

Security and Public Safety in Federal Countries

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Overview

1. Objectives
2. Research Questions and Hypotheses
3. Scope and Method
4. Observations
5. (Preliminary) Findings
6. Implications

Research Problems

- Hobbes vs. Locke: Peace and order are prior to freedom, equality and justice
- Countries adopt federal solutions not by choice but for reason of political exigency
- Who controls the people with the guns is inherently controversial, as controversial as education and cultural policy
- Which level of government is best positioned to deliver security is controversial yet empirical evidence is scant
- Security problems in federal systems present a particular kind of collective-action problem (eg. Bosnia-Herzegovina)

Objectives

- Best practices and lessons learned
- Evidence-based public policy
- New Public Management: Outcomes-based policy-making and practice
- Evaluation and Benchmarking
- Transfer of norms, practice and institutional design

Research Questions (1): Institutional design

- Does institutional design affect the exercise and provision of public safety?
- How does federal design affect public safety? Is public safety provided differently in administrative (eg. Germany) vs. dual (eg. Canada) federations
- Are concerns over security either the main reason or a primary reason for a country's federal system?
- To what extent do territorial commitments and structural constraints affect federal decision-making logic with respect to public safety and security? Are there limits to the kinds of policies that constituent units are willing to finance as opposed to the ones they are willing to administer?
- Does the degree of fiscal autonomy affect the way public safety is delivered?
- Does the way federations are created (aggregation vs. devolution) affect the way they provide public safety?

Research Questions (2): Change

- **What are the drivers of change to security and public safety arrangements in federation: functional, political, economic, historical? Does the degree of asymmetry affect the way public safety is delivered? Does the degree of decentralization affect the way public safety is delivered?**
- **Is change with respect to public safety in your federation driven top-down or bottom up?**
- **Are there specific events that led to more or less centralisation or decentralisation?**

Research Questions (3): The role of government(s)

- How good a job does a federation's security and public-safety arrangements do at protecting and enhancing each of: liberty, equality and justice?
- Has the role of the federal government in public safety been shrinking? Expanding? What conditions appear to drive the expansion or contraction of the federal government's power in matters of public safety?

Research Questions (4): Comparing Outcomes

- Does Public safety work differently in classic federations (Switzerland, Canada, US, Australia) than in more recent federations?
- Does the degree of ethno-cultural heterogeneity affect the delivery of public safety in federations?
- To what extent is the system shaped and/or change driven by aspects that have nothing to do with public safety?
- Compare subnational outcomes: Do any subnational units fare better/worse? Why?
- Which level of government, and which subnational units enjoy more/less public trust? Why?
- For the federal government to enlist the cooperation of constituent governments can be costly because public-safety interests, such as legitimacy, can be difficult to monetize.
- Can the logic that informs public-safety decisions in federal systems readily be reduced to means-ends calculations of economic efficiency?

Scope & variation across time & space

- **Variation:**
 - Multination federations
 - Dual federations
 - 2- vs. 3-tier federations
 - Administrative federations
 - Parliamentary and presidential
 - Classic and new federations
 - Developed and developing
 - Common & civil law
- **5 continents:**
 - Europe (including non-EU)
 - North America
 - South America
 - Africa
 - Asia
- **9 federal countries:**
 - Brazil
 - Canada
 - Germany
 - India
 - Mexico
 - South Africa
 - Spain
 - Switzerland
 - United States
- **200+ constituent units**

Template

- **Brief survey security/public safety issues and the country's federal institutions**
- **Nomenclature**
- **Mapping the constitutional and legal landscape**
- **Historical institutionalism of federal arrangements**
- **Metrics and Fiscal dimensions**
- **Intergovernmental Mechanisms**
- **Policy Case Studies: Counter-terrorism & emergency management**
- **Overall assessment of the adequacy of public safety/security arrangements**

Observations

- Substantial decentralization and asymmetry can provide effective policy outcomes
- Punctuated equilibria can have a considerable impact on change and centralization
- Role of the military & para-military organizations
- Degrees of democratic accountability
- Process of state-formation matters
- Constitutions can be a poor guide to the way a system functions
- Tradeoffs: Authority, centralization & efficiency vs. democracy, decentralization & representativeness

Findings

- **Meaning of referent differs across federations**
- **Path-dependency is a function of regime type**
- **High vs. low policing**
- **Democratization & federalization**
- **Decentralization and asymmetry**
- **Collective-action problems in delivery of C/T policy**
- **Effective IGA mechanisms necessary for effective public safety but not necessarily security**
- **Strong state/bureaucracy necessary to make decentralization work**

Implications

- **Match responsibilities and accountability**
- **Framework legislation possible but not necessary to achieve comparable outcomes**
- **Professionalization and bureaucratization needs to proceed decentralization**
- **Why subnational jurisdictions falter at providing security**
- **Importance of military in providing surge capacity**
- **Importance of clear division of powers (as opposed to concomitant jurisdiction which creates overlap and inefficiencies)**
- **Constitutions: less is more**
- **Decentralization isn't necessarily functional: Fiscal incentives can drive decentralization**
- **Function isn't necessarily related to outcome**
- **Subsidiarity seems to prevail**

Questions & Discussion