the constitutional provisions, the Organic Health Law enacted in 1990 unified the public health system under the federal government and authorized the subnational governments with the management and organization of health services.[34]

Article 27 and 28 set forth the rules for election of legislative deputies and governors, including terms of office, size of the legislature, and so on. Thus, states' powers over own institutional setup are tightly restricted.

The subnational governments do not have competence over the base of any taxes as the entire tax structure and allocational scheme is embedded in the Constitution.[35] Although the Constitution reinforced their fiscal power by expanding their tax bases and granting them rights to determine the tax rates, fiscal crises in the states in the 1990s (caused by central government bailouts of states via state-owned commercial banks and direct federal loans to states) led to the adoption of the Fiscal Responsibility Law (2000), which imposed strict debt and expenditure limits on the states.[36]

The states and the Federal District have the competence to institute taxes on transfer by death and donation of any property or rights, transactions relating to the circulation of goods and to the rendering of interstate and inter-municipal transportation services and services of communication, even when such transactions and renderings begin abroad; and ownership of automotive vehicles. Although the sates enjoy relatively little constitutional power, they levy and determine the rates of the largest tax in absolute terms, the ICMS, a type of value added tax levied by the state of *production* rather than consumption.[37] Under the 1988 Constitution, state tax base was enlarged by the inclusion of some goods and services — fuel, electric energy, minerals, and transportation and telecommunication services — previously subject exclusively

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[34] Rex A. Hudson, ed. *Brazil: A Country Study*. Washington: GPO for the Library of Congress, 1997. Available at: http://countrystudies.us/brazil/

[35] Rosenn, p. 590.

[36] Souza, Celina (2002). Brazil: The Prospects of a Center-Constraining Federation in a Fragmented Polity. *Publius* 32:2, p. 35; also see Celentano, Alexandrine Brami & Jean-Marc Siroën (2008). "Fiscal Federalism, Democracy, and Trade Integration: The Case of the Brazilian VAT." Presented at the 8th Arnoldshain Seminar, São Paulo, 31 March – 4 April 2008. Available at: www.dauphine.fr/ceresa/siroen/federalismSP.pdf

[37] Souza, "Subnational constitutionalism in Brazil"; Rosenn, p. 590.

to federal taxes.[38] According to Souza, subnational governments collect 32% of all taxes, and also receive an additional 11% from transfers from federal income and industrial products taxes. State taxes account for 25% of all taxes, a smaller share than was historically the case. Subnational governments account for 62% of public payroll expenditure and 78% of public investment.

Codings

States, 1946-1960: *Inst'l depth*=3; *Policy scope*=2; *Fiscal autonomy*=3; *Representation*={Assembly=2, Executive=2}

Federal District, 1946-1960: *Inst'l depth*=3; *Policy scope*=2; *Fiscal autonomy*=3; *Representation*={Assembly=2, Executive=0}

Territories, 1946-1960: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

States & Federal District, 1985-: *Inst'l depth*=3, *Policy scope*=2, *Fiscal autonomy*=3, *Representation*={Assembly=2, Executive=2}

Burma, 1948-1961

Burma experienced a brief period of parliamentary democracy after it achieved independence from British rule in 1948 and before military rule was imposed in 1962. The 1947 Constitution[39] provided for the creation of several states with limited autonomy. The Third Schedule enumerates the competencies of the Union and State legislatures. The States had powers to legislate on local economic issues, security (policing), education (but not for the first ten years), health, and local government. However, Article 90 of the constitution clearly states that "the sole and exclusive power of making laws in the Union shall be vested in the Parliament."

The states had their own assemblies, yet they were not separate from the Union legislature. Members of the state legislatures also served in the Union legislature. The Ministers of States appointed by the Prime Minister in the central government also served as the Heads of the States. Not all states enjoyed equal amount of power and freedom. For example, some were granted rights to secede from the union (though they were barred from doing so within the first ten years) while others were not. Only the Shan and Kayah States were effectively eligible to secede from the union although the constitution broadly states that "every State shall have the right to secede from the Union" (Article 201). While the Kachin and Karen States were explicitly

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[38] http://desafios2.ipea.gov.br/pub/td/2001/td_0854.pdf
[39] Available at: http://www.blc-burma.org/html/Constitution/1947.html.

denied the right, Burma Proper was usually considered outside of the discussion because of its pivotal position in the Union.[40]

The Constitution provides a "State Revenue List," enumerating the areas that the states are authorized to tax. They include land revenue including fisheries and subsoil resources, excise duties on alcohol and narcotics, court fees, forests, registration, taxes on trade and employments, animals and boats, entertainments, amusements, betting and gambling, motor vehicles, irrigation, as well as all fees, fines, sale proceeds and rents of property belonging to the states.

Although the Union government stayed away from the state politics for the first few years, later it interfered with state autonomy one way or the other. For example, a presidential proclamation transferred all powers of Shan State to the army from 1952 to 1954 while the prime minister dismissed ministers of states for Kachin and Karen in 1958 even though they had the confidence of a majority in their respective State Councils. The states were heavily dependent on the Union for financial support, which also explains why they failed to develop as effectively autonomous entities.[41]

Codings

States: *Inst'l depth*=2; *Policy scope*=3; *Fiscal autonomy*=2; *Representation*={Assembly=1, Executive=0}

Shan State, 1952-1954: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Chile, 1955-1972, 1989-

Chile is a unitary, centralized state consisting of 15 regions, including the capital city of Santiago and two regions created in 2007. They are further subdivided into provinces and communes (municipalities). The current constitution, enforced during the military regime under General Pinochet but amended subsequently, most notably in 1989 and 2005, provides for a regional government consisting of a regional council headed by a centrally appointed intendant.[42] The council is indirectly elected by municipality council officials who are popularly elected. The

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[40] Silverstein, J. (1958) Politics in the Shan State: The Question of Secession from the Union of Burma. *The Journal of Asian Studies*, Vol. 18, No. 1, pp. 43-57.
[41] Largely based on Silverstein, Josef (1959). The Federal Dilemma in Burma, *Far Eastern Survey*, Vol. 28, No. 7, pp. 97-105; and Furnivall, J. S. (1958). *The Governance of Modern Burma*. Institute of Pacific Relations, New York.
[42] Articles 99-104 of the Constitution of Chile.

regional governments carry out the centrally made plans and policies, as they hold no power to legislate on major policy issues.[43]

The central government determines both the base and rate of all the major taxes. Regional governments have no authority over taxes. Only municipalities are allowed to collect some minor taxes. The subnational governments in Chile depend on funds transferred from the central government for their budgets.[44]

Prior to the military takeover in 1973, provinces (there were 25 of them) were the first tier subnational governments. Although the 1925 constitution intended to offer autonomy to the provinces, Chilean parliament never adopted any legislation toward that end. Like the regions under the new constitution, the provinces were devoid of any legislative powers. The provincial governors were no more than representatives of the central government with an administrative mandate.[45]

Codings

Regions, 1989-: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=1, Executive=0}

Provinces, 1955-1972: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Colombia, 1957-

Colombia, as stated in the First Article of the 1991 Constitution[46], is a unitary republic divided into 32 departments and the Capital District of Bogotá. Each department is headed by a popularly elected governor who is "the agent of the President of the Republic" (Article 303). The Constitution allows the President to suspend or remove the governor (Article 304). Each department has a legislative assembly popularly elected for a four-year term.

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[43]Gall, Timothy L. and Jeneen M. Hobby, (Eds.). (2000). Worldmark Encyclopedia of the Nations, Twelfth Edition. New York: Thomson Gale; & Burton, Guy. 2008. Local government in Chile. The City Mayors Foundation. Available at: **http://www.citymayors.com/government/chile_government.html**

[44] Leonardo Letelier S. Local Governments in Chile. This work was done for the Local Governance Project directed by Anwar Shah of the World Bank Institute. Available at the Economic Commission for Latin America (ECLA)'s website http://www.eclac.org/

[45] Hudson, Rex A., ed. 1994. *Chile: A Country Study*. Washington: GPO for the Library of Congress.

[46] Available at: confinder.richmond.edu/admin/docs/colombia_const2.pdf

The Constitution grants the departments limited autonomy in the administration of local affairs and in the planning and promotion of economic and social development within their territory.[47] The departmental assemblies have legislative competencies over "planning, economic and social development, financial support, and credit to the municipalities, tourism, transportation, the environment, public works, means of communication, and development in their border areas" (Article 300, Para. 2). They can only administer but have no policy control over the areas of sports, education, and public health.

The central government exclusively controls most areas of taxation, leaving only a few areas for the departments to tax. The departments are authorized to levy taxes on liquor, beer, tobacco and motor vehicles. Although the departments receive a significant share of the national revenues from the central government (Article 356), they are required to spend the bulk of the transferred resources on health and education.[48]

Prior to the promulgation of the current constitution (when the 1886 Constitution was in effect), the departments only implemented central government policies and had no policy-making authority. The departmental governments were essentially regional administrations under the control of the central government. Although departmental assemblies were popularly elected, the governors appointed by the President were in full control of the policies of the departments.[49]

Codings

Departments, 1957-1990: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=2, Executive=0}

Departments, 1991-present: *Inst'l depth*=2; *Policy scope*=1; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=2}

Costa Rica, 1945-

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[47] Echavarría, Juan José; Carolina Rentería, & Roberto Steiner (2002). Decentralization and bailouts in Colombia, *Research Network Working paper # R-442*, Inter-American Development Bank. See also, Colombia: a country study by Federal Research Division, Library of Congress ; edited by Rex A. Hudson. -- 5th ed. (2010)
[48] Alesina, Alberto; Alberto Carrasquilla; & Roberto Steiner. (2000). Decentralization in Colombia. Working Papers Series No. 002254, Inter-American Development Bank.
[49] Hanratty, Dennis M. and Sandra W. Meditz (1988). *Colombia: A Country Study*. Washington: GPO for the Library of Congress, 1988. http://countrystudies.us/colombia/ See also, Acosta, Olga Lucia, and Richard M. Bird (2003). The Dilemma of Decentralization in Colombia. ITP Paper 0404. University of Toronto, Joseph L. Rotman School of Management.

Throughout the twentieth century to the present, Costa Rica has been divided into seven provinces.[50] For statistical purposes only, the country has also, since 1985, been divided into six regions. Regions and provinces overlap and are unrelated to each other. The governor of each province is appointed by the president and is responsible to the minister of government. There are no provincial assemblies.[51] The constitution permits the national parliament to create new provinces following a successful plebiscite in any affected provinces.[52] The constitution gives provinces no authoritative competencies but rather states that they are "for purposes of public administration." Municipal governments enjoy some autonomy but are too small to be coded here.

Codings

Provinces: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Regions, 1985-: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Dominican Republic, 1978-

The Dominican Republic is divided into 31 provinces and one Distrito Nacional for the capital.[53] (There were just 28 provinces from 1974 to 1994.)

The provinces have governors appointed by the president of the republic and are divisions of the central government, but the Distrito Nacional has a municipal form of government with a popularly elected mayor and city council.[54] Neither provinces nor municipalities can levy taxes, and indeed all policy-making is centralized in the national government.[55]

Codings

Provinces: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Distrito Nacional: *Inst'l depth*=2, *Policy scope*=1, *Fiscal autonomy*=0, *Representation*={Assembly=2, Executive=2}

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[50] http://www.statoids.com/ucr.html.
[51] http://www.nationsencyclopedia.com/Americas/Costa-Rica-LOCAL-GOVERNMENT.html.
[52] http://www.costaricalaw.com/legalnet/constitutional_law/engtit12.html.
[53] http://statoids.com/udo.html.
[54] http://lcweb2.loc.gov/frd/cs/dotoc.html.
[55] http://pdba.georgetown.edu/Constitutions/DomRep/domrep02.html#mozTocId898904 and http://countrystudies.us/dominican-republic/61.htm.

Ecuador, 1979-2006

Provincial governors are freely appointed and removed by the President, but prefects are directly elected (dual executives).[56] Provincial councils are directly elected and enjoy jurisdiction over public works and coordinating municipal activities. They enjoy "functional financial and administrative autonomy." Provinces receive fewer resources from the center than do municipalities and are almost wholly dependent on transfers.

Codings

Provinces: *Inst'l depth*=2, *Policy scope*=1, *Fiscal autonomy*=0, *Representation*={Assembly=2, Executive=1}

El Salvador, 1984-

El Salvador is divided into 14 departments.[57] Departmental governors are appointed by the president and have no legislative authority.[58] There are no departmental assemblies.[59]

Codings

Departments: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Fiji, 1970-1986

Rotuma is an island dependency of Fiji, inhabited by the distinct Rotuman ethnic group. It enjoys a degree of autonomy as a municipality. The Council of Rotuma consists of elected representatives and traditional chiefs, who elect an executive Chairman from their number.[60] Pursuant to the Rotuma Act, the main duties of the Council are to administer the Rotuma Development Fund and "to consider all such questions relating to the good government and well-being of the Rotuman community in the island as may be directed by the Minister or may seem to them to require their attention."[61] The Council is given explicit authority to make regulations for public health, communal work, control of livestock, care of children and elderly, and food supply, enforceable by a maximum penalty of four months imprisonment or fine of 100 dollars. The Council is permitted to tax production of copra and cocoa beans up to a maximum rate.

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[56] O'Neill, *Decentralizing the State*.
[57] http://statoids.com/usv.html.
[58] http://lcweb2.loc.gov/frd/cs/svtoc.html.
[59] http://pdba.georgetown.edu/Decen/ElSalvador/elsalvador.html.
[60] http://www.rotuma.net/os/Political.html.
[61] http://www.paclii.org/fj/legis/consol_act_OK/ra103/.

The rest of Fiji is divided into divisions and provinces. During the period of democracy, the average population of these jurisdictions was below our population threshold for coding.

Codings

Rotuma: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=1, *Representation*={Assembly=2, Executive=2}

Rest of Fiji: *Inst'l depth*=0, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Georgia, 1991-

The Republic of Georgia has been a fragmented state since its independence. South Ossetia and Abkhazia have been *de facto* independent since 1992 and are not considered here. Ajara was *de facto* independent from 1992 to 2004, and its status is considered only from that date.

Presidential decrees between 1994 and 1996 established nine regions (*Mkhare*): Guria, Imereti, Kahketi, Kvemo Kartli, Mtskheta-Mtianeti, Racha-Lechkhumi and Kvemo Svaneti, Samegrelo-Zemo Svaneti, Samtskhe-Javakheti, and Shida Kartli. Parts of three regions are claimed and occupied by the Republic of South Ossetia. Georgia considers Abkhazia to be an autonomous republic, but it is claimed and occupied by the Republic of Abkhazia. Ajara also has autonomous republic status. The regions are central government bodies with no self-government of any kind.[62]

The Chairman of the Autonomous Republic of Ajara is the chief executive and head of government.[63] The executive is dually accountable to the President of Georgia and the legislature of Ajara, called the Supreme Council. The Chairman is not permitted to be a member of the legislature. The President of Georgia appoints the Chairman, but the Supreme Council may reject the candidate. However, two consecutive rejects of a nominated candidate results in the dissolution of the legislature. The President of Georgia may remove the cabinet at any time, but a legislative motion of non-confidence requires a two-thirds majority, in which case the "State Envoy of the President of Georgia" assumes executive functions until a new Chairman is elected. The Chairman's ministers must be appointed with the approval of the parallel ministers of the government of the Republic of Georgia. The President may also dissolve the Supreme

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[62] Tarja Kirn and Elguja Khokrishvili, "Challenges of Decentralisation in the Republic of Georgia," http://www.ciesr.org/uploads/publications/2.4._tg.pdf.

[63] Government of the Autonomous Republic of Ajara, http://www.ajara.gov.ge/eng/.

Council if he considers that its actions threaten "Georgia's sovereignty, territorial integrity, or impede the constitutional activities of the Georgian government bodies."[64]

The autonomous republic has competencies in social welfare, employment, urban development, education, science, culture, highways, communications, health care, tourism, sports, agriculture, forestry, natural resources, and food regulation. Ajara is specifically prohibited from having its own police or defense forces. The central government defines all tax bases and rates.[65]

Codings

Ajara, 2004-: *Inst'l depth*=3, *Policy scope*=3, *Fiscal autonomy*=0, *Representation*={Assembly=1,Executive=1}

Regions, 1994-: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Ghana, 2001-

Ghana's constitution defines it as a unitary state. Ghana is divided into 10 regions and, as of this writing, 170 districts. The districts have always had an average population below 150,000 and therefore fall below the criterion for coding as regions in this dataset. The regions are purely defined for the purpose of deconcentration of state administrations and as electoral districts for the upper chamber (Council of State).

Codings

Regions: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Guatemala, 1996-

Guatemala is divided into 22 departments.[66] The constitution gives Congress the power to determine the administrative units and their boundaries (Article 224).[67] The department executive, the governor, is appointed by the president (Article 227). The department assembly is consultative and includes the mayors of each department's municipalities as well as other representatives appointed by the governor (Article 228). While municipalities enjoy some

[64] International Crisis Group, "Saakashvili's Ajara Success: Repeatable Elsewhere in Georgia?," http://unpan1.un.org/intradoc/groups/public/documents/untc/unpan018787.pdf.
[65] Kirn and Khokrishvili, ibid.
[66] http://www.inforpressca.com/municipal/mapas_web/guatemala.php, accessed October 6, 2010.
[67] http://es.wikisource.org/wiki/Constituci%C3%B3n_de_Guatemala, accessed October 6, 2010.

autonomy, departments are essentially agencies of the central government. They do not enjoy any fiscal autonomy.

Codings

Departments: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=1, Executive=0}

Guyana, 1992-

Guyana does not have regions of the population size sufficient to qualify for coding. However, Guyana is a unitary state with elected Regional Democratic Councils, which can be dissolved by the executive president of Guyana at will.[68]

Codings

Inst'l depth=0, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Honduras, 1982-

Honduras is divided into 18 departments, headed by a governor appointed and removable by the President of Honduras.[69] The departments are purely deconcentrated organs of the Ministry of Government and Justice. The budget of the departments is controlled by the central government.

Codings

Departments: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

India, 1956-

(Codings currently cover the situation since 1956, when the States Reorganisation Act was passed.)

States:

Indian states enjoy directly elected legislative assemblies and extensive policy authority. Indian states' executive power is vested in the Governor, who is appointed by the President of India. The Governor also appoints the Chief Minister from the legislative assembly, and the ministers are collectively responsible to the legislative assembly. Thus, Indian states effectively function under a dual-executive "semi-presidential" system. The institution of President's Rule,

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[68] http://countrystudies.us/guyana/80.htm.
[69] http://countrystudies.us/honduras/88.htm.

authorized by Article 356 of the Constitution of India, allows the President of India to assume direct executive powers over state government and remove legislative powers to the Parliament of India, for a period no longer than three years (five in the case of Punjab). President's Rule must be periodically re-authorized by the Parliament of India. According to Hannum (1990: 154), President's Rule was invoked over 70 times between independence and the early 1990s.[70] I consider this institution to be a serious constraint on the policy autonomy of state governments, essentially a sort of effective veto power. Therefore, I code states as "2" on institutional depth, with the caveat that unlike states, union territories (except Puducherry) are explicitly subject to the veto power of the union parliament.

States enjoy authoritative, conditionally exclusive competencies over police, local infrastructure, certain aspects of local government, and certain aspects of economic development (Schedule VII, List II of the Constitution of India). States enjoy concurrent powers in education, criminal law, legal procedure, labor regulation, and social insurance (Schedule VII, List III). They have the power over their own institutional set-up, so long as Parliament does not legislate otherwise. Theoretically, states are forbidden from legislating on inter-state trade (Schedule VII, List I). The Council of the States, the upper house of the Indian Parliament, can by a two-thirds majority decide to legislate in areas otherwise reserved exclusively to the states (Article 249). Article 370 of the Indian Constitution guarantees Jammu and Kashmir very extensive autonomy, but in practice the Indian government has been able to sidestep these provisions by relying on the Constitution Order of 1954 and provisions of the Indian-controlled state government's constitution adopted on accession to the Union.[71] Article 371 gives certain state governments veto rights over central government legislation relating to tribal customs, land ownership, etc. Sikkim was a protectorate of India with full internal autonomy from 1950 to 1974, but in 1975 it was annexed as a state. It still enjoys the right to impose income tax, and federal income taxes do not apply there.[72] Sikkim was a monarchy, but since it had full control over its own executive and legislative processes, it is given a full score on *Representation* here.

States can levy minor taxes and fees, such as excise taxes, land taxes, agricultural income taxes, tolls, and capitation taxes. Additionally, a 1956 constitutional amendment allowed states to enact general sales taxes, except on newspaper.

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[70] Hannum, Hurst. 1990. *Autonomy, Sovereignty, and Self-Determination: The Accommodation of Conflicting Rights*. Philadelphia: University of Pennsylvania Press.

[71] Singh, Gurharpal (2000), *Ethnic Conflict in India: A Case-Study of Punjab* (Basingstoke, England: Palgrave Macmillan), pp. 202-4.

[72] M. Govinda Rao and Nirvikar Singh (2007), "Asymmetric Federalism in India," in Richard M. Bird and Robert D. Ebel (eds.), *Fiscal Fragmentation in Decentralized Countries: Subsidiarity, Solidarity, and Asymmetry* (Cheltenham, UK: Edward Elgar), pp. 295-319, p. 308.

Articles 301-307 prevent subnational governments from imposing barriers to trade and migration, with important exceptions. Article 302 allows the central government to impose barriers to internal trade, which they have done through negotiation with certain northeastern states.[73] Article 304 allows state legislatures to restrict "freedom of trade, commerce, or intercourse with or within that state as may be required in the public interest," but only with the consent of the President.

Union territories:

The president appoints the administrators of all union territories, but Delhi (since 1991) and Puducherry (since 1963) have elected legislative assemblies and councils of ministers, and like states the ministers are in these territories collectively responsible to the legislature.[74] Puducherry and Delhi may legislate on all areas where states may legislate, except that Delhi is prohibited from legislating on public order, police, and land rights and tenures. Parliament has full veto power over all laws passed by the Delhi legislature.

Autonomous District Councils:

Under the Sixth Schedule of the Indian Constitution, states may set aside autonomous areas for ethnic minorities.[75] These autonomous areas, usually called district or regional councils, are under the jurisdiction of the governor of each state, who may create and alter them after following certain procedures. The councils are mostly directly elected and enjoy legislative powers in local areas such as land use, forestry, fisheries, and public health, and administer local infrastructure such as roads and schools. In addition, the Dima Hasao Autonomous Council and Karbi Anglong Autonomous Council enjoy broad legislative authority over local industry, transportation, education, agriculture, culture, and social welfare. Bodoland Territorial Council, established in 2003, enjoys similar powers. Councils may set the base and rate of minor taxes, such as land taxes and taxes on professions. They may also collect royalties on licenses for mineral extraction. District councils in Assam and Mizoram are exempt from those states' alcohol regulations. Under some circumstances governors may declare district council laws void and may also dissolve district councils and call new elections.

Ordinary Districts:

Apart from the autonomous districts, districts comprise a substate, regional level of deconcentrated governance for both federal and state governments.[76]

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[73] Ibid., p. 302.
[74] http://india.gov.in/knowindia/union_territories.php, accessed 5 Mar 2009; Constitution of India, Part VIII.
[75] http://lawmin.nic.in/coi/SIXTH-SCHEDULE.pdf.
[76] http://www.india.gov.in/knowindia/districts.php.

Changes:

Gujarat and Maharashtra were the first new states after 1956, coming into existence in 1960.[77] Chandigarh and Haryana were carved out of Punjab in 1966. Chandigarh was made a union territory, while Haryana was made a state. Tripura was carved from Assam in 1956 as a union territory, received a legislature in 1963, and became a state in 1972.[78] Nagaland was carved from Assam in 1957 as a union territory and became a state in 1963. Manipur was a union territory from 1956 to 1972, when it became a state, obtaining its first legislative assembly in 1963.[79] Himachal Pradesh was a union territory from 1956 to 1971, when it became a state, obtaining its first legislative assembly in 1963.[80] Arunachal Pradesh was known as the North East Frontier Agency, a *sui generis* directly administered territory until 1972, when it became a union territory. It obtained a legislature in 1975 and became a state in 1987.[81] Mizoram was initially an autonomous district, then given union territory status with a legislature in 1972 and statehood in 1987.[82] Meghalaya went straight to statehood in 1972.[83] Goa, part of the Goa, Daman, and Diu union territory from 1963, became a state in 1987.[84] Dadra and Nagar Haveli lost its independence and became a union territory in 1961. Sikkim lost its independence and became an Indian state in 1975. Chhattisgarh, Jharkhand, and Uttarakhand became states in 2000. The United North Cachar Hills and Mikir Hills District was separated in 1970 into the North Cachar Hills District (now Dima Hasao) and Mikir Hills District (now Karbi Anglong). Bodoland's district council was established in 2003. Tripura Tribal Areas District was created in 1984. Chakma District was created in 1972. Ladakh Autonomous Hill Development Council, Leh was created in 1995. Ladakh Autonomous Hill Development Council, Kargil was created in 2003. Darjeeling Gorkha Hill Council was created in 1988.

Codings

States: *Institutional depth*=2, *Policy scope*=4, *Fiscal autonomy*=4, *Representation*= {Assembly=2, Executive=1}

Sikkim, 1950-1974: *Institutional depth*=3, *Policy scope*=4, *Fiscal autonomy*=4, *Representation*= {Assembly=2, Executive=2}

Most Union Territories: *Institutional depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*=0

[77] http://india.gov.in/knowindia/st_maharashtra.php.
[78] http://tripura.nic.in/kt3.htm, accessed 5 Mar 2009.
[79] http://manipurassembly.nic.in/history.htm, accessed 5 Mar 2009.
[80] http://hpvidhansabha.nic.in/hist.htm, accessed 5 March 2009.
[81] http://arunachalpradesh.gov.in/govt.htm, accessed 5 Mar 2009.
[82] http://mizoram.nic.in/about/history.htm.
[83] http://india.gov.in/knowindia/st_meghalaya.php.
[84] http://www.goavidhansabha.gov.in/addinfo11.php, accessed 5 March 2009.

Puducherry since 1963, Other Union Territories with Legislative Assemblies, Except Delhi: *Institutional depth*=2, *Policy scope*=3, *Fiscal autonomy*=4, *Representation*= {Assembly=2, Executive=1}

Delhi, 1991-: *Institutional depth*=2, *Policy scope*=3, *Fiscal autonomy*=4, *Representation*= {Assembly=2, Executive=1}

Most District Councils: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=2, *Representation*={Assembly=2, Executive=1}

Dima Hasao AC, Karbi Anglong AC, and Bodoland TC: *Inst'l depth*=2, *Policy scope*=3, *Fiscal autonomy*=2, *Representation*={Assembly=2, Executive=1}

Ordinary Districts: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}.

Indonesia, 1999-

The 1945 Constitution (abrogated by Federal Constitution of 1949 and Provisional Constitution of 1950, and restored in 1999) defines Indonesia as a unitary state with 33 provinces, of which two are special regions (Aceh and Yogyakarta) and one is the capital city district (Jakarta Raya). Of these 33 provinces, six were created after 1999: Banten, Bangka-Belitung Islands, and Gorontalo in 2000, West Papua in 2003, and Riau Islands and West Sulawesi in 2004. A series of amendments to the Constitution between 1999 and 2002 provided for regional autonomy (Article 18). The 1999 Local Government Act (Law No. 22) treated provinces, regencies, and cities as autonomous regions independent of one another with no clear hierarchy of power. The power was devolved to lower tiers of government at par with provinces primarily because the national leaders feared that empowered provinces could fuel regional ethnic and political conflicts, leading to further separatism or federalism.[85] However, this law was superseded by a similar Act of 2004 (Law No. 32) that provided provinces with some power to monitor the regency and city governments. Each province has a directly elected assembly. Prior to the enactment of the 2004 legislation, the provincial governors were elected by the assembly members and appointed by the central government. Although they are directly elected now, the governors are constitutionally designated as representatives of the central government.[86] Outside Aceh, regional political parties are banned, and thus only Indonesia-wide parties can be elected to subcentral bodies. Apart from Aceh, the special regions do not enjoy extra privileges when it comes to their political and fiscal autonomy.

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[85] The World Bank. (2005). *EAST ASIA DECENTRALIZES: Making Local Government Work*. Washington, DC.

[86] Simatupang, Rentanida Renata. (2009). "Evaluation of Decentralization Outcomes in Indonesia: Analysis of Health and Education Sectors" *Economics Dissertations.* Paper 58. Available at: http://digitalarchive.gsu.edu/econ_diss/58

The subnational governments are provided with authority over all aspects of government except foreign affairs, security, justice, and monetary and fiscal policies (Clause 7, Law No. 22). Accordingly, they have authority over employment, health, education, culture, agriculture, communications, trade & industry, investment, the environment, land affairs, & co-operatives (clause 11 and 12). However, they lack primary authority over these issues and must operate within frameworks established by the central government. Law 34 of 2000 grants the provinces rate-setting powers over a few minor taxes: vehicle tax, vehicle transfer tax, fuel tax, and exploration tax of surface and underground water.[87] The taxes form a small portion of the provincial budget which largely depends on the funds (general and special allocation funding) received from the central government.[88] Law 28 of 2009 further raised provinces' tax autonomy.[89] Perversely, own-source taxation effort reduces transfers from the central government, perhaps explaining persistently low fiscal decentralization.

In 2001, the Indonesian government unilaterally granted Aceh "special autonomy" status in a failed bid to end the long-running secessionist conflict there.[90] The 2005 peace agreement between the government of Indonesia and the Free Aceh Movement (GAM) provided for a 2006 law broadening that autonomy, especially on monetary policy (setting of interest rates), distribution of hydrocarbon revenues, and the legalization of local political parties. The Helsinki Memorandum even guaranteed that any Indonesian law affecting Aceh must win the approval of the Acehnese legislature. However, the actual act passed by the legislature reneged on this commitment and also inserted a clause giving the Indonesian government the right to veto Acehnese laws.[91] Therefore, Aceh's measured political status did not improve in 2006. Aceh is permitted to legislate in all areas except foreign affairs, external defense, national security, "monetary and fiscal matters," and justice and freedom of religion.[92] Aceh has its own judiciary and police. Hydrocarbon revenues are shared between the Acehnese and Indonesian governments. Aceh may control rate of a new minor tax, *zakat* or "alms."[93] Since 2006, the

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[87] Robert A. Simanjuntak and B. Raksaka Mahi, "Local Tax Revenue Mobilization in Indonesia's Decentralizing Era," in James Alm, Jorge Martinez-Vasquez, and Sri Mulyani Indrawati (eds.), *Reforming Intergovernmental Fiscal Relations and the Rebuilding of Indonesia: The "Big Bang" Program and Its Economic Consequences* (Cheltenham, UK: Edward Elgar), 101-133, p. 112.

[88] Hadiz, Vedi R. (2004). Decentralization and Democracy in Indonesia: A Critique of Neo-Institutionalist Perspectives. Working Paper no 47, Centre of Southeast Asian Studies, City University of Hong Kong. See also Comola, Margherita and Luiz de Mello. (2010). Fiscal Decentralization and Urbanization in Indonesia. Working Paper No. 2010/58, United Nations University.

[89] Simon Butt and Nicholas Parsons (2012), "Reining in Regional Governments? Local Taxes and Investment in Decentralised Indonesia," *Sydney Law Review* 34:91-106.

[90] Edward Aspinall (2005), *The Helsinki Agreement: A More Promising Basis for Peace in Aceh?* (Washington, D.C.: East-West Center Washington).

[91] Edward Aspinall (2009), *Islam and Nation: Separatist Rebellion in Aceh, Indonesia* (Stanford, Cal.: Stanford University Press), p. 237.

[92] http://www.aceh-mm.org/download/english/Helsinki%20MoU.pdf.

[93] The World Bank (n.d.), "Aceh Public Expenditure Analysis: Spending for Reconstruction and Poverty Reduction."

Aceh regional government has passed harsh Shari'a laws criminalizing vice. From May 2003 to January 2005, Aceh was under martial law, during which time special autonomy was effectively suspended.[94]

West Papua and Papua provinces have nominally enjoyed a special autonomy as well since 2001 (very similar to that granted to Aceh in the same year).[95] However, independent observers agree that special autonomy is ineffective, because the central government violated it almost immediately, establishing West Papua province contrary to the letter of the 2001 autonomy law, failing to establish legislative institutions for native Papuans mandated by the law, and failing to halt immigration of non-Papuans into the territory.[96]

Codings

Provinces, 1999: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=0; *Representation*={Assembly=2, Executive=1}

Provinces, 2000-2004: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=1}

Provinces, 2005-: *Inst'l depth*=2; *Policy scope*=3; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=2}

Aceh, 2001-2002, 2005-: *Inst'l depth*=2, *Policy scope*=3, *Fiscal autonomy*=1, *Representation*={Assembly=2, Executive=2}

Aceh, 2003-2004: *Inst'l depth*=2, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=2, Executive=2}

Israel & Palestinian Territories

Israel Proper

Israel proper is divided into districts and sub-districts, but these are statistical categories only; the main organs of local government are municipalities, local councils, and regional councils, of which there are more than 250.[97]

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[94] Rodd McGibbon (2004), "Secessionist Challenges in Aceh and Papua: Is Special Autonomy the Solution?" http://www.eastwestcenter.org/publications/secessionist-challenges-aceh-and-papua-special-autonomy-solution.
[95] http://www.refworld.org/docid/46af542e2.html .
[96] McGibbon, "Secessionist Challenges"; Octavianus Mote, "Special Autonomy Issue," http://etan.org/issues/wpapua/1207spaut.htm; Richard Chauvel and Ikrar Nusa Bhakti, "The Papua Conflict: Jakarta's Perceptions and Policies," http://www.eastwestcenter.org/publications/papua-conflict-jakarta%E2%80%99s-perceptions-and-policies.
[97] http://www.mfa.gov.il/MFA/Facts+About+Israel/State/THE+STATE-+Local+Government.htm.

Palestinian Territories

The West Bank and Gaza (as well as the Golan Heights, formerly part of Syria, since annexed to Israel proper) came under Israeli occupation after the Six Days' War in 1967. The people who live in these areas are known as "Palestinians" in the Minorities at Risk dataset. (Arabs living within Israel proper are considered a distinct group.) From 1967 to 1994, these areas were under Israeli military occupation. Under the terms of the Oslo Accords of 1993, the Palestinian Authority (PA) assumed full civil control over areas of the West Bank and Gaza where the vast majority of Palestinians live. PA control of security and police is limited to a smaller territory.[98] The first parliamentary elections to the Palestinian Legislative Council were held in 1996.[99] The security situation in the Palestinian territories since 2000 has limited the effectiveness of their autonomy, but formally, the Palestinian National Authority (PNA), as the PA has been renamed, is responsible for internal social and economic policies (excluding immigration) and is able to raise its own taxes. Its internal procedures are no longer democratic, but the *Representation* codings take into account the fact that the PNA's institutional setup and enforcement thereof remain internal matters for Palestinians.

Codings

Israel Proper: *Inst'l depth*=0, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

West Bank & Gaza, 1967-1993: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Palestinian National Authority, 1994-: *Inst'l depth*=3, *Policy scope*=3, *Fiscal autonomy*=4, *Representation*={Assembly=2, Executive=2}

Jamaica, 1959-

Jamaica is a unitary state divided into fourteen parishes based on the British model for general administration purposes. Kingston and St. Andrew Parishes are combined to form the Kingston and St. Andrew Corporation. Each parish elects a council headed by a mayor. The council members are popularly elected for a term of three years.[100] The councils serve as local administrative bodies with very limited authority since the parliament makes laws on all the major policy issues. Parishes provide services in the areas of public health and sanitation, water supply, poor relief, maintenance of minor roads and of street lighting, regulation of markets

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[98] http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20Process/Agreement%20on%20Gaza%20Strip%20and%20Jericho%20Area.

[99] http://www.icj-cij.org/docket/files/131/1555.pdf.

[100] http://countrystudies.us/caribbean-islands/34.htm

and slaughterhouses, fire services, maintenance of cemeteries, and regulation of the development of private property.[101]

Revenues come largely from land taxes. Parishes are also allowed to set the rates of and collect fees on licenses and the public services they provide. However, they are heavily dependent on financial assistance from the central government because their tax base is small compared to the central government.[102]

Codings

Parishes: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=2}

Madagascar[103], 1992-2008

The 1992 Constitution organizes Madagascar into "decentralized territories" administered by elected assemblies (Article 125). The constitution provides for directly elected regional assemblies and chief executives (Articles 128 and 129). The state is represented in the regional governments by a "high official" appointed by the central government. The primary responsibility of the official is to assure "adherence to legislative and regulatory provisions" (Article 130). The Article 132 tasks the territorial entities with the cooperation of the State, public safety, the administration and management of territorial, economic, social, sanitary, cultural, and scientific development, as well as protection of the environment and improvement in the standard of living. Likewise the Article 134 enumerates their sources of revenue: "the proceeds of taxes voted by the Assemblies of the territorial entities and levied for their budgets (the law shall establish the nature and maximum rate of these taxes); their share in the proceeds of taxes levied for the State budget; the proceeds of endowments granted by the State to the territorial entities; the proceeds of foreign aid obtained through the national monetary authorities; and revenue from territorial land."

The country was administratively divided into regions, departments, and communes after the enactment of the decentralization law in 1994 (implemented in 1996). However, only the latter two levels featured elective governments, while regions remained "administrative

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[101] Jamaica: Public Administration. Division for Public Administration and Development Management, Department of Economic and Social Affairs, United Nations, December 2004.
[102] Gall, Timothy L. and Jeneen M. Hobby, (Eds.). (2007). Worldmark Encyclopedia of the Nations, Twelfth Edition. New York: Thomson Gale.
[103] Based on Gall, Timothy L. Gall and Jeneen M. Hobby, ed. (2007). *Worldmark Encyclopedia of the Nations* (Vol. 2, Africa). New York: Thomson Gale; World Bank (2004). Decentralization in Madagascar: A Country Study. Washington, DC; Metz, Helen Chapin, ed. (1994). *Madagascar: A Country Study*. Washington: GPO for the Library of Congress, 1994. Available at: http://countrystudies.us/madagascar/27.htm;

circumscriptions," i.e., deconcentrated administrations of the center.[104] The law did not mention the provinces existing since the French colonial era. However, a 1998 amendment to the constitution paved the way for reviving the old provinces and making them autonomous in 2000. The 2007 Constitution abolished the provinces, making regions the highest tier of local government. Although there were 28 regions initially proposed, the number actually implemented was 22, and regional council elections were held in 2008.[105]

The provinces and regions were created with a vision to enhance public participation in government through popular suffrage, yet the roles of the administrative units remains ill defined. The central government is contemplated to handle foreign affairs, defense, public security, justice, currency, and broad economic planning and policy, leaving economic implementation to the subnational governments. The provinces could not retain their "autonomy" for long. When five of the six provinces declared themselves independent following the 2001 presidential elections, the national government in 2003 replaced elected provincial governments with appointed ones, thereby effectively ending provincial autonomy. Contrary to constitutional provisions, the regional leaders are centrally appointed although municipal mayors are popularly elected.

A 2004 World Bank study reported that Madagascar, despite several decentralization initiatives, remained a very centralized country, both administratively and fiscally. It said that the central government carried out policy planning, personnel management, and budgeting. The central government collects more than 97 percent of total revenues, leaving the regions/provinces fiscally dependent on the center.

Codings

Provinces, 1998-1999: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Provinces, 2000-2002: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=0; *Representation*={Assembly=2, Executive=2}

Provinces, 2003-2007: *Inst'l depth*=2; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Regions, 1992-2007: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

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[104] http://statoids.com/ymg.html.
[105] http://siteresources.worldbank.org/INTMADAGASCARINFRENCH/Resources/ecopol_dec.pdf.

Regions, 2008: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=0; *Representation*={Assembly=2, Executive=0}

Malaysia, 1957-1968

Malaysia is a federal state in form but unitary in essence. It comprises 13 states and three federal territories. The federal constitution grants Sarawak and Sabah, located on the northern portion of the island of Borneo, special status. Each state has a popularly elected legislative assembly. State governments are led by chief ministers who are elected members of the state assembly. They are appointed by the hereditary rulers of the states upon the federal government's recommendation.

Although residual powers lie with the states (Article 77), the area of the federal parliament's competencies is so vast that there is hardly anything left for the states to legislate on. Schedule Nine enumerates the areas of federal and state competencies under federal, state and concurrent lists. State assemblies have powers over land tenure, mining licenses, agriculture, forest, local administration, entertainment, road and bridges, ferries and motor vehicles, state pension, special state services, libraries, museums, ancient and historical monuments and records and archaeological sites. A closer look at the Ninth Schedule reveals an imbalance in the distribution of power between the state and the federal government in Malaysia. The content of the federal list is very detailed to the extent that the states are left with very little power and are not significantly autonomous of the central government.[106] The Constitution provides Sabah and Sarawak with additional authorities over ports and harbors, water traffic, land surveys, water supplies, and railways. They are also allowed to control immigration from the rest of Malaysia.[107]

As the sources of revenues, the states are allowed to tax local small business (toddy shops), lands, mines and forests, licenses (other than those connected with water supplies and services, mechanically propelled vehicles, electrical installations and registration of businesses), entertainments, fees in courts (other than federal courts), state government services fees, town/rural boards/councils, state property rents/interests, fines and forfeitures in courts (other than federal courts), Islamic religious revenues, and treasure troves. Sabah and Sarawak are provided additional authority to tax motor vehicles.

Codings

[106] Mokhtar, Khairil Amin (2002). Federalism in Malaysia: A Constitutional Study of the Federal Institutions (PhD Thesis submitted to the Department of Law at the University of Wales Aberystwyth. See also Suffian, T. M, H. P. Lee & F. A. Trindate. (1978). *The Constitution of Malaysia, It's Development: 1957~1977*. Oxford University Press.
[107] Shad Saleem Faruqi (2010), "From Malaya to Malaysia," *The Star*, http://thestar.com.my/news/story.asp?file=/2010/9/8/focus/6995839&sec=focus, accessed July 8, 2011.

States: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=0}

Mali, 1992-

The 1992 Constitution of Mali provides for the creation of what it calls the "Territorial Collectives" to be administrated by directly elected councils but does not give any details as to the composition and powers of subnational governments. The Code of the Territorial Collectivities enacted in 1995 created administrative divisions of regions, districts, and communes, each with different levels of competencies.[108] The eight regions and the capital district of Bamako are headed by central government-appointed high commissioners and have indirectly elected assemblies. Of the three tiers of local governments, only communes have directly elected bodies called councils that select representatives for district councils. And the district councils select representatives for the regional assemblies.[109]

The law provides the subnational governments with broad authorities over health, education, transportation, communication, energy, water, local markets, sports, tourism, and cultural events. However, the central government continues to exercise a degree of top-down authority over decentralized sectors through the civil service (*tutelle*). The local administrations are authorized to collect minor taxes, which are their principal sources of revenue. These include taxes on departure of vehicles that transport passengers and merchandise, taxes on small boats and carts, fees from authorization of events, taxes on nightclubs, restaurants, etc., tax on mining and construction materials, and various user fees. Capitation taxes are shared with the center and collected by communes and are a particularly important fiscal resource.[110] Most decentralized taxes are collected by the local communes, then transferred to *cercles* and regions.

Codings

Regions & Capital District, 1995-: *Inst'l* depth=2; *Policy scope*=2; *Fiscal autonomy*=1; *Representation*={Assembly=1, Executive=0}

Mauritius, 1968-

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[108] Lippman, Hal and Barbara Lewis (1998). Democratic Decentralization In Mali: A Work in Progress USAID.
[109] Coulibaly, Chéibane, J. Tyler Dickovick, and James T. Thomson (2010). Comparative Assessment of Decentralization in Africa: Mali in-Country Assessment Report, USAID. See also http://www.state.gov/r/pa/ei/bgn/2828.htm
[110] Coulibaly et al.

Mauritius is a highly unitary state divided into nine districts, one region, and five cities (possibly on a lower level than the districts) for general administrative purposes.[111] The first-tier units do not meet our criterion for coding under any interpretation.

Codings

Inst'l depth=0; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Mexico, 1997-

Mexico (officially the Mexican United States) is a federal republic consisting of 31 states and the Federal District that includes the capital Mexico City. Political structure of each state is modeled after the federation with a separation of legislative, executive, and judicial powers. Each state (but not the Federal District) has adopted its own constitution within the framework of the national constitution. Governors for the states and a head of government for Mexico City are popularly elected for a six-year term without any possibility of reelection. All the states including the Federal District directly elect a unicameral legislative assembly (unlike national congress that is bicameral).[112]

The constitution authorizes states to legislate on any matter within their territories except the issues reserved for the federal government. According to Article 117 of the constitution, states are not allowed to

I.   Enter into any Treaty, Alliance, or Confederation either with other state or with foreign nations;
II. Coin money and emit Bills of Credit; post stamps or sealed documents;
III. Lay any duties or imposts on the individuals travelling across its territory;
IV. Lay duties on imports and exports as well as prohibit any commodity or merchandise to either enter or exit its territory;
V.   Lay taxes on the commerce and consumption of both national and foreign merchandise … ;
VI. To borrow money in either a direct or an indirect way from any foreign nation, foreign corporations, or individuals or to borrow money that has to be paid either in foreign currency or abroad
VII. Lay any duty or impost on tobacco's production, gathering or commerce different or more expensive than those approved by the Congress.

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[111]http://www.statoids.com/umu.html
[112]Merrill, Tim L. and Ramón Miró, editors. 1996. *Mexico: A Country Study*. Washington: GPO for the Library of Congress; Swift, Nick and Adriana Maciel. 2010. Local government in Mexico. The City Mayors Foundation. Available at: **http://www.citymayors.com/government/mexico_locgov.html**

Likewise, Article 118 says that states cannot do the following without the Congress' approval:

I. Lay any duty or impost on tonnage, seaports' activities, imports or exports;
II. Keep troops or ships of war at any time; and
III. Engage in war against any foreign nation unless actually invaded, or in such imminent danger as will not admit of delay. In such cases, the affected state shall notify the situation immediately to the President of the Republic.

Other parts of the constitution lay various duties on the federal, state, and municipal governments. For example, Article 3 mandates a system of free, universal, compulsory education to be managed by federal, state, and municipal governments together. Article 27 bestows the "original right of property" on "the Nation," and permits the government to designate private property rights.

Article 73.IX authorizes the Mexican federal government to "prevent any kind of restriction affecting Commerce between States." Armed forces, foreign policy, monetary policy, currency issuance, hydrocarbons, mining, film industry, commerce, lottery and betting games, banking services, electric and nuclear energy, labor relations (see also Article 123), citizenship, immigration, public health, communications, post office, criminal law, schools and universities, taxation of foreign trade, mining, credit and insurance companies, public services, electric energy, tobacco, gasoline, matches, alcohol, woodland exploitation, and beer brewing, "human settlements affairs," "economic and social development," environmental protection, civil protection, sports and athletics, tourism, and fishing, among others, are specifically mentioned in Article 73 as matters within the purview of the federal Congress's legislative authority.

Municipal governments are established by the constitution in their general outlines. However, states may "suspend or suppress" municipal governments within their borders found to have committed "serious wrongdoing," but this procedure requires a two-thirds vote of the state legislature. Municipalities are tasked with providing water and sewer systems, street lighting, waste management, markets and supply centers, cemeteries, slaughterhouses, streets, parks, local law enforcement, urban planning, ecological reserves, and public transportation, as well as other duties delegated to them by state legislatures. States are required to transfer property tax revenues to municipalities.

Article 116 regulates the institutional setup of state governments in detail, although it offers states some leeway to determine the proportion of delegates elected by single-member districts and by proportional representation. States are required to maintain public funding of political parties. Article 122 regulates the institutional setup of the Federal District. Congress has veto power over Federal District laws.

There is no list of state powers in the constitution. However, Article 124 delegates to the states all "powers not explicitly vested in the federal officers." State legislatures also have a role in ratifying constitutional amendments (Article 135).

While the constitution does not prohibit subnational governments from levying significant taxes, federal statutes and federal-state agreements have accomplished the same end. In 2010, the federal government collected 94% of all revenues, while states and municipalities together collected only 6%.[113] For taxes more narrowly, the respective figures are 97% and 3%. These figures have been more or less constant since 1998.[114] At the same time, states and municipalities account for nearly half of all expenditures. This is possible due to extensive revenue-sharing and federal grants. Caldera Sánchez finds that state governments have lobbied *against* tax autonomy and favor a grant-based system instead.[115] In 2007, the federal government transferred control of two minor taxes to the states.[116]

Codings

States, 1997-: *Inst'l depth*=3; *Policy scope*=3; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=2}

Federal District, 1997-: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=2}

Moldova, 1991-

Moldova is a unitary state with 32 districts or *raioane*, 3 *municipiu* (Balti, Bender, Chisinau), an autonomous territorial unit (Gagauzia), and a breakaway region (Transnistria). Following its independence in 1991, the state was divided into 40 *raioane*, six *oraşe* (towns), and four *municipiu*. In 1998, the administrative division was reorganized into nine *judeţe* (counties), one city, one autonomous territory (Gagauzia), and Transnistria. Only during this period did the average size of local government units (other than Gagauza and Transnistria) reach the 150,000-population threshold for coding. It was again reorganized into the current structure in 2003.[117]

The 1994 Constitution[118] stipulates the basic principles of local government "based on the principles of local autonomy, of decentralization of public services, of the eligibility of local public administration authorities and of consulting the citizenry on local problems of special interest" (Article 109/1). Each district elects a council headed by a president and each municipality elects a mayor as its chief executive officer.

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[113] Enrique Cabrero Mendoza (2013), "Fiscal Federalism in Mexico: Distortions and Structural Traps," *Urban Public Economics Review* 18: 12-36, p. 17.
[114] Ibid., p. 18.
[115] Aida Caldera Sánchez (2013), "Improving Fiscal Federal Relations for a Stronger Mexico," OECD Economics Department Working Paper No. 1078, http://dx.doi.org/10.1787/5k42213gqpr3-en , p. 17.
[116] Ibid., p. 13.
[117] http://www.statoids.com/umd.html
[118] Available at: http://confinder.richmond.edu/moldova3.htm

According to the Law on Local Public Administration, the districts and municipalities are entrusted with the responsibilities of social and economic development, construction of roads and other public facilities, education, social welfare, sports, and management of environment. However, they do not possess primary policy making authority on these issues. The subnational governments are financially dependent on the central government and merely implement the policies formulated at the center. Although they are authorized to collect personal income tax, value added tax, taxes on private property and real estate as well as other local taxes and license fees, they have no authority over the rates and bases. The central parliament determines them through legislation.[119]

Gagauzia, however, enjoys greater autonomy with its own legislative assembly, a directly elected governor, and its own police force to maintain law and order. The constitution recognizes it as a special autonomous region, which is regulated by the Law on Special Legal Status of Gagauz Autonomous Territorial Unit enacted in 1994. The legislative assembly is authorized to formulate policies on major issues, including education, culture, local development, budgetary and taxation issues, social security, and territorial administration. Indeed, only defense and foreign policy appear to stand outwith the autonomous government's recognized competencies. The governor, who is also a member of the central government, appoints members to an executive committee responsible for the regional administration. The region reserves the right to appeal to the Constitutional Court if the center intervenes in its affairs.[120]

Transnistria proclaimed its independence in 1991, but it has not recognized by any state or international organization. Although Moldova's Constitution recognizes Transnistria at the same level with Gagauzia, the Moldovan authorities do not exercise any control over this breakaway region.

Codings

Judeţe & City, 1998-2002: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=0, *Representation*={Assembly=2, Executive=2}

Gagauzia, 1995-: *Inst'l depth*=3, *Policy scope*=3, *Fiscal autonomy*=4, *Representation*={Assembly=2, Executive=2}

Mongolia, 1990-

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[119] www.viitorul.org
[120] http://www.venice.coe.int/docs/2002/CDL-AD(2002)020-e.asp .

Its constitution defines Mongolia as a unitary state with administrative divisions only.[121] Mongolia is divided into 21 *aymguud* (provinces, tribes, leagues) and one independent city, the capital Ulaanbaatar.[122] Orkhon *aimag* was split from Bulgan *aimag* in 1994, and Govisümber *aimag* was split from Dornogovi *aimag* in 1995.[123] However, as of 2009, the average population of the *aymguud* still falls below the 150,000-person threshold for coding.

Codings

Inst'l depth=0, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Mozambique, 1994- [2012 Polity IV disqualifies Mozambique during this period]

Mozambique is a unitary state[124] with ten provinces and the capital city of Maputo. Although the capital city enjoys the status of a province, it does not have an elected assembly since it is administered under the province of Maputo.[125] Although the current Constitution, promulgated in 1990 and heavily amended in 2004, provides for the creation of subnational governments, the first provincial elections did not happen until 2009.[126] Prior to this, the assemblies were indirectly elected by the electoral colleges of the popularly elected local representatives at lower tiers. The central assembly reserves the right to dissolve the provincial assemblies on the recommendation of the central government.

Article 142 of the Constitution states that the provincial assemblies are authorized to "a) supervise and monitor adherence to principles and norms established in the Constitution and in the laws, as well as the observance of decisions of the Council of Ministers relating to the particular province; b) approve the Provincial Government programme and supervise and monitor compliance with it." The Constitution, however, does not provide details of what the provincial assemblies can legislate on. It only states that "[t]he composition, organisation, operation and other powers shall be defined by law" (Article 142/3). The provincial legislatures have no power over the bases and rates of taxes as the central assembly is constitutionally authorized to determine them through legislation.

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[121] http://www1.law.nyu.edu/centralbankscenter/texts/Mongolia-Constitution.html, accessed October 6, 2010.
[122] https://www.cia.gov/library/publications/the-world-factbook/geos/mg.html, accessed October 6, 2010.
[123] http://www.toollogo2010.mn/map.php, accessed October 6, 2010.
[124] Article 8 of the Constitution, 2004 Amendment.
[125] *Africa Research Bulletin: Political, Social and Cultural Series*, Vol. 43, Iss. 11
[126] Report by Cristian Dan PREDA, Chair of the EU Parliament's Election Observation Delegation in Mozambique, 28 October 2009. See also Sitoe, Eduardo and Carolina Hunguana. (2005). "Decentralisation and sustainable peace-building in Mozambique: Bringing the elements together again", a paper written for the WKOP project with funding from IDRC, CIDA, Ford Foundation and NORAD.

Appointed by the President, the provincial governors act as representatives of the central government. The primary function of the provincial government is to implement the "centrally defined Government policies, and … exercise administrative supervision over local authorities, in accordance with the law" (Article 141).

Codings

Provinces, 1990-2008: *Inst'l* depth=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=1, Executive=0}

Provinces, 2009-: *Inst'l* depth=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=2, Executive=0}

Namibia, 1990-

The Namibian constitution of 1990 provides for the establishment of regional and local governments throughout the country. Article 102(1) of the constitution states that: "For purpose of regional and local government, Namibia shall be divided into regional and local units, which shall consist of such regions and local authorities as may be determined and defined by Act of Parliament." Namibia is divided into 13 regions, and the Regional Councils Act No. 22 of 1992 establishes a regional council in each region. The regional councils, directly elected for a term of six years, are responsible for governing the affairs of the regional government.[127] Each region is headed by an executive governor elected by the councillors from among themselves.[128]

Regional councils are constitutionally authorized to "(a) to elect members to the National Council; (b) to exercise within the region for which they have been constituted such executive powers and to perform such duties in connection therewith as may be assigned to them by Act of Parliament and as may be delegated to them by the President; (c) to raise revenue, or share in the revenue raised by the central Government within the regions for which they have been established, as may be determined by Act of Parliament; (d) to exercise powers, perform any other functions and make such by-laws or regulations as may be determined by Act of Parliament" (Article 108). According to the Local Authorities Act 1992, local governments are responsible for water supply, cemeteries, sewerage and drainage, streets and public places, markets beautification of local areas, promotion of tourism, power to buy and sell land and buildings, power to set fees for services provided, and power to operate farms on town lands. Policies on major issues like health and education are made by the central government.

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[127] Regional Authorities Act No. 22 of 1992, Section 7 (1).
[128] Regional Councils Act No. 22 of 1992, Section 28.

The local governments are authorized to determine the charges and fees for the services, amenities and facilities provided by them under the Local Authorities Act of 1992.[129] Although they are allowed to set rates for property, they are required to get the prior approval from the central government for levying special rates such as a penalty rate on rateable property.[130]

Codings

Regions, 1992-: *Inst'l depth*=2; *Policy scope*=1; *Fiscal autonomy*=1; Representation={Assembly=2, Executive=2}

Nepal, 1990-2001, 2006-

Nepal has always been a unitary state. Though controlled centrally, the country has been divided into 75 district development committees for general administrative purposes. These committees are headed by indirectly elected officials for a period of five years (However, there has been no local elections over the past ten years). These officials along with the electoral college (popularly elected officials of village development committees and municipalities) that elect them form the district council, which is primarily responsible for implementing the central government's development planning and policies. Running parallel to this institution is the office of the chief district officer, a government appointed bureaucrat responsible for overall administration, including law and order. Though independent of one another, the two institutions work in tandem.

The government has made attempts to delegate some power to local elected authorities through the enactment of the Local Self Governance Act, 1999.[131] The Act, however, does not provide them with any authority over any policies. Besides, many challenges remain some of which, according to the World Bank, include: "[f]unctions and responsibilities assigned to local bodies are unclear, and overlap with those of the central government; local revenue power is limited; the grant system lacks transparency; and internal conflict has stalled the process of devolution."[132]

Codings

Districts, 1990-2001: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=1, Executive=1}

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[129] Local Authorities Act No. 23 of 1992, Sections 30 (1)(u), 80 (1)(b).
[130] Local Authorities Act No. 23 of 1992, Section 76A.
[131] Available at: http://www.nepaldemocracy.org/documents/national_laws/local_gov_act.htm
[132] http://www.worldbank.org.np/WBSITE/EXTERNAL/COUNTRIES/SOUTHASIAEXT/NEPALEXTN/0,,contentMDK:21973769~pagePK:141137~piPK:141127~theSitePK:223555,00.html

Districts, 2006-present: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Nicaragua, 1990-

Nicaragua is divided into 15 departments and two autonomous regions. The departments are statistical units only.[133]

Regional councils RAAN & RAAS were established in September 1987 and are directly elected.[134] They first took office in 1990.[135] However, the central government has not implemented all the articles of the autonomy law, some of which are listed below:

Art. 8 #2: health, education, culture, basic goods distribution and communal services, as well as the establishment of economic, social, and cultural projects in the Region.[136]

Art. 10: Such administrative subdivisions will be organized and established by the corresponding Regional Councils, in accordance with the traditions of each Autonomous Region.[137]

Art. 8 #6: To establish regional taxes in accordance with the established laws related to this matter.[138]

In 1992, the central government did not allow the RAAS delegates to remove the governor.[139] 100% of regional budgets still comes from the center. Offshore resources have been taken over by the center. Regional councils are still administrative and subject to central government veto.

Codings

Departments: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

RAAN/RAAS: *Inst'l depth*=2, *Policy scope*=3, *Fiscal autonomy*=0, *Representation*={Assembly=2, Executive=1}

Pakistan, 1988-1998[140]

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[133] http://pdba.georgetown.edu/Constitutions/Nica/nica05.html.

[134] http://www.yorku.ca/cerlac/URACCAN/mar18-98.html, accessed March 30, 2009.

[135] http://www.worldstatesmen.org/Nicaragua_autonomous.html, accessed March 30, 2009.

[136] http://www.faqs.org/minorities/Appendices/The-Atlantic-Coast-Autonomy-Law-Extracts.html, accessed March 30, 2009.

[137] Ibid.

[138] Ibid.

[139] http://www.envio.org.ni/articulo/2117, accessed March 30, 2009.

The 1973 Constitution defines Pakistan as a federal republic with four provinces, a group of Federally Administered Tribal Areas (FATA), and the federal capital territory of Islamabad. The Pakistan-administered Kashmir, what Pakistan prefers to call Azad Jammu and Kashmir (AJK), is not constitutionally part of Pakistan, as the region is administered by a separate constitutional Act. The Northern Areas (renamed Gilgit-Baltistan) within AJK got autonomy in 2009 following the passage of the *Gilgit-Baltistan Empowerment and Self-Governance Order* by the Pakistani cabinet.

The four provinces include Balochistan (formerly Baluchistan), Northwest Frontier Province or NWFP (renamed Khyber-Pakhtunkwa in 2010), Punjab, and Sindh (formerly Sind). Each province has a directly elected assembly which is primarily responsible for making laws (Articles 141 and 142), managing the purse of the province (Article 123/3), and keeping checks on the policies and practices of the Government (Article 130). The Constitution provides only federal and concurrent lists, but not a provincial list, of subjects and has a provision that the center will prevail in case of conflict (the 18th amendment of 2010 has, however, removed the concurrent list, thereby providing more legislative authorities to the provinces). The concurrent list includes, among others, criminal law and procedure, marriage and divorce, wills, bankruptcy, arbitration, contracts, trusts, transfer of property other than agricultural land, preventive detention, police, arms and explosives, drugs, environmental pollution, population planning and social welfare, trade unions, unemployment, navigation on inland waterways, electricity, newspapers, education, entertainment, professions, etc.

The residual powers rest with the provinces, as the article 142(c) states that "a provincial assembly shall, and Parliament (Majlis-e-Shoora) shall not, have power to make laws with respect to any matter not enumerated in either the Federal Legislative List or the Concurrent Legislative List." However, the centrally appointed governor can dissolve the provincial assembly on the advice of chief minister or at his/her own discretion with president's approval (Articles 101 and 112). Furthermore, the provinces' lawmaking powers are curtailed during emergency (Articles 232-234).

The provinces have very limited taxing authority, as the center collects almost all the major taxes (see Federal List, Fourth Schedule of the Constitution). The provincial assemblies have powers to impose taxes on agricultural income and, as the Article 163 states, "not exceeding such limits as may from time to time be fixed by Act of Parliament, on persons engaged in

[140] In addition to the Constitution and other pieces of legislation, the entry is based on Waseem, Mohammad (2010). Federalism in Pakistan. Forum of Federations. Available at: www.forumfed.org/pubs/Waseem-Fed-Overview.pdf; and Peterson, George E. (2002). Pakistan's Fiscal Decentralization: Issues and Opportunities. The World Bank;

professions, trades, callings or employments, and no such Act of the Assembly shall be regarded as imposing a tax on income."

The President rules FATA through the governor of a province (currently the governor of the adjoin province of NWFP). Although these areas are represented in the national parliament, they do not have their own regional assembly. And constitutionally, no Acts of parliament or provincial assemblies apply to these areas (Article 142). The capital territory of Islamabad too does not have an elected assembly and is under direct presidential rule. On January 1, 1981, administrative functions were assumed by the Federal Government with direct administration by the President or an Administrator appointed by him, and the Islamabad Administration was established and assigned all the powers and functions of a Provincial Government.[141] Like the provinces, the capital territory has its own police force to maintain law and order.

As mentioned in the first paragraph, Azad Jammu and Kashmir is more autonomous than the provinces. It is a self-governing region with its own constitution, elected president, and prime minister. The state has a legislative assembly comprising 49 members, 41 directly and 8 indirectly elected.[142] As enumerated in the Third Schedule of the Azad Jammu and Kashmir Interim Constitution Act of 1974 (see also Section 31 of the Act), AJK state assembly has powers to legislate on any matter related to the state except the subjects of nationality, citizenship, and migration to and from the state, which all fall under jurisdiction of the government of Pakistan.

Codings

Provinces: *Inst'l depth*=2; *Policy scope*=3; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=0}

FATA: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Capital territory: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

AJK: *Inst'l depth*=3; *Policy scope*=3; *Fiscal autonomy*=4; *Representation*={Assembly=2, Executive=2}

Panama, 1989-

Panama is divided into nine provinces and five indigenous reserves.[143] Article 252 of the 2004 Constitution (Article 249 of the 1983 Constitution is identical) states that "in each province

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[141] Islamabad Capital Territory Administration website: http://www.ictadministration.gov.pk/
[142] AJK government website: http://www.ajk.gov.pk/
[143] http://statoids.com/upa.html.

there shall be a Governor freely appointed and removed by the Executive who shall be the agent and representative of the President within his jurisdiction."[144] National law determines the functions and duties of governors. Each province also has a provincial council, composed of municipal representatives, which are in turn directly elected. Their roles have always been essentially advisory, not legislative (Article 255 of the 2004 Constitution).[145]

Three of Panama's indigenous peoples have been given "comarcas," autonomous territories over which indigenous governments exercise authoritative competencies in education, culture, and economic development.[146] The laws establishing the comarcas provide for collective indigenous land ownership.[147] Kuna Yala was the first comarca, established in 1938. Emberá-Wounaan Drua was established in 1983. Ngäbe-Buglé was established in 1997. Two smaller comarcas were created for the Kuna: Kuna de Madugandí in 1996 and Kuna de Wargandí in 2000.[148] The comarcas elect their own assemblies and governors, but the central government maintains control over taxation.[149]

Codings

Provinces: *Inst'l depth*=2, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=1, Executive=0}

Indigenous Comarcas: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=0, *Representation*={Assembly=2, Executive=2}

Paraguay, 1992-

Throughout this period, Paraguay has been divided into 17 departments and one capital district.[150] Each department elects a governor and departmental council.[151] Departments administer schools, hospitals, research facilities of local importance, and local infrastructure such as utilities. They lack primary legislative authority.[152] Paraguay is defined as a unitary state in its constitution.[153] The constitutional and national laws determine the limits of departmental powers, the form of their institutions, and their territorial organization. Departments do not

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[144] http://pdba.georgetown.edu/Constitutions/Panama/vigente.pdf.

[145] http://lcweb2.loc.gov/frd/cs/patoc.html.

[146] http://sites.maxwell.syr.edu/CLAG/clag1990/herlihy6.pdf.

[147] http://190.34.208.115/Legis-Agro/Parques_y_Areas_Protegidas/Le28_01_004.asp.

[148] http://forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/Documents/PDF/Jul2010/VI_Informe_final%20REDD_Naso_.pdf.

[149] http://decon.edu.uy/network/pdfs/aguilar_garcia.pdf.

[150] http://www.statoids.com/upy.html.

[151] http://memory.loc.gov/frd/cs/profiles/Paraguay.pdf.

[152] http://www.ciesin.org/decentralization/English/CaseStudies/paraguay.html.

[153] http://www.servat.unibe.ch/icl/pa00000_.html.

have supervisory authority over districts or municipalities. Departments have not been granted authority to raise own-source taxes and depend on revenue-sharing and grants.

Codings

Departments & Capital District: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=0, *Representation*={Assembly=2, Executive=2}

Peru, 1980-1991, 2001-

From 1980 to 2002, Peru was divided into 24 departments and one "constitutional province," Callao. In 2002, 25 regional governments were created, following department lines exactly except that the province of Lima was separated from the region of Lima. Lima Province exercises both municipal and regional functions.

1980-1991

During this period, departments lacked elections or effective authority, which had been envisioned in the 1978 constitution. In 1989 a hastily passed law established 12 "autonomous regions," but they never exercised effective authority before Fujimori abolished them.[154]

2001-

In 2002, the Organic Law of Regional Governments was passed, transforming departments into regions and authorizing regional elections, which were held the same year.[155] Regional governments are responsible for local economic planning, certain permits, licenses, and fees, local infrastructure provision, and promotion and regulation of agriculture, fisheries, industry, trade, tourism, energy, mining, transportation, communications, education, health, and environment. Most of these policies are decided concurrently with the central government. Regional councils are directly elected, as is the regional president. They lack control over their own institutional setup and over lower-level local governments. Regions are not allowed to enact taxes. Regions lack primary legislative responsibility and are therefore subject to the veto power of the national legislature.

Codings

Departments, 1980-1991, 2001: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

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[154] Kathleen O'Neill (2005), *Decentralizing the State: Elections, Parties, and Local Power in the Andes* (New York: Cambridge University Press), p. 200.
[155] http://www.regionloreto.gob.pe/DEFAULT_ARCHIVOS/ley27867.pdf.

Regions, 2002-: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=0,
Representation={Assembly=2, Executive=2}

Philippines, 1950-1968, 1987- [2012 Polity IV disqualifies earlier period]

The subnational structure of the Philippines is complex. Regions are the highest-level units but are with one exception for statistical purposes only.[156] In general, provinces and independent cities are the primary units of regional self-government. There are 79 provinces, 38 independent cities, and one independent municipality (Pateros). To confuse matters, chartered cities that are *not* independent are sometimes part of a different region from their province's. The Autonomous Region in Muslim Mindanao (ARMM) subsumes five provinces under its authority, which have not however lost their former autonomy. The ARMM began life in 1990, covering four provinces, Lanao del Sur (except its capital city, Marawi City), Maguindanao, Sulu, and Tawi-Tawi.[157] In 2001, Marawi City and Basilan (except its capital city, Isabela City) were integrated into the ARMM. The ARMM, independent cities, Pateros, and all provinces have elected assemblies and executives. There are therefore 114 (74+1+38+1) top-tier, autonomous organs of regional government in the Philippines.

According to Republic Act 9054, passed in 2000, the ARMM legislature may exercise legislative authority on Shari'ah, which applies only to Muslims, and is explicitly prohibited from legislating in foreign affairs, justice (besides Shari'ah), communications, defense, monetary policy, immigration, citizenship, and various other areas of national importance.[158] The regional government has primary responsibility for police and concurrently legislates with the national government on local government, mineral resources, agriculture, environment, tourism, land use, education, arts, sports, science and technology, housing, and food and drug regulation. However, in all these areas autonomy is hedged by numerous specific requirements, limitations, and exceptions. The act requires the ARMM to adopt a progressive system of taxation, but 95-98% of the ARMM's revenue comes from central government grants.[159] The ARMM is prohibited from levying income or sales taxes or any kind of charges on imports, exports, or transshipments. The act provides for revenue-sharing of mineral severance taxes between central and regional governments (Article XII). Prior to RA 9054, the ARMM was governed by RA 6734, which specified a regional government role in taxation, local government, ancestral domain and natural resources, personal, family, and property relations,

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[156] http://en.wikipedia.org/wiki/Administrative_divisions_of_the_Philippines, accessed October 6, 2010.

[157] http://www.gmanews.tv/story/112847/ARMM-history-and-organization, accessed October 6, 2010.

[158] http://www.armm.gov.ph/index.php?option=com_content&view=article&id=66&Itemid=79, accessed October 6, 2010.

[159] http://en.wikipedia.org/wiki/Autonomous_Region_in_Muslim_Mindanao, accessed October 6, 2010; Christine Wallich, Rosario Manasan, and Saloua Sehili (2007), "Subsidiarity and Solidarity: Fiscal Decentralization in the Philippines," in Richard M. Bird and Robert D. Ebel (eds.), *Fiscal Fragmentation in Decentralized Countries: Subsidiarity, Solidarity, and Asymmetry* (Cheltenham, UK: Edward Elgar), pp. 363-95, p. 378.

regional, urban, and rural planning development, economic, social, and tourism development, police, education, and culture.[160] The prior regime permitted regional sales tax or VAT.[161] RA 9054 essentially serves as the constitution of the ARMM and may be amended only by a two-thirds vote of the central government legislature; RA 6734 allowed a simple majority in the Philippine legislature to amend the law, which I will regard as an effective veto on regional policies.

Since 1987 the following provinces have been created: Sarangani (1992), Biliran (1992), Guimaras (1992), Kalinga (1995), Apayao (1995), Compostela Valley (1998), Zamboanga-Sibugay (2001).[162] The courts have struck down the creation of two provinces: Shariff Kabunsuan and Dinagat Islands. The following independent cities have been created since 1987: Las Piñas (1997), Makati (1995), Malabon (2001), Mandaluyong (1994), Marikina (1996), Mutinlupa (1995), Navotas (2007), Parañaque (1998), Pasig (1995), San Juan (2007), Taguig (2004), Valenzuela (1998), Santiago (1994).[163]

RA 7160 (1991), as amended, is the framework for all local government in the Philippines, apart from the ARMM.[164] Congress has authority to create, divide, merge, abolish, or alter provinces, cities, and all other subdivisions. However, there are some procedural and substantive limitations on Congress' authority, including a plebiscite requirement. Provinces do not have authority to create cities or municipalities, but they may create barangays, the lowest unit. Provincial authorities are expected to supervise the administrations of municipalities and component (non-independent) cities. Provinces have responsibility for agricultural extension, industrial research, infrastructure, housing, credit, tourism, and administration of national forestry law, health services, local telecommunications, and certain social welfare services. Local governments do not have authority over their own institutional setup. The national president has supervisory authority over all local governments. Local governments are allowed to levy certain taxes and fees, explicitly excluding income, document stamps, estates, customs, imports/exports/transshipments, goods on which the national government has placed excise taxes, sales, vehicle registration, organs of government, and various other quantums. Provincial governments are allowed to levy real property taxes, business franchise taxes, and certain other minor taxes, but RA 7160 defines the base in each case and maximum rates of property tax. Independent cities fuse the powers of provinces and municipalities, but the latter have only minor fiscal and policy responsibilities. Local governments also share certain revenue streams with the central government. Provincial governments are required to share revenues from the

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[160] http://www.lawphil.net/statutes/repacts/ra1989/ra_6734_1989.html, accessed October 6, 2010.
[161] Wallich et al., "Subsidiarity and Solidarity," p. 375.
[162] http://www.statoids.com/uph.html, accessed October 8, 2010.
[163] http://en.wikipedia.org/wiki/List_of_cities_in_the_Philippines, accessed October 8, 2010.
[164] http://www.lawphil.net/statutes/repacts/ra1991/ra_7160_1991.html, accessed October 8, 2010.

real property taxes they levy with lower-level governments according to a fixed formula. The 1987 law that previously governed local government, Batas Pambansa Blg. 337, does not appear to have been materially different in the scope of responsibilities allotted to local governments.[165]

Provincial assemblies (sangguniang panlalawigan) and city councils (sangguniang panlungsod), as well as governors and mayors, are directly elected.

The Philippines enjoyed a brief period democratic rule following its independence in 1946 until 1969 when the government suspended habeas corpus as a prelude to martial law imposed in 1972.[166] The government was unitary in nature. The 1946 constitution (it was originally written in 1934) did not define the powers of local government. They were later created by legislation, the Local Autonomy Act being enacted in 1959. Classified as regular (Christian majority) and special (non-Christian majority), each of the 56 provinces were administered by a popularly elected board headed by a governor. The Act aimed at granting them some powers over local affairs, including budget-making, physical construction, local elections, and social welfare. However, they had little policy control over these issues. The education and health policies were made by the national government. Under the supervision of the provincial governments, municipal and city authorities collected taxes but had no control over their bases and rates.[167]

Codings

Provinces & Independent Cities/Municipality, 1950-1968: *Inst'l* depth=2; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=2}

Provinces & Independent Cities/Municipality, 1987-: *Inst'l depth*=2, *Policy scope*=1, *Fiscal autonomy*=1, *Representation*={Assembly=2, Executive=2}

ARMM, 1990-2000: *Inst'l depth*=2, *Policy scope*=3, *Fiscal autonomy*=4, *Representation*={Assembly=2, Executive=2}

ARMM, 2001-: *Inst'l depth*=3, *Policy scope*=3, *Fiscal autonomy*=2, *Representation*={Assembly=2, Executive=2}

Senegal, 2000-

Senegal has two layers of elected local government, with one level meeting our population threshold: regions. From 1996 to 2002, there were 10 regions, one additional region was

[165] http://www.lawphil.net/statutes/bataspam/bp1983/bp_337_1983.html, accessed October 8, 2010.
[166] Country Profile: Philippines, Library of Congress – Federal Research Division, March 2006.
[167] Grossholtz, J. (1964). *Politics in the Philippines*. Little, Brown and Company, Boston; & Pacis, V. A. (1963). *Philippine Government and Politics*. Bustamante Press, Quezon City, Phillippines.

created in 2002, and three additional regions were created in 2008.[168] Matam was created from Saint-Louis region in 2002, and in 2008 Kaffrine was created from Kaolack, Kédougou from Tambacounda, and Sédhiou from Kolda.[169] The Senegalese Ministry of the Interior has the authority to create new local governments, including regions, and regions lack authority over lower-level local governments. Regional councils are elected, but executives are appointed by the President of Senegal.[170] Regional councils lack an administrative apparatus; they are unable to pass authoritative laws but simply advise the central government and gather information. They also lack fiscal autonomy.

Codings

Regions: *Inst'l depth*=2; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=2, Executive=0}

Solomon Islands, 1978-1999, 2004-

The Solomon Islands are divided into nine provinces and the capital district of Honiara. Provincial Government Act of 1981 established seven provinces some of which split subsequently. Each of the provinces has an elected assembly which chooses a premier from among themselves. Honiara is governed by an elected council. None of the provinces has ever had a population of 150,000 and therefore fall below the usual criterion for coding.[171] Nevertheless, I present codings here for informational purposes since some of these provinces are demographically dominated by ethnic minorities.

Schedule 5 of the Act enumerates provincial legislative powers which, among others, include local business licensing, culture and environment, transport, taxes (head and property) and fees for local services, land and agriculture, local matters like fire services, waste disposal, public parks etc. as well as local government.

Codings

1978-1980: *Inst'l depth*=0; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Provinces, 1981-1999, 2004-: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=2}

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[168] http://www.demarches.gouv.sn/collectivites-locales/pdf/code-collec-locales-sen.pdf.
[169] http://www.statoids.com/usn.html.
[170] Stephen N. Ndegwa and Brian Levy (2003), "The Politics of Decentralization in Africa: A Comparative Analysis." Washington, DC: The World Bank.
[171] http://www.statoids.com/usb.html

South Africa, 1945-

1945-1992

Four British colonies merged to form the Union of South Africa following enactment by the British Parliament of the South Africa Act, 1909. The colonies – the Cape of Good Hope, Natal, the Transvaal, and the Orange River State – later became provinces. South African parliament adopted two more constitutions (the Republic of South Africa Constitution Acts 1961 and 1983) before the country embarked on a new era of multiracial politics in the early 1990s. All three constitutions provided provinces with more or less the same amount of authority over certain policy areas.

The provinces were non-deconcentrated, general-purpose administrations subject to central government veto. Each province was headed by a chief executive officer appointed by the central government. The provincial administrators were appointed by the State President or by the Governor-General until 1961 when South Africa proclaimed itself a republic. While the President could remove the chief administrator[172], the House of Assembly (the Union parliament) could override the legislation of the provincial assemblies known as Provincial Councils. [173]

Although it is relatively easy for the national parliament to abolish these provincial governments, which it did in June 1986[174], the Provincial Councils were authorized to make laws relating to a wide range of issues, including taxation, education (except higher and native education), agriculture, various institutions within the jurisdiction of the province, infrastructure construction, and police. Although the constitutions do not stipulate the types of tax, they authorize the Provincial Councils to make ordinances to raise revenue through direct taxation. The Financial Relations Consolidation and Amendment Act of 1945 established rules for the financing of provincial governments. The vast majority of provincial financing came from general transfer payments from the central authority's consolidated revenue fund.[175] The centrally appointed administrator had to approve any change in provincial taxation in advance. In practice, provincial and local governments had very limited means of acquiring independent revenue.

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[172] Article 68 (3) of 1909 Act and Article 66 (3) of Constitution Act 1961 provide the President (Governor-General) with this authority.

[173] Article 59 of 1909 Act and Article 59 (3) of Constitution Act 1961 stipulate the powers of parliament.

[174] Martin Wittenberg (2003), "Decentralization in South Africa," http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.115.1079&rep=rep1&type=pdf.

[175] Ben Roux (1975), "The Central Administration, Provincial and Local Authorities, and the Judiciary," in Denis Worrall (ed.), *South Africa: Government and Politics*, 2nd ed. (Pretoria: J.L. van Schaik), pp. 75-132.

The provinces had directly elected assemblies, although nonwhite voters were completely disenfranchised until 1984 when a new constitution introduced a tricameral parliament to ensure representation of some, though not all, racial groups. While provincial councils elected an executive council, this was not a dual-executive system, because the executive councils served as the cabinets of the administrator appointed by the center, in which all executive authority was ultimately vested.

At various times, South Africa created so-called "Homelands" for black ethnic groups ("Bantustans"): Transkei (autonomy 1963, independence 1976), Bophuthatswana (autonomy 1971, independence 1977), Gazankulu (autonomy 1971), Ciskei (autonomy 1972, independence 1981), Lebowa (autonomy 1972), Venda (autonomy 1973, independence 1979), QwaQwa (autonomy 1974), KwaZulu (autonomy 1981), KwaNdebele (autonomy 1981), and KwaNgwane (autonomy 1981). I do not attempt to code these territories, which were highly economically and politically dependent on South Africa and remained unrecognized by other states.

1993-

South African provinces (in both the 1993 and 1996 constitutions) are set up with general purpose, non-deconcentrated administrations that are not subject to any direct veto from the central government. From Ch. 6, Sec 106 of the 1996 Constitution:

The legislative authority of a province is vested in its provincial legislature, and confers on the provincial legislature the power

>   a. *to pass a constitution for its province or to amend any constitution passed by it in terms of sections 142 and 143;*
>   b. *to pass legislation for its province with regard to*
>   i. *any matter within a functional area listed in Schedule 4;*
>   ii. *any matter within a functional area listed in Schedule 5;*
>   iii. *any matter outside those functional areas, and that is expressly assigned to the province by national legislation; and*
>   iv. *any matter for which a provision of the Constitution envisages the enactment of provincial legislation; and*
>   c. *to assign any of its legislative powers to a Municipal Council in that province.*

In both constitutions the provinces are given authority over a wide range of significant policy areas. In the 1993 constitution provinces are given authority, in Schedule 6, over matters of Education, Health Services, Welfare, Public Transportation, Regional Development, etc. and are therefore taken to have authority over at least two of the three coded policy areas. The provinces are also given some authority over the Police, and over their own institutional set-up. (Police by Schedule 6 and Chapter 14, own set up by Chapter 160).

In the 1996 constitution the provinces are given authority over the policy areas listed in schedules 4 and 5. These policy areas include education, transportation, health services, environment, development, etc. As with the 1993 constitution, the 1996 constitution also grants provinces authority over policing and over their own institutional set-up.

Both the 1993 and 1996 constitutions explicitly forbid the provinces from setting major taxes and severely limit their freedom to impose any taxes other than user fees. Any taxes that the provinces wish to impose must be first approved by the national government. The 1993 constitution does grant the provinces explicit authority over some minor taxes, earning them a score of 2 for this time. Although the provinces are not given explicit authority over any taxes in the 1996 constitution, some provinces have imposed some minor taxes since the new constitution took effect, earning a fiscal autonomy score of 2 for this time.

From the 1993 constitution Section 156: *Provinces can levy taxes, other than income tax or value-added or other sales tax, and to impose surcharges on taxes, provided that (a) it is authorized to do so by an Act of Parliament (1B) A provincial legislature shall notwithstanding subsection (1) have exclusive competence within its province to impose taxes, levies and duties (excluding income tax or value- added or other sales tax) on (a)casinos; (b)gambling, wagering and lotteries; and (c) betting.*

The 1993 constitution is taken as granting provinces explicit authority over these minor taxes on gambling. From the 1996 Constitution Ch 13, Sec 228: 1. *A provincial legislature may impose (a) taxes, levies and duties other than income tax, value-added tax, general sales tax, rates on property or customs duties; and (b) flat-rate surcharges on any tax, levy or duty that is imposed by national legislation, other than on corporate income tax, value-added tax, rates on property or custom duties. 2. The power of a provincial legislature to impose taxes, levies, duties and surcharges (a) may not be exercised in a way that materially and unreasonably prejudices national economic policies, economic activities across provincial boundaries, or the national mobility of goods, services, capital or labour; and (b) must be regulated in terms of an Act of Parliament, which may be enacted only after any recommendations of the Financial and Fiscal Commission have been considered.*

Although the provinces are given no authority over taxes without the approval of the national government, some provinces have enacted some minor taxes. Wehner mentions two of these. He writes "Gauteng (province) announced the introduction of a 5 percent bed levy" and "North West (province) announced the introduction of a 5 percent levy on the gross income of bookmakers and totalizators."[176]

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[176] Wehner, Joachim. "Fiscal Federalism in South Africa." *Publius: The Journal of Federalism* 30:3 (Summer 2000): 47-72.

In both constitutions, the provincial legislature is directly elected. The provincial executive, called the premier, is elected by the legislature. In the 1993 constitution, Schedule 2 sets up the "System for Election of National Assembly and Provincial Legislatures" (a PR system with direct elections). Section 145 states that: *The provincial legislature of a province shall at its first sitting after it has been convened in terms of section 130(1), elect one of its members as the Premier of the province.* In the 1996 constitution the set up is essentially the same. Ch. 6 Sec 105 states: *A provincial legislature consists of women and men elected as members in terms of an electoral system that (a) is prescribed by national legislation; (b) is based on that province's segment of the national common voters roll; (c) provides for a minimum voting age of 18 years; and (d) results, in general, in proportional representation.* Ch 6. Sec 128 sets up the election of the premier: *1. At its first sitting after its election, and whenever necessary to fill a vacancy, a provincial legislature must elect a woman or a man from among its members to be the Premier of the province.*

Codings

Provinces, 1945-1992: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=0}

Provinces, 1993-: *Inst'l depth*=2 [with respect to taxation]/3 [with respect to other policies][177], *Policy scope*=3, *Fiscal autonomy*=2, *Representation*={Assembly=2, Executive=2}

South Korea, 1988-

South Korea has 16 top-level administrative divisions: 8 provinces, 1 special autonomous province (Jeju), 6 metropolitan cities, and 1 special city (the capital, Seoul).[178] Below this level there is another level of more local government, with over 200 units.

Jeju attained "special autonomous" status in 2006. The law does not grant Jeju significantly more legislative or financial autonomy than that enjoyed by other provinces, but it does transfer administration of tourist, police, health care, agricultural, and educational authorities to the provincial administration and exempts the administration from certain national regulations.[179]

The Local Autonomy Law of 1949 provides for the direct election of local government assemblies and executives.[180] Under the dictatorship, however, the law was ignored. In 1991 provincial/metropolitan council elections were held for the first time. In 1995

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[177] For the construction of the summary economic self-rule and political self-rule indicators, therefore, *Institutional depth* is considered 2 for purposes of the former and 3 the latter.
[178] http://citymayors.com/government/southkorea_government.html.
[179] http://english.jeju.go.kr/contents/index.php?mid=020202.
[180] http://www.unescap.org/huset/lgstudy/country/korea/korea.html.

provincial/metropolitan executives were elected for the first time. Chief executives have veto power over council bills, which can be overridden by a two-thirds majority.

Local governments may set rate but not base of some minor taxes.[181] As of 1996, metropolitan governments received almost two-thirds of their revenue from local taxes, while provincial governments received little more than one-third of their revenue from local taxes.

The central government enjoys veto power over all local government decisions. Upper-level local governments may alter or abolish lower-level local governments. Otherwise, policy autonomy remains extremely limited. The Local Autonomy Act of 1995 provides for a local government role in providing purely local public services, such as transportation, sports facilities, fire protection, garbage collection, hospitals, and the like. Schools are run by local governments, but education policy is set by the center.

Codings

Provinces, Jeju, Metropolitan Cities, & Seoul, 1988-1990: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Provinces, Jeju, Metropolitan Cities, & Seoul, 1991-1994: *Inst'l depth*=2, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=2, Executive=0}

Provinces, Jeju, Metropolitan Cities, & Seoul, 1995-: *Inst'l depth*=2, *Policy scope*=1, *Fiscal autonomy*=1, *Representation*={Assembly=2, Executive=2}

Sri Lanka, 1948- [Polity IV 2012 disqualifies in various years after 1981]

Sri Lanka is highly polarized on the issue of decentralization, with a significant Tamil minority demanding self-government and a radical Sinhalese majority that has repeatedly punished at the polls Sri Lankan governments that attempt to offer such autonomy. As a result, the country remains highly centralized.

The 13th Amendment to the Sri Lankan Constitution in 1987 established provincial councils for the nine provinces of Sri Lanka.[182] In 1988 the Northern and Eastern provinces were merged into the North Eastern Province. In 2007, the North Eastern Province was again split into Northern and Eastern provinces after a Supreme Court decision.[183] The provinces are divided into 25 districts, which are purely deconcentrated organs of the central government.

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[181] http://www.econ.hit-u.ac.jp/~kokyo/APPPsympo04/PDF-papers-nov/JunghunKim%28Tokyo,%20200411%29.pdf.
[182] http://www.fao.org/docrep/007/ad506e/ad506e07.htm.
[183] http://www.lankanewspapers.com/news/2006/10/8947.html.

Provinces had previously served as statistical units of the country only. In 1987 the directly elected councils were established. When the North Eastern Province prepared to declare independence from Sri Lanka in 1990, the Sri Lankan President dissolved the council and declared direct rule.[184] Due to the conflict in the North, the Northern Province has never held elections since, although the Eastern Province did in 2008.

Although provincial councils are directly elected, executive authority is vested in a governor appointed by the Sri Lankan President. Provincial councils may then remove governors; however, the Sri Lankan President may give governors emergency powers of decree. Governors may veto decisions of the provincial government (headed by a "Chief Minister") on the list of concurrent powers. The Sri Lankan Parliament may also veto provincial decisions on the concurrent list.

Even on the list of exclusive provincial powers, councils may not effectively legislate without the authority of the national parliament, since provincial powers may only be exercised within the framework of national policy set by parliament. The unanimous consent of provincial councils also allows the parliament to change provincial powers by a simple majority (by a supermajority if there is not unanimous consent). And as already mentioned, the Sri Lankan President can impose direct rule on a province.

The list of "exclusive" provincial powers includes police, local economic planning, education (within strict central oversight), local government, housing, local roads, social services, transportation regulation, agriculture, health, land, cooperatives, incorporation, gambling, environmental regulation, and certain other minor policies.[185] The list of concurrent powers includes higher education, acquisition of property, employment, tourism, certain publicly owned industries, price controls, drug regulation, electrification, and certain other minor policies. Provinces are allowed control over base and rate of some minor taxes.

Codings

Provinces, 1948-1987: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Provinces (all except North Eastern, Northern, and Eastern Provinces after 1990), 1988-: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=2, *Representation*={Assembly=2, Executive=1}

North Eastern Province, 1990-2006: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

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[184] http://www.priu.gov.lk/news_update/features/20000912no_traitor.htm.
[185] http://www.priu.gov.lk/ProvCouncils/ProvicialCouncils.html.

Eastern Province, 2007: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Eastern Province, 2008-: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=2, *Representation*={Assembly=2, Executive=1}

Northern Province, 2007-: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Districts: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

Republic of China (Taiwan), 1992-

Taiwan is a unitary state divided into provinces, special municipalities, counties and provincial cities.[186] Provinces and special municipalities make up the first geographic tier, and counties and provincial cities (all of which are part of provinces) make up the second tier. Article 113 of the constitution provides for adoption of Provincial Self-Government Regulations with provisions of a local legislative assembly and an executive both directly elected. That became possible only when some major political reforms took place in the early 1990s, most notably the 1992 constitutional amendments that aimed at regulating provincial and county government. Even after the constitutional reforms in 1992, new laws had not been adopted to regulate local administration until 1994. They were more or less regulated according to executive orders that had been in place over the last 44 years.

Two pieces of local self-governance acts were passed in 1994 and 1999, the second of which deprived provinces of their autonomy. Until 1999, provincial governments had competencies in education, public health, industry, and communications; management and disposal of provincial property; administration of cities under provincial jurisdiction; provincial public enterprises; cooperative enterprises; agriculture, forestry, water conservancy, fishery, animal husbandry, and public works; finance and provincial taxes; debts; banks; police administration; philanthropic and public welfare work; and other matters that the center may delegate to the provinces.[187]

Although the Law of Local Self-Governance was enacted in 1994, the first local elections under the new provisions were held in 1996.[188] Afterwards, counties were governed by elected county magistrates. They also had elected councils that were constitutionally authorized to legislate on

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[186] http://www.statoids.com/utw.html
[187] Article 109 of the Constitution.
[188] Kai-Hung Fang. 2006. Taiwan's Officials' Perceptions of Fiscal Decentralization: An Analysis Using Q Methodology (PhD Dissertation). Graduate School of Public and International Affairs, University of Pittsburgh

county-level education, public health, industry, communications, property, public enterprises, agriculture, forestry, water resources, public works, finance and taxes, banks, police, and public welfare (Article 110 of the constitution).

The Law on Local Governments System was passed in 1999, according to which there are three levels of local self-governance units: 1) special cities, 2) counties and provincial cities, and 3) urban/rural townships and county cities. While the law relegated provinces to administrative agencies of the national government, the second tier of governments received greater autonomy. The status of the third, lowest tier of governments, however, remained unchanged.

Article 33 of the Act provides for the election of municipal and county councils. Councilors are directly elected to a four-year term and may be re-elected to a second term. Administration of a subnational government is headed by a mayor elected to the post for a term of four years with an opportunity of getting reelected for another term (Articles 55 & 56). Articles 18 and 19 of the Act enumerate the power of special municipalities and counties and provincial cities, including administration, local taxes, social service, education, culture, and sports, labor, planning and construction, agriculture, forestry, nature conservation, water resources, health, transportation, public safety (including police), and business management.

Although the General Law on Local Taxation Act of 2002 (Amended in 2007 and 2009) provided provinces and counties with some powers to determine local taxes, the central government set rates and bases of all taxes I classify as "major" through legislation. Before the General Law on Local Taxation was passed in 2002, rates of four local taxes, including the land tax, license tax, and stamp tax, were nationally unified. The only exception to this was property tax, which local governments were allowed to raise (the central government defined the base).[189] This made the local governments still dependent on the national government for revenues.

The Law on Allocation of Government Revenues and Expenditures categorizes taxes into national taxes and local taxes. National taxes, which are collected by the central government, include income, estate, customs, sales, commodity, cigarette and alcohol, security transactions, futures transactions, and mining. Local taxes, which the subnational government are authorized to determine, include land, property, license, deeds, stamp, amusement, and special tax.[190]

Codings

Provinces, 1992-1995: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

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[189] Kai-Hung Fang. 2006.
[190] http://www.etax.nat.gov.tw/wSite/ct?xItem=24117&ctNode=11652.

Provinces, 1996-1998: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=2}

Provinces, 1999-: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Special municipalities, 1992-1995: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Special municipalities, 1996-1998: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=2}

Special municipalities, 1999-2001: *Inst'l depth*=2; *Policy scope*=3; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=2}

Special municipalities, 2002-: *Inst'l depth*=2; *Policy scope*=3; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=2}

Counties & provincial cities, 1992-1995: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Counties & provincial cities, 1996-1998: *Inst'l depth*=2; *Policy scope*=2; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=2}

Counties & provincial cities, 1999-2001: *Inst'l depth*=2; *Policy scope*=3; *Fiscal autonomy*=1; *Representation*={Assembly=2, Executive=2}

Counties & provincial cities, 2002-: *Inst'l depth*=2; *Policy scope*=3; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=2}

Thailand, 1992-2005

Thailand is a unitary, highly centralized state. Since 1993, Thailand has been divided into 75 provinces (*changwat*).[191] The 1997 Constitution gave local governments, including provinces, fully elected assemblies.[192] (Before this time, provincial councils had been partly elected, partly appointed.[193]) Provincial executives remained appointed, except in Bangkok, which is also a municipality.[194] Provincial governors may dismiss heads and local councilors, dissolve local

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[191] Department of Provincial Administration, http://www.dopa.go.th/English/servi/ep.html, accessed October 27, 2010.

[192] http://www.asianlii.org/th/legis/const/1997/1.html#C009, accessed October 27, 2010.

[193] http://ipdprojects.org/logolink-sea/resources/pdf/Decentralization%20Thailand_%20english.pdf, accessed October 27, 2010.

[194] Sutapa Amornvivat, "Fiscal Decentralization: The Case of Thailand," http://www.econ.hit-u.ac.jp/~kokyo/APPPsympo04/FiscDect%20_Thailand.pdf, accessed October 27, 2010.

councils, and approve their budgets.[195] Local assemblies' specific powers were left up to future parliaments to determine by statute, but were to include environmental review of local projects and educational and cultural administration, but not the setting of authoritative policies (sections 289-290). These provisions took effect in 1999 with the Decentralization Act of 1999. Central agencies closely monitor provincial budgets, and provincial programs are funded almost entirely by directed block grants and tax-sharing. During the democratic period, provincial governments were not allowed to levy their own taxes.

Codings

Provinces, 1993-1998: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=1, Executive=0}

Provinces, 1999-2005: *Inst'l depth*=2, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=2, Executive=0}

Trinidad and Tobago, 1962-

Prior to 1980, Trinidad and Tobago was partitioned into counties. Elected county councils had limited administrative authority over projects specifically devolved and funded by the central government, such as roads and cemeteries.[196] In 1980 Tobago obtained additional autonomy under the Tobago House of Assembly. In 1990 county councils were replaced with "regional corporations." The regional corporations are too small for coding in this dataset.

The Tobago House of Assembly (THA) consists of directly elected representatives who elect from their number an Executive Council, headed by a Chief Secretary.[197] According to the Tobago House of Assembly Act, 1996, the THA enjoys authority in the areas of finance, state lands, land and marine parks, museums, public buildings, tourism, sports, culture and arts, community development, cooperatives, agriculture, fisheries, food production, forestry, town planning, infrastructure and public utilities, telecommunications, industrial development, the environment, customs, licensing, health services, education, social welfare, postal services, and other minor areas. National security, foreign affairs, civil aviation, meteorology, immigration, legal affairs, and the judiciary are areas explicitly reserved to the central government. There are no local governments below the THA, and the THA's institutional setup is determined by national legislation. The 1996 act amended the original 1980 autonomy statute, allocating more powers to the THA. Under the 1980 statute, the central government had to delegate policy

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[195] http://www.jica.go.jp/english/publications/reports/study/capacity/200807/pdf/002.pdf, accessed October 27, 2010.
[196] http://www.nalis.gov.tt/Research/SubjectGuide/GovernmentStructure/LocalGovernment/tabid/245/Default.aspx.
[197] http://www.nalis.gov.tt/Government/THE-TOBAGO-HOUSE-OF-ASSEMBLY-ACT.htm.

responsibility to the THA before it was allowed to act.[198] The THA has never had any powers of direct or indirect taxation, although they are given responsibility for collecting certain centrally determined revenues. The Parliament of Trinidad and Tobago may veto any Tobagonian laws.[199]

Codings

Counties, 1962-1989: *Inst'l depth*=2, *Policy scope*=1, *Fiscal autonomy*=0, *Representation*={Assembly=2,Executive=0}

Tobago, 1962-1979: *Inst'l depth*=2, *Policy scope*=1, *Fiscal autonomy*=0, *Representation*={Assembly=2,Executive=0}

Tobago, 1980-1995: *Inst'l depth*=2, *Policy scope*=1, *Fiscal autonomy*=0, *Representation*={Assembly=2,Executive=2}

Tobago, 1996-: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=0, *Representation*={Assembly=2,Executive=2}

Uruguay, 1952-1970, 1985-

Uruguay is divided into 19 departments.[200] Not until the Census of 1985 did average departmental population rise to our threshold criterion of 150,000.

Departments have directly elected executives and assemblies. However, until 1996, voters were not allowed to choose separate candidates for local and national office, an odd arrangement that sharply limited the effective political autonomy of departments.[201] Their tasks involve fairly typical local responsibilities: transportation, public utilities, administration of primary education, regulation of nuisances, etc.[202] They have authority to create new local governments outside the urban areas of departmental capital cities. They are able to set the rate of certain constitutionally designated taxes: real estate, automobile excise, and various fees (Section 16, Chapter 10).[203]

Codings

1952-1970: *Inst'l depth*=0, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

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[198] http://ccmfuwi.org/files/publications/journal/2007_1_2/240_269.pdf.
[199] http://www.nalis.gov.tt/Government/gov_institutions.htm.
[200] http://statoids.com/uuy.html.
[201] http://www3.bcu.gub.uy/autoriza/peiees/tj9928.pdf.
[202] http://pdba.georgetown.edu/Decen/Uruguay/ur_interleg_funciones.html.
[203] http://pdba.georgetown.edu/Decen/Uruguay/const_inter_uruguay.html.

Departments, 1985-1996: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=1, *Representation*={Assembly=1, Executive=1}

Departments, 1997-: *Inst'l depth*=2, *Policy scope*=2, *Fiscal autonomy*=1, *Representation*={Assembly=2, Executive=2}

Venezuela, 1958-2008

The last democratic constitution of Venezuela, promulgated in 1999, described the country as "a decentralized Federal State" (Article 4), divided into 23 states, one capital district, and the federal dependencies and federal territories that include certain islands. However, the states enjoy very limited autonomy, as the central government competence covers almost every major policy issue. Article 156 enumerates competencies of "National Power," which include foreign policy, national defense, immigration, national police, capital district and federal dependencies, monetary policy, all major taxes and duties, natural resources, economic and fiscal policies, budget, social security, health, education, transportation, communication, public utilities, or "[a]ny other matters which the present Constitution may assign to National Public Power, or which by their nature or type come under its competence." The degree of state autonomy depends in part on the discretion of the National Assembly that has "the power to delegate to the States or Municipalities certain matters under national competence, in order to promote decentralization" (Article 157).

The constitution provides for an elected governor in each of the states and the capital district. Elected for a term of four years, the governor has one additional chance of getting re-elected only for the immediate term. However, the central government appointed governors until 2008 when first gubernatorial elections were held under the present constitution.[204] Depending on their size, states also elect 7 to 15 members to Legislative Councils for a four-year term with two chances of reelection. The Council is authorized to legislate on matters within state competence, which include the state constitution, local administration, non-metallic minerals not reserved to national power, minor taxes, state police, state public services, and matters not placed under national or municipal jurisdiction. The national assembly has a final say on matters of concurrent competence.

The Capital District of Caracas (formerly federal district) is governed by a directly elected mayor and an elected municipal council. The district enjoys autonomy at par with states and consists of five municipalities, including the four falling under neighboring Miranda state, each with their own mayor. The district administration is in charge of the Federal Territories as well.[205]

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[204] Gall, Timothy L. and Jeneen M. Hobby, (Eds.). (2007). Worldmark Encyclopedia of the Nations, Twelfth Edition, Vol. 3. New York: Thomson Gale, pp 565-583.
[205] http://www.citymayors.com/government/venezuela_government.html

Prior to 1999, the federal district elected a district council but had governors who were appointed by the central government.

Since taxation is highly centralized, the states heavily depend on the central government for funding. Besides, they also derive their revenues from their property and the management of their assets; charges for the use of their goods and services, fines and penalties, and any charges allocated to them; and proceeds from the sale of state-owned commodities.

Prior to the enforcement of the current constitution, two constitutions (1953 and 1961) largely governed the states in Venezuela. Both constitutions provided for popularly elected state assemblies and governors appointed by the president. Although state assemblies had powers to approve or disapprove the governor's policies, they had limited political and fiscal autonomy. The central government reserved powers with regards to elections, health, agriculture, labor, bank and monetary policy and all the major taxes.[206]

Since there is little variation in state autonomy across the three constitutions, their score is constant over time.

Codings

States, 1958-2007: *Inst'l depth*=3; *Policy scope*=1; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=0}

States, 2008: *Inst'l depth*=3; *Policy scope*=1; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=2}

Federal district, 1958-1998: *Inst'l depth*=3; *Policy scope*=1; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=0}

Capital district, 1999-2007: *Inst'l depth*=3; *Policy scope*=1; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=0}

Capital district, 2008: *Inst'l depth*=3; *Policy scope*=1; *Fiscal autonomy*=2; *Representation*={Assembly=2, Executive=2}

Federal territories & dependencies: *Inst'l depth*=1; *Policy scope*=0; *Fiscal autonomy*=0; *Representation*={Assembly=0, Executive=0}

Zambia, 2001-

[206] Jorrin, Miguel. 1953. *Governments of Latin America*. D. Van Nostrand Company, Inc: New York. See also Haggerty, Richard A. ed. 1993. Venezuela : a country study. Federal Research Division, Library of Congress. Available at: http://lcweb2.loc.gov/frd/cs/vetoc.html

Zambia is divided into nine provinces and 72 districts.[207] The districts are barely too small to be coded as regions. Zambia's 1996 constitution defines it as a unitary state and provides for an elected system of local government to be set up by parliament. While district councils are partially directly elected, the provinces are nothing more than statistical units.[208]

Codings

Provinces: *Inst'l depth*=1, *Policy scope*=0, *Fiscal autonomy*=0, *Representation*={Assembly=0, Executive=0}

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[207] http://www.statoids.com/uzm.html.
[208] http://unpan1.un.org/intradoc/groups/public/documents/CAFRAD/UNPAN017747.pdf.