Origin, Operation, and Significance: The Federalism of William H. Riker

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William Riker transformed the study of federalism by advancing both a methodological approach and numerous substantive propositions. Methodologically, he introduced students of federalism to the scientific approach of positive political science, illustrating the development of "testable and tested generalizations." Substantively, he explained the origins of federal systems as a bargain among political leaders with expansionist and militaristic concerns. He argued that the United States was a politically centralized federal system from its founding. He linked the degree of centralization in federal systems to the degree of centralization among their political parties. Despite all his work, though, Riker ultimately dismissed federalism as a minor institution having little impact on policy outcomes.

William H. Riker (1920-1993) is perhaps best known for advocating the scientific study of political phenomena, an approach that he called "positive political theory." As a "visionary scholar," Riker introduced "the precepts of game theory and social choice theory to political science" in order to construct "a theoretical base for political analysis." As an "institution builder," he founded and established the Rochester school of political science, training many scholars who use this approach to study politics. As a student of federalism, he applied these techniques to build theories about the formation of federal states, their continuance and operation following their foundation, and their significance for policy outcomes.

Including Riker in an issue devoted to "conservatives" is problematic, especially because he conducted much of his federalism research prior to his conversion from being a New Deal Democrat. As he writes of himself in 1987, "My own ideological migrations have been much in the spirit of the age: from New Dealer in the fifties to liberal, anti-statist in the eighties." Arguably, though, his conservative orientation expresses itself in his approach to studying federal systems. While, in an earlier stage of his career,

¹For reviews of Riker's contributions to political science, see Kellie Maske and Garey Durden, "The Contributions and Impact of Professor William H. Riker," *Public Choice* 117 (October 2003): 191-220; and John Aldrich, "William H. Riker," *Encyclopedia of Public Choice* (Boston, MA: Kluwer, 2004): 321-324. Norman Schofield, "Constitutions, Voting, and Democracy: A Review," *Social Choice and Welfare* 18 (July 2001): 571, writes that Riker became famous not only for his substantive contributions but also for his "singular vision in creating the school of rational choice (or positive political theory) in political science."

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*Bruce Bueno de Mesquita and Kenneth Shepsle, "William Harrison Riker, 1920-1993," Biographical Memoirs 79 (Washington, DC: The National Academy Press, 2001), p. 281.

³S. M. Amadae and Bruce Bueno de Mesquita, "The Rochester School: The Origins of Positive Political Theory," *Annual Review of Political Science* 2 (1999): 270.

⁴William H. Riker, *The Development of American Federalism* (Boston: Kluwer Academic Publishers, 1987), p. xii.

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he viewed federalism as "an impediment to good government," he ultimately-like many conservatives-saw it as a desirable "restraint on the leviathan." As he explains:

These ideologies have quite different implications for federalism: The statism of the New Deal implies that the national government should be unfettered. Since federalism restrains the national government by setting the scene for conflicts between the states and the nation, the appropriate stance for a New Dealer is to seek to eliminate federalism. On the other hand, the liberal goal of protecting rights from governmental attack justifies restraints like federalism and separation of powers that occasion intergovernmental and interbranch deadlocks.⁶

Further, built in his assumptions about how actors behave in political institutions are some fundamentally conservative views about human nature. Actors are self-interested. They use institutional structures and political strategy to advance these interests. Political behavior is restrained only by others who place checks on individual action in order to further their own goals. Riker showed how such simple assumptions could yield powerful theories about federalism and other political phenomena.

Riker introduced his approach to studying political science in *The Theory of Political Coalitions* (1962), illustrating how positive political science could be conducted.⁷ He followed this book with his most well-known work on federalism, *Federalism: Origin, Operation, Significance* (1964).⁸ Here, Riker dismissed much previous work on the subject, saying, "I have always regretted that much of what passes as scientific investigation in our field is no more than elaboration of unique detail, e.g., the case study of a particular event, the history of a particular institution, the evaluation of a particular policy, the description of a particular culture." He called, rather, for "testable and tested generalizations," and explained why the comparative study of federalism was well suited for such an approach.¹⁰

Unlike in his other major works where Riker made extensive use of game theory, his studies of federalism relied very little on mathematical modeling. Instead, he developed and tested numerous contentious hypotheses through inductive and deductive reasoning about the rational actors involved in constructing the federal bargain and in making political decisions within federal institutions. His most important propositions about federalism were all rooted in his seminal 1964 work, but were revisited and further developed throughout his career.

In this essay, I summarize these contributions with a focus on some of Riker's most provocative statements. I note how his work overcame and

⁵lbid., xiii.

⁶Ibid., xii-xiii.

William H. Riker, The Theory of Political Coalitions (New Haven, CT: Yale University Press, 1962).

William H. Riker, Federalism: Origin, Operation, Significance (Boston: Little, Brown and Company, 1964).

¹ºIbid., xi.

transformed conventional wisdom at the time, explore the degree to which his views have become widely accepted subsequently, and thereby establish how Riker's work changed scholarly research and commonly held beliefs about federalism. To do so, I follow Riker's lead in grouping his main propositions into three broad areas: origin, operation, and significance. Regarding the origin of federal systems, Riker claimed that all successful federal systems form from politicians' desires for territorial expansion coupled with a military threat or opportunity. Regarding the operation of American federalism, Riker posited that the United States had a highly centralized federal system from its beginning, with numerous institutions reinforcing that centralization and only political parties acting in a peripheralizing manner. Regarding significance, Riker dismissed federalism as having little effect on policy outcomes.

ORIGIN

Before exploring Riker's views on the origins of federal systems, it is important to understand how he defined federalism. Throughout his career, he relied on a quite consistent definition of federalism, which he summarized succinctly in 1975: "Federalism is a political organization in which the activities of government are divided between regional governments and a central government in such a way that each kind of government has some activities on which it makes final decisions." Riker liked to point out that this broad definition allowed a continuum between a very peripheral federal system in which the central government controlled only one category of action and a very centralized federalism in which the central government controlled all but one category of action. This definition focuses less on the concept of constitution-based sovereignty than do many others, partly because Riker wanted to push scholars to look beyond legalistic writings to actual sources of political pressure.

With this definition in hand, Riker first sets out to explain the origins of federal systems. He puts forth two "necessary" but "not sufficient" conditions behind the "bargain of federalism": the expansion condition and the military condition, which he defines as follows.

- 1. The politicians who offer the bargain desire to expand their territorial control, usually either to meet an external military or diplomatic threat or to prepare for military or diplomatic aggression and aggrandizement. But, though they desire to expand, they are not able to do so by conquest, because of either military incapacity or ideological distaste. . . .
- 2. The politicians who accept the bargain, giving up some independence for the sake of union, are willing to do so because

"William H. Riker, "Federalism," Handbook of Political Science: Governmental Institutions and Processes, eds. Fred I. Greenstein and Nelson W. Polsby (Reading, MA: Addison-Wesley, 1975), pp. 93-172.

of some external military-diplomatic threat or opportunity. Either they desire protection from an external threat or they desire to participate in the potential aggression of the federation.¹²

These are intriguing conditions, and it is striking that Riker examines all instances of the creation of a federation from 1786 through 1964 to marshal supporting evidence.¹³ Perhaps more important than these conditions, which have faced great scrutiny since being proposed, is the logic behind them. In line with his rational view of politicians, Riker notes that federal bargains, like all bargains, must be agreed to by the important actors striking them. Regional leaders must see some benefit from joining a federal system that exceeds what they would receive from opting out. If such benefits were small, little control would be given to the central government, likely resulting in a peripheralized federal system that would soon fall apart. The enduring federal systems, in Riker's view, are the more centralized ones in which substantial powers are given to the central government. But to be willing to give such a high level of control to the central government, regional politicians must be facing great costs from opting out. According to Riker's initial formulation, the only costs substantial enough to lead to such a bargain are those from external military threats or opportunities.

His succinct expansion and military conditions differed substantially from some of the other work that Riker observed in earlier scholarship. Karl Deutsch and his collaborators had put forth a list of nine essential conditions behind the adoption of federal systems, ¹⁴ which Riker saw as having "many defects," mainly arising from inadequate attention to the political considerations of key politicians. ¹⁵ He argued that his political interpretation of the U.S. Constitution based on the military condition was the "broader conception" needed to overcome the "narrow progressivism" of Charles Beard's An Economic Interpretation of the Constitution of the United States. ¹⁷ Riker's military condition was not entirely new, however. Similar explanations of the formation of federal systems based on military threats were articulated previously by H. R. G. Greaves, ¹⁸ William P. Maddox, ¹⁹ and K. C. Wheare. ²⁰ Nevertheless, set in contrast to entirely economic considerations or to the laundry lists of potential explanatory factors, Riker's formulation of the

¹²Riker, Federalism: Origin, Operation, Significance, pp. 12-13.

¹³As may be expected, parts of this support are much stronger than are others, as he seemed to occasionally exaggerate the seriousness and immediacy of military threats.

¹⁴Karl Wolfgang Deutsch et al., Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience (Princeton, N]: Princeton University Press, 1957).

¹⁵Riker, Federalism: Origin, Operation, Significance, pp. 15-16.

¹⁶lbid., 17.

¹⁷Charles Austin Beard, An Economic Interpretation of the Constitution of the United States (New York: Macmillan Co., 1913).

¹⁸H. R. G. Greaves, Federal Union in Practice (London: George Allen & Unwin, 1940).

¹⁹William P. Maddox, "The Political Basis of Federation," American Political Science Review 35 (December 1941): 1120-1127.

²⁰K. C. Wheare, Federal Government, 3rd ed. (London: Oxford University Press, 1953).

political logic behind the expansion and military conditions crystallized thinking about why these factors might matter, and illustrated the power of the rational choice approach in the study of political institutions.

In emphasizing the military and expansion conditions, Riker both implicitly and explicitly set aside alternative arguments for the formation of federal systems. He initially confronted two commonly held beliefs: the "ideological fallacy" that federalism is adopted as a guarantee of freedom and the "reductionist fallacy" that federalism is formed among polities that hold a common interest.²¹ Empirically, Riker raised examples of federal systems with few guarantees of freedom and those in which member states have limited common ground. Logically, Riker dismissed these ideas as not recognizing the key political actors and their incentives. Although freedom and common interest may be somewhat associated with federalism, such concerns would not motivate leaders to strike the federal bargain. Focusing on the diffuse benefits of federalism rather than on the political calculations of its founding leads to "the mistaken premise that somehow, if people just work hard enough for it, federation will occur. . . as if such a thing comes about by some kind of magic without rational human calculation."22

The main criticisms that Riker faced following the release of his 1964 work tended to be directed not at the rationalist logic of his arguments, but instead at a narrow reading of his military condition. Geoffrey Sawer, for example, argues that Riker makes too much of his military condition.²³ Anthony Birch discusses how Riker's evidence regarding the Nigerian case was incomplete, and suggests that the desire to deter internal threats, as well as external ones, is relevant to the formation of federalism.²⁴ Ramesh Dikshit questions Riker's evidence for the military condition in the cases of West Germany and Austria.²⁵ By 1975, Riker seemed to accept Birch's expanded definition including internal military threats;²⁶ and by 1993, he went on to list a variety of military purposes behind the military condition.²⁷ Despite these widening definitions of the military condition, Riker never stepped away from the logic behind his two conditions, nor from the need to focus on the motivations of influential politicians in striking the federal bargain. Recent critiques continue to focus on the military condition, with only a few notable exceptions.28

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<sup>21</sup>Riker, Federalism: Origin, Operation, Significance, pp. 13-15.
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²²Riker, "Federalism," *Handbook of Political Science*, p. 131. ²³Geoffrey Sawer, *Modern Federalism* (London: C. A. Watts, 1969).

²⁴Anthony H. Birch, "Approaches to the Study of Federalism," Political Studies 14 (February 1966): 15-

²⁵Ramesh Dutta Dikshit, "Military Interpretation of Federal Constitutions: A Critique," The Journal of Politics 33 (February 1971): 180-189; Ramesh Dutta Dikshit, The Political Geography of Federalism (Delhi: Macmillan, 1975), pp. 141-162.

Riker, "Federalism," Handbook of Political Science, p. 114.

²⁷William H. Riker, "Federalism," A Companion to Contemporary Political Philosophy, eds. Robert E. Goodin and Philip Pettit (Cambridge, MA: Blackwell, 1993), pp. 508-514.

See Alfred Stepan, "Federalism and Democracy: Beyond the U.S. Model," Journal of Democracy 10 (1999): 19-34; and Alfred Stepan, Arguing Comparative Politics (Oxford: Oxford University Press, 2001), chap. 15. Stepan argues that Riker's view is overly focused on the U.S. case, leading him to set aside other ways that federal systems form. Most strikingly, Stepan notes that in some instances, such as with various Soviet republics, federal systems are put together with one of the parties having essentially no say in the

Two currently relevant debates help illustrate the importance of Riker's work on the origins of federalism. First, consider the European Union. If the European Union were formed for economic and trade purposes, this would place the military condition in question. David McKay, for example, notes that the Maastricht Treaty in 1992 was signed in the absence of either strong internal or external military threats, and therefore critiques Riker's approach.²⁹ Defenders of Riker's position might place the formation of European federalism in an earlier era, pointing to the Soviet threat faced by the European community, or to European politicians seeking common economic bonds after World War II in hopes of limiting the prospects of another catastrophic conflict engulfing Europe.

Writing in the early 1990s, Riker did not rely on these possible explanations. Instead, he confronted whether the costs and benefits of trade, rather than military action, could ever be sufficient to bring about a strong federal system. His answer, initially quite skeptical, became more mixed and tentative over time. Consider, for example, his conclusion in an essay published in 1993: "Consequently, it seems to me that the future of a united Europe is as chimerical as a united world. In any event, the success or failure of the move to federalize Europe will be a good test of the validity of this [expansion and military] argument about the nature of federalism." Shortly thereafter, however, Riker inquires further:

Today the question is: can this once secondary motive for federation become the primary motive that generates a federal Europe? In a world where trade is vastly more important than it was a generation ago, perhaps the answer is affirmative. . . . [It] is unclear whether the motive of trade restriction is sufficient to replace the military motive in creating a European federation. Consequently, we look forward with intense curiosity to the struggles over European federation during the next decade. 31

Regardless of whether the European case points toward expanding or replacing the military condition with a focus on trade, the logic behind Riker's initial formulation remains intact. To the extent that we wish to understand why some E.U. countries have opted out of the monetary union and why the path toward a common European defense seems impassible, it is crucial to look at the key politicians making these decisions, and at their individual motives.³²

so-called "voluntary federal bargain." However, some readings of Riker's argument would exclude such arrangements from being classified as "federal systems." With no bargaining power and extreme military threat from the center, subnational governments tend not to make final decisions in significant areas that run counter to the center's preferences.

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**David McKay, "On the Origins of Political Unions: The European Case," Journal of Theoretical Politics
9 (July 1997): 269-296.

30Riker, "Federalism," A Companion to Contemporary Political Philosophy, p. 513.

³¹William H. Riker, "European Federalism: The Lessons of Past Experience," Federalizing Europe? The Costs, Benefits, and Preconditions of Federal Political Systems, eds. Joachim Jens Hesse and Vincent Wright (Oxford: Oxford University Press, 1996), pp. 23-24.

³²For example, the electoral motive seems to be a critical feature explaining the degree of integration, according to Clifford J. Carrubba, "The Electoral Connection in European Union Politics," *Journal of Politics* 63 (February 2001): 141-158.

Beyond the European case, Riker's approach may be useful to understand the likely fate of an attempted federal governance structure in Iraq. Given the diversity of the Iraqi population, divided among Shi'a and Sunni groups in the South and Kurds in the North, perhaps the best hope for a continued unified Iraq (if a democracy takes hold) is through federalism. Yet contemporary accounts of potential federal possibilities are often too complex to yield predictions and prescriptions. Religious and ethnic conflicts exist between the Kurds in the North and other Islamic groups in the rest of the country, but there is also substantial diversity among the Kurds themselves, and a sense of nationalism throughout the country. Even a loosely federal Iraq may still place numerous constraints or restrictions on minority groups, but federalism within a representative government might be a better guarantee of minority rights and freedoms than would the establishment of an independent and autonomous Kurdistan that is soon forcibly incorporated back into Iraq. A regional, ethnically divided federal system may give substantial political power to populations within each major region, but Iraqi federalism could instead be a division into its former 18 administrative districts, each with few political powers. Moreover, national and subnational powers will look very different on the ground depending on which level of government controls resources in oil-rich regions and cities like Kirkuk.

Riker's approach can be used to cut through all this information. Applying his argument to this case, we should focus on the incentives of key Iraqi politicians, and specifically whether they are concerned about military threats. For example, to understand the degree to which the Kurdish people in northern Iraq would cede substantial power to a centralized Iraqi government, it is important to know about the perceptions of the Kurdish leaders. To what extent do they fear military action from Turkey (or from the rest of Iraq, or from others) if they try to form an independent Kurdistan? To what degree would they face internal fighting for control of such a country among the somewhat diverse Kurdish groups? Answers to these questions are far more important to understanding the likely long-term future of federalism in Iraq than are concerns about whether Kurds are imbued with a strong national Iraqi identity, whether the ethnic and religious differences across Iraq are too great, or whether the United States desires a federal Iraq. If Riker is correct, any attempt to form or impose a federal system without the prerequisite dire considerations and conditions amounts to much wasted time and energy on a system that will ultimately fail. In this view, if the Kurds can use the threat of secession to gain major concessions and a very peripheralized federal power structure, they will ultimately seek autonomy, bringing an end to the Iraqi federal experiment.

OPERATION

After the federal bargain is struck and military threats fade, why do some federal systems endure while others do not? Moving from an analysis of the origins of federalism to an assessment of the operation of federal systems after their founding, Riker felt that less could be posited scientifically: "I am not hopeful of being able to construct a theory about any feature of federations subsequent to their birth." This was mainly due to the variety of such systems, with "many kinds of societies in many stages of economic development and many levels of political life." Such variety led him instead to focus on the American federal system, about which he knew and cared the most.

Before turning away from generality, however, Riker developed a working definition of how federal systems could be sustained over time. He relied on the logic that federal systems end in two main ways: becoming so periperalized that they fall apart or becoming so centralized that they turn into unitary governments. Riker therefore describes two equilibrating features necessary for the survival of federalism: "(1) centralization, which allows the central government to exploit the advantages of a larger base for taxes and armies, and (2) maintenance of guarantees to the constituent units, which prevents the transformation of federalism to a unitary government." Riker was careful to point out that these features should not simply be thought of as a structure guaranteed on paper in a constitution; instead, they must be based on actual incentives and abilities of politicians in key institutions. "What counts is not the rather trivial constitutional structure, but rather the political and economic culture." Se

Although he applied these generalizations in comparative settings, Riker mainly established support for his view of the maintenance of federalism with a focus on the United States. He made two major claims about the operation of the American federal system. First, the American system is a very centralized federal system, and has been from its beginning. Second, the main peripheralizing institution checking the numerous pressures toward centralization is the political party system.

American Federalism: Centralized from the Beginning?

The claim about American federalism being highly centralized and little changed since 1787 sounds almost absurd on its face. In an era with much talk about devolution, and after observing the massive fiscal growth of the national government relative to the states,³⁷ it is hard to imagine a view of

³³Riker, "Federalism," Handbook of Political Science, p. 131.

³⁴Ibid., 131.

³⁵Riker, Federalism: Origin, Operation, Significance, p. 50.

³⁶William H. Riker, "Six Books in Search of a Subject or Does Federalism Exist and Does It Matter?" Comparative Politics 2 (1969): 144.

⁵⁷See, for example, John E. Chubb, "Federalism and the Bias for Centralization," *The New Direction in American Politics*, eds. John E. Chubb and Paul E. Peterson (Washington, DC: The Brookings Institution, 1985), pp. 273-306.

unwavering centralization over 200 years.³⁸ Indeed, Riker refers back to his own study of the evolution of the National Guard³⁹ as "the best possible evidence for the claim that our federalism has been progressively centralized."40 However, it is important to understand that Riker was interested not in the degree of fiscal or policy centralization, but in the degree of political centralization.41 Essentially, a country's political centralization can be judged by answering the following question: who typically prevails in significant disputes between the national and subnational governments? If nearly all such major conflicts are resolved in favor of the central government, the federal system must be considered politically centralized. It was through this focus on actual disputes, rather than on paper guarantees in constitutions or on other criteria, that Riker proclaimed American federalism to be highly centralized. The task he then took upon himself was to assess the likelihood of a federal system surviving as a federal system over time. For that purpose, his focus on political centralization through various institutional structures was well chosen. (For those interested in policy centralization or intergovernmental relations within a stable federation, however, Riker's approach sets aside an awful lot.)

To establish that the American federal system was envisioned as politically centralized from its beginning, Riker examined the views of the Founders. One of his earliest pieces, "Dutch and American Federalism," explores what knowledge the framers of the U.S. Constitution had regarding earlier federal experiments. ⁴² Riker shows that the framers had only cursory knowledge of the Dutch experience, often instead relying on poor translations of texts, limited first-hand experiences, and incorrect "facts." James Madison stepped into the midst of such confusion with the Virginia Plan, a vision for a much more centralized system than was found in the failing Articles of Confederation. ⁴³ Riker argues that, despite some compromise, Madison's vision endured, resulting in a politically centralized federalism. "[The] net effect of the Virginia Plan and its modifications was a highly centralized

⁵⁸Numerous scholars argue that their distinct views of federalism have been consistent with American federalism from well before their contemporary period of study. For example, Daniel J. Elazar, *The American Partnership: Intergovernmental Co-operation in the Nineteenth Century United States* (Chicago: University of Chicago Press, 1962), tries to displace the dual federalism view with his cooperative federalism, with evidence that cooperative federalism had existed for over a century. Riker, *Federalism: Origin, Operation, Significance*, p. 51, finds Elazar's work to be "somewhat distorted because of his avoidance of substantive areas not displaying the feature of cooperation he wished to emphasize."

³⁹William H. Riker, Soldiers of the States (New York: Arno Press, 1957).

⁴⁰Riker, The Development of American Federalism, p. 158.

⁴¹Riker, *The Development of American Federalism*, pp. 116-117, shows the complexity of looking at other dimensions of centralization within federal systems, with the following example. "If, for some current federations, one looks simply at constitutional provisions, Canada, for example, seems more centralized than the United States. If one looks simply at administrative structures and taxation and expenditures, then Canada and the United States seem similar – less centralization than Britain or France, more centralized than Switzerland. If one looks simply at ethno-geographic cleavages, then Canada, with a striking division on language and culture, seems peripheralized in comparison with the United States."

⁴²William H. Riker, "Dutch and American Federalism," Journal of the History of Ideas 18 (1957): 495-521. ⁴³Riker, The Development of American Federalism, chap. 2.

federation, distinguishable from a unitary government, of course, but in practical operation not much different from one."44

To make this case most completely, Riker then turned to analyses of major institutions of American government, to show their centralizing and peripheralizing tendencies. He began with the U.S. Senate. Prior to the Seventeenth Amendment in 1913, Senators were selected by state legislatures, potentially providing a peripheralizing force within American federalism. Riker argues instead that U.S. senators were rarely responsive to state legislative wishes and therefore did little to prevent a highly centralized political federalism in America.45 In particular, while state legislators could issue voting instructions to U.S. senators, they were frequently ignored. Without threats of recall or other viable sanctions, senators violated such instructions so frequently that states stopped issuing them.46 The threat of losing reelection was also insufficient, as senators realized that their reelection was more a function of which party controlled the legislature than of their behavior in Congress. Therefore, senators started to campaign on behalf of candidates for the state legislature, establishing their own coattails and electoral coalitions. Even prior to the Seventeenth Amendment, a majority of states found ways to select their senators through the party primaries. In sum, according to Riker, the Senate as an institution never played a substantial peripheralizing role. As one could imagine, this is a controversial view that still generates discussion today within the field of American political development. Riker's argument serves as a basis for discussions of the shifting responsiveness of senators from state legislatures to state party bosses prior to the Seventeenth Amendment, 47 and of senators' responsiveness to the electorate over time.⁴⁸ The bulk of this scholarship indicates that Riker overstated his case in arguing that state legislatures had no effect on senators, but that he was right in asserting that senators did not serve a strong peripheralizing purpose.

Riker built upon the Founders' idea that the presidency would be a centralizing force in American federalism, but noted limitations of presidential powers in this regard. Riker illustrates numerous presidential attempts at centralizing power within the national government generally and within the executive branch in particular.⁴⁹ Presidents try to develop

⁴⁴William H. Riker, "The Experience of Creating Institutions: The Framing of the United States Constitution," Explaining Social Institutions, eds. Jack Knight and Itai Sened (Ann Arbor: University of Michigan Press, 1995), p. 142.

⁵William H. Riker, "The Senate and American Federalism," American Political Science Review 49 (1955): 452-469.

⁴⁶Riker, Federalism: Origin, Operation, Significance, pp. 87-91.
47Charles Stewart, III, "Responsiveness in the Upper Chamber: The Constitution and the Institutional Development of the Senate," The Constitution and American Political Development: An Institutional Perspective, ed. Peter F. Nardulli (Urbana: University of Illinois Press, 1992).

⁴⁸William Bernhard and Brian R. Sala, "The Remaking of an American Senate: The 17th Amendment and Ideological Responsiveness" (paper presented at the History of Congress Conference, Stanford University, April 2004)

⁴⁹Riker, Federalism: Origin, Operation, Significance, pp. 93-99.

centralizing ideologies that will unite the American people, or at least majorities in Congress, behind their ideas, with some effectiveness. Working with William Bast, Riker also documented the degree to which presidents become involved in the nomination and endorsement of candidates for Congress, in a further attempt to centralize power.⁵⁰ The only constraint on the president's endorsement activity is the downside of possibly choosing a losing candidate and thus limiting his own political capital. Fear of lost capital has generally been sufficient to limit presidential action in this area, although endorsements have been more prominent in recent years.

If neither the legislative nor the executive branch serves a peripheralizing role, can proponents of American federalism look to the courts for support? Riker holds out little hope for such a role for the courts, mainly characterizing the Supreme Court as a weak check on the president: "the Court hastens the process of centralization when it is in phase with the ideology of the Presidency and cannot impede centralization when it is not."51 Riker's words regarding the lack of a peripheralizing force from the courts seemed prescient when the Supreme Court decided Garcia v. San Antonio Metropolitan Transit Authority in 1985, asserting that state autonomy was protected not by the courts but through representatives of the states in Congress. States could engage in "intergovernmental lobbying," and needed no additional protections from the courts.⁵² However, ten years later, in United States v. Lopez, the Supreme Court signaled a significant shift toward serving a role in protecting the states.⁵³ Further fluctuations in the Rehnquist Court's recent federalism rulings have been the result of a closely divided Court.⁵⁴ Such twists and turns provide a more nuanced view than Riker proposed. While he was correct that, as a part of the national government, the Supreme Court cannot be counted on to provide a peripheralizing counterbalance to the numerous centralizing institutions, from time to time, under certain circumstances, we can indeed see peripheralizing court decisions. Of course, Riker would question whether such decisions are a substantial obstacle to centralization-and the jury is still out on such a debate.

The Peripheralizing Role of Political Parties

Characterizing these three significant institutions as centralizing, Riker describes how a single peripheralizing force keeps the federal system in the

⁵⁰ William H. Riker and William Bast. "Presidential Action in Congressional Nominations." The Presidency, ed. Aaron Wildavsky (Boston: Little, Brown and Company, 1969), pp. 250-267.

⁵¹Riker, Federalism: Origin, Operation, Significance, p. 102.

⁵²See Anne Marie Cammisa, Governments as Interest Groups: Intergovernmental Lobbying and the Federal System (Westport, CT: Praeger, 1995).

⁵See Calvin Massey, "Federalism and the Rehnquist Court," Hastings Law Journal 53 (January 2002): 431-518; and Kenneth T. Palmer and Edward B. Laverty, "The Impact of United States v. Lopez on Intergovernmental Relations: A Preliminary Assessment," Publius: The Journal of Federalism 26 (Summer 1996): 109-126.

⁵⁴For reviews and critiques of the Court's federalism decisions, see the March 2001 volume of the Annals of the American Academy of Political and Social Science, prefaced by Frank Goodman, "The Supreme Court's Federalism: Real or Imagined?" Annals of the American Academy of Political and Social Science 574 (March 2001): 9-23. See also John T. Noonan, Jr., Narrowing the Nation's Power: The Supreme Court Sides with the States (Berkeley: University of California Press, 2003).

United States from becoming completely unitary. Similar to David Truman's argument,⁵⁵ Riker posits that political parties in the United States are decentralized and therefore place peripheralizing pressures on the federal system. Riker suggests a number of reasons for party localism, including constitutional residency requirements for members of Congress and the power of the state legislatures to prescribe the manner of elections.⁵⁶ Decentralized parties in the state and local arenas are more responsive to and representative of diverse populations than would be centralized uniform parties. Thus, party competition puts a check on the desires of the president to fully centralize political control.⁵⁷

Just as recent events lead us to question the centralizing nature of the courts, we might similarly take a second look at the peripheralizing nature of parties since these important writings of Truman and Riker. The rise of the personal vote in the 1960s may have allowed members of Congress to distance themselves from a reliance on decentralized party mechanisms.⁵⁸ The historical trends toward members of Congress building their careers in the House of Representatives rather than in state and local party organizations may likewise diminish the role of decentralized parties.⁵⁹ In addition, the greater alignment between members of the public, their state and local parties, and the national parties, especially since the 1994 elections, forces political scientists to confront whether parties will remain decentralized in the United States and whether they will continue as a peripheralizing force for American federalism. Riker and Bast seem open to the idea that, with greater alignment, presidents may become more involved in endorsing congressional candidates, which could lead toward an even more centralized federal system.⁶⁰ A key question for federalism scholars is whether, upon a major political conflict between the states and the national government, there will be a divide between state and national party interests and activities once again.

While much of Riker's scholarship on the operation of federalism focused solely on the American case, in the area of decentralized political parties, he believed a stronger comparative case could be made. Working with Ronald Schaps, Riker writes: "[In] all federalism there is a residue of localism and sectionalism, which, given an opportunity to flourish in unrestrained party competition, has always resulted in sectionally based political parties."

⁵⁵David B. Truman, "Federalism and the Party System," *Federalism: Mature and Emergent*, ed. Arthur MacMahon (New York: Doubleday, 1955), pp. 115-136.

⁵⁶Riker, Federalism: Origin, Operation, Significance, p. 91.
⁵⁷Riker, "Federalism," Handbook of Political Science, pp. 133-135.

⁵⁸Bruce E. Cain, John Ferejohn, and Morris Fiorina, *The Personal Vote: Constituency Service and Electoral Independence* (Cambridge, MA: Harvard University Press, 1987).

⁵⁹David Brady, Kara Buckley, and Douglas Rivers, "Elections and Insurance Incentives: Parties at the Turn of the Century" (paper presented at the History of Congress Conference, Stanford University, April 2004).

⁶⁹Riker and Bast, "Presidential Action in Congressional Nominations," p. 264.

⁶¹William H. Riker and Ronald Schaps, "Disharmony in Federal Government," *Behavioral Science* 2 (1957): 277.

Following up on this, Riker argues: "The federal relationship is centralized according to the degree to which the parties organized to operate the central government control the parties organized to operate the constituent governments." Riker and Schaps call for "more detailed empirical and comparative study" to separate out whether these relationships hold differently in systems with more than two parties, with different numbers of states, and with parliamentary governments. Such questions and bold claims spurred a broad empirical literature in comparative politics, exploring the relationship among constitutional design, decentralized political parties, and fiscal centralization. While some relationship appears to exist, the direction of causation remains in question, as political and economic centralization also appear to influence the nature of political parties.

Returning to the U.S. case, one is left wondering whether the increasingly centralized political parties coupled with national institutions will result in the demise of American federalism. Could the support of the American people for their state and local governments temper such centralization? Students of federalism like to point to assurances from Madison and Hamilton in *The Federalist* that the loyalties of the public to their states will limit encroachments from the national government. Riker notes, however, that such loyalty has declined substantially throughout American history, such that, by the 1960s, "there seems to be very little state nationalism left, outside of the South."66 Such factors as a high degree of mobility, a common culture, and an inculcation of national patriotism have led to a change in these loyalties over the past two centuries. With few remaining checks on the centralizing forces in American politics, we should not be surprised that "federalism in the United States is likely to be centralized further as time goes on."67 It is highly doubtful that Americans would take the extreme step of revising the U.S. Constitution to eliminate federalism altogether. Yet this simply reaffirms Riker's argument that, to understand federalism, scholars should focus not on written constitutions but on the actual political pressures under which they operate. "In the study of federal governments, therefore, it is always appropriate to go behind the [constitutional legal] fiction to study the real forces in a political system."68

⁶²Riker, Federalism: Origin, Operation, Significance, p. 129.

⁶⁸Riker and Schaps, "Disharmony in Federal Government," p. 287.

⁶⁴See Peter C. Ordeshook and Olga Shvetsova, "Federalism and Constitutional Design," *Journal of Democracy* 8 (January 1997): 27-42; and Christopher Garman, Stephan Haggard, and Eliza Willis, "Fiscal Decentralization: A Political Theory with Latin American Cases," *World Politics* 53 (January 2001): 205-236.

⁶⁵Pradeep Chhibber and Ken Kollman, "Party Aggregation and the Number of Parties in India and the United States," *American Political Science Review* 92 (June 1998): 329-342. This work may remind scholars of federalism of the reciprocal reinforcement between parties and federalism seen in Morton Grodzins, "American Political Parties and the American System," *Western Political Quarterly* 13 (December 1960): 974-998.

⁶⁶Riker, Federalism: Origin, Operation, Significance, p. 105.

⁶⁷Ibid., 110.

⁶⁸Riker, "Six Books in Search of a Subject," p. 146.

In summary, Riker's work on the origins and operation of federalism reflects his quest for a scientific understanding of political behavior and institutions. Fundamentally, he boils his claims down to his proposition about the expansion and military conditions and his proposition about decentralized political parties: "The essence of federalism . . . is the political feature: (1) the political bargain that creates it and (2) the distribution of power in political parties which shapes the federal structure in its maturity. Everything else about federalism is accident: the demarcation of areas of competence between central and constituent governments, the operation of intergovernmental relations, the division of financial resources, etc."69 By "accident," Riker seems to mean that these features are not important to understanding the fundamentals of the federal arrangement. This type of statement should not be taken to mean that we cannot study these further subjects in a systematic and scientific fashion, following in the Rikerian tradition. Indeed, scholarship on horizontal intergovernmental competition and efficiency,⁷⁰ on fiscal federalism,⁷¹ and on the areas of competence between central and constituent governments⁷² have all benefited from the insights of positive political science.

SIGNIFICANCE

The most surprising proposition that William Riker put forth regarding federalism is that it does not matter. Relative to the power of popular preferences, the institution of federalism has little impact: "One can never blame federalism for a political outcome, for outcomes are the consequences of the preferences of the population. One can only blame federalism for facilitating an emphasis in popular preference."73 This view led Riker to ask the question, "Does federalism make any difference in the way people are governed? And the answer appears to be: Hardly any at all."74

Even a very casual glance at the administrative world should convince one that contemporary federal and unitary governments and their public policy are more like each other than are the federal governments and policy of today like the federal governments and policy of the nineteenth century. This fact strongly suggests that federalism makes no particular difference for public policy.75

This is a curious position for at least two reasons. First, Riker wrote two books and numerous shorter pieces on federalism. It is strange to dedicate

⁶⁹Riker, "Federalism," Handbook of Political Science, p. 141.

⁷⁰Charles M. Tiebout, "A Pure Theory of Local Expenditures," Journal of Political Economy 64 (October 1956): 416-424.

Richard A. Musgrave, "Theories of Fiscal Federalism," Public Finance 24 (1969): 521-532; Wallace Oates, "The Theory of Public Finance in a Federal System," Canadian Journal of Economics 1 (1968): 37-54.

⁷²Paul E. Peterson, *The Price of Federalism* (Washington, DC: The Brookings Institution, 1995); Craig Volden, "Intergovernmental Political Competition in American Federalism," American Journal of Political Science 49 (April 2005): 327-342.

⁷⁴Riker, "Federalism," *Handbook of Political Science*, p. 155.
⁷⁴Riker, "Six Books in Search of a Subject," p. 145.

⁷⁵Riker, "Federalism," Handbook of Political Science, p. 143.

so much of one's scholarship to an institution deemed irrelevant. Second, some of Riker's own statements indicate that he cared deeply about how federal structures affected policy outcomes. For example, he concludes his 1964 book with a discussion of how federalism in the United States at that time promoted racism and discrimination against African Americans, especially in the South, ultimately arguing: "Thus, if in the United States one disapproves of racism, one should disapprove of federalism." More than two decades later, following significant civil-rights reforms, Riker gives another, more positive, statement of how federalism matters: "For those who believe, with Madison, that freedom depends on countering ambition with ambition, this constancy of federal conflict is a fundamental protection of freedom."

What, then, are we to make of his claims that federalism does not matter, despite statements to the contrary? One possibility is that, as part of the scientific enterprise, Riker made such bold statements as a way of provoking scholars toward further work in uncovering the significance of federalism. He may have tipped his hand toward such an interpretation in saying: "[The above] judgments on federalism are a way of saying that it is not very significant as an institution. Whether or not this statement is factually correct seems to me the most important subject for research on federalism." Riker even proposed a research design for such analysis. "To discover whether or not federalism makes any difference for policy, take matched pairs of federal and unitary governments and examine them to discover whether or not there are significant differences in public policy."

If Riker's goal from such provocative statements was to spur on comparative political research on federalism, it is unclear as to whether he was successful. It is impossible to say what such scholarship would have looked like in the absence of Riker's work. However, Alfred Stepan believes that Riker's statements may have actually dissuaded scholars from studying federalism: "One of the reasons for the strange death of federalism in modern democratic theory is that the major theorist of federalism [Riker] killed it [with such statements]."

Nevertheless, whether advanced or discouraged by Riker's provocations, scholarship over the past decade has begun to thoroughly explore the effects of federalism in comparative political context. The majority of such work

⁷⁶Riker, Federalism: Origin, Operation, Significance, p. 155.

⁷⁷Riker, *The Development of American Federalism*, p. 111. While Riker thus accepts the possibility of a link between federalism and freedom at this point in his career, he continues to insist that the protection of freedom is not the reason behind the formation of federal systems, instead holding steadfast to his military and expansion conditions.

⁷⁸Riker, "Federalism," Handbook of Political Science, p. 159.

⁷⁹Ibid., 159; see also Riker, "Six Books in Search of a Subject," p. 139.

⁸⁰Stepan, Arguing Comparative Politics, p. 338. Consistent with the above, Stepan argues that the reason Riker suggests that federalism does not matter is that he believes that preferences of the public and of politicians matter much more than do institutions. If politicians desire to change outcomes significantly, they can manipulate the institutions to such ends.

has shown that federalism does indeed matter.81 Federalism matters in numerous different areas of politics, economics, and public policy. Regarding government size and efficiency, economic growth, and inflation, Charles Tiebout⁸² and James Buchanan⁸³ paint an optimistic view of federalism. They argue that the horizontal competition across states and localities within federal systems counterbalances the excesses and unresponsiveness of the national government. Much recent empirical work, however, has found negative or mixed effects of federalism and decentralization on a country's fiscal condition and on inflation.84 Although subnational governments may place a check on the national government, when that central government is pursuing needed economic and political reforms, such a check undermines progress. Moreover, if the subnational governments are free to engage in cost-shifting to other governments, or if they have easy access to credit, competitive federalism can become quite detrimental.

Similar debates about the benefits and pitfalls of federal systems are linked to recent discussions of "market-preserving federalism."85 Barry Weingast and his colleagues argue that strong governmental institutions are needed to address market failures and to regulate business. However, such strong institutions then also have the power to destroy markets in pursuit of political ends. Subnational governments in well-designed federal systems can place checks on the over-reaching of national politicians, and therefore serve to preserve market forces. Furthermore, the subnational governments also serve to check the potential over-reaching of one another. Hongbin Cai and Daniel Treisman, however, show the other side of this coin. 86 They suggest that, where the national government has difficulty raising taxes and regulating markets, constraints imposed by subnational governments and the need to share power and revenues across multiple levels of government lead to "state corroding federalism." Put simply, regardless of the policy area being examined, where the national government is behaving in "good"

⁸¹For an excellent review, coupled with an exploration of fiscal and inflationary performance in 15 federal systems, see Jonathan Rodden and Erik Wibbels, "Beyond the Fiction of Federalism: Macroeconomic Management in Multitiered Systems," World Politics 54 (July 2002): 494-531.

s*Tiebout, "A Pure Theory of Local Expenditures," pp. 416-424.

s*James M. Buchanan, "Federalism as an Ideal Political Order and an Objective for Constitutional Reform," Publius: The Journal of Federalism 25 (Spring 1995): 19-27.

Jonathan Rodden, "The Dilemma of Fiscal Federalism: Grants and Fiscal Performance Around the World," American Journal of Political Science 46 (July 2002): 670-687; Daniel Treisman, "Decentralization and Inflation: Commitment, Collective Action, or Continuity?" American Political Science Review 94 (December 2000): 837-857; Erik Wibbels, "Federalism and the Politics of Macroeconomic Policy and Performance," American Journal of Political Science 44 (October 2000): 687-702. For evidence of the link between federalism and fiscal decentralization see Maria Escobar-Lemmon, "Fiscal Decentralization and Federalism in Latin America," Publius: The Journal of Federalism 31 (Fall 2001): 23-41.

Barry R. Weingast, "The Economic Role of Political Institutions: Market-Preserving Federalism and Economic Development," Journal of Law, Economics, and Organization 11 (April 1995): 1-31; Gabriela Montinola, Yingyi Qian, and Barry R. Weingast, "Federalism, Chinese Style: The Political Basis for Economic Success in China," World Politics 48 (October 1995): 50-81.

Hongbin Cai and Daniel Treisman, "State Corroding Federalism," Journal of Public Economics 88 (March 2004): 819-843.

ways, federalism unfortunately limits such actions, but when the national government is behaving badly, federalism provides a beneficial constraint. Similar arguments form the basis for exchanges exploring whether federalism expands or restrains corruption.87

Beyond such implications for economic and policy considerations, one may wonder whether federal systems are better than unitary governments at promoting political freedoms. Again, the arguments take a similar form. On one hand, to the extent that governments serve to guarantee such freedoms, federal systems would seem to offer a double security. On the other hand, where those freedoms tend to be abridged or limited by government, federalism offers multiple layers of restrictions. Riker himself was torn on this issue over the years. In his 1964 work, Riker gave several examples of federal systems with little freedom, and of unitary systems with extensive guarantees of freedom, before concluding: "In summary, the abstract assertion that federalism is a guarantee of freedom is undoubtedly false."88 Yet, in his 1996 piece, he wrote: "Considering all the federations there have been in the world, I believe that federalism has been a significant force for limited government and hence for personal freedom."89

Perhaps the conclusion we should draw on the relationship between federalism and freedom is the same one we should draw about the effects of federalism more generally. Riker appears to be wrong in arguing that federalism does not matter at all, but he was right in suggesting that no simple relationships exist between federalism and positive or negative policy outcomes. Recall that his hesitancy in constructing a theory of the workings of federations beyond their birth came from observing the variety of societies and levels of economic development and political considerations across federal systems. 90 Indeed, federalism presents an additional complexity to the already complicated structure of social, political, and economic institutions. Comparisons across countries must account for such factors.⁹¹ Even within a single country, the effects of federalism may vary by policy area. For example, the same competitive pressures that followers of Tiebout trumpet as beneficial in developmental policies raise fears of a "race to the bottom" in redistributive areas. 92 Further research on the implications and significance of federalism is clearly needed, and Riker's scientific approach

⁸⁷Daniel Treisman. "The Causes of Corruption: A Cross-National Study." *Journal of Public Economics* 76 (June 2000): 399-457; Raymond Fisman and Roberta Gatti, "Decentralization and Corruption: Evidence across Countries," Journal of Public Economics 83 (March 2002): 325-345.

Riker, Federalism: Origin, Operation, Significance, p. 145. Riker's willingness in his early works to dismiss claims about federalism with a single counter-example can be quite aggravating for scholars searching for broad patterns (rather than absolute dictums) to explain complex human behavior.

 ^{**}Siker, "European Federalism," p. 20.
 **Riker, "Federalism," Handbook of Political Science, p. 131.
 **For example, Rodden and Wibbels, "Beyond the Fiction of Federalism," p. 496, explore whether "the effect of federalism on macroeconomic management is contingent on a variety of fiscal and political factors, including geographic characteristics, the level of fiscal decentralization, the revenue autonomy of regional governments, and the nature of party systems."

Peterson, The Price of Federalism, Paul E. Peterson and Mark C. Rom, Welfare Magnets: A New Case for a National Standard (Washington, DC: The Brookings Institution, 1990).

to such research appears to be gaining greater momentum over time. By breaking the relationships between federalism and the numerous types of policy outcomes into smaller pieces and examining each one separately, positive political scientists are following Riker's footsteps, even in directions he did not anticipate.

CONCLUSION

As noted in the introduction, William H. Riker's ideological viewpoint evolved throughout his career from New Deal liberal to anti-statist conservative. Riker traces this change in his thinking about federalism to the civil-rights reforms of the 1960s. By eliminating many forms of local repression, civil-rights legislation freed many conservative thinkers to support federalism—with a clear conscience—after their adoption. As Riker argued: "With the racial dimension of judgment thus removed, it became possible, for the first time in American history, to value federalism unambiguously as a deterrent to statism." 93

This change in Riker's ideology affects the tone, but little of the substance, of his arguments. Consider his 1964 statement: "Thus, if in the United States one approves of Southern white racists, then one should approve of American federalism." By 1975, this is tempered to: "Federalism was never the culprit in American racism, for the real cause of racist behavior is the preferences of whites. All that federalism ever did was to facilitate the expression of racist beliefs and the perpetuation of racist acts." While the tone changed with his distance from events and his evolving ideology, Riker remained clear that federalism aided racist behavior by checking national power that otherwise would have enforced an antiracist policy sooner. Even with these changing views, however, Riker remained firm in his belief about the significance of federalism—that it had, even in the area of civil rights, at most a "marginal" effect. 96

Unlike many American conservatives, Riker was thus not a federalist cheerleader. He did not argue that American federalism should be strengthened to fit ideals of original intent or to uphold strict interpretations of constitutional guarantees. Instead, he looked at federalism as it operates on the ground and sought to explain its existence and importance. This view is both refreshing and frustrating. It is refreshing as it presents a realistic view of how federalism operates, based on the incentives of political actors within institutions, and backed up by empirical analyses. As such, Riker presented a model of scholarship and argumentation that could be embraced further by conservatives focused on federalism. In line with conservative thinking, Riker built his theories on assumptions about the

⁹⁵Riker, The Development of American Federalism, p. xiii.

⁹⁴Riker, Federalism: Origin, Operation, Significance, p. 155.

⁹⁵Riker, "Federalism," Handbook of Political Science, pp. 155-156.

⁹⁶Ibid., 156.

self-interested nature of political actors, yielding conclusions that resonate with conservative thinkers. However, Riker's work also is frustrating on a number of fronts. Despite all his scholarship, he repeatedly evaluated federalism as unimportant. Still, there remained a normative, evaluative tone in his writings regarding the benefits and harms of federalism, which does not always fit with his more positivist arguments. It would therefore be difficult for conservatives to fully embrace Riker's views, which initially linked federalism with racism, then dismissed federalism as unimportant.

Nevertheless, much can be learned from Riker's approach. While his normative tone and his ideological views shifted over time, Riker's propositions regarding the origins and operation of federalism did not waver. Over the decades of his writing, he held firm to the view that federalism has its origins in a fundamental bargain struck by political leaders concerned about territorial expansion and military threats. He likewise remained steadfast in supporting his propositions that the United States has been a politically centralized federal system since 1787, and that this centralization has only been effectively checked by the peripheralizing force of decentralized political parties.

Such adherence must not be mistaken for inflexibility. For example, Riker was willing to expand his definition of the military condition to include internal as well as external threats. He was able, as well, to entertain the possibility that trade considerations might in the future replace the military threat as a motivation behind the formation of federal systems. Such alternatives, however, needed to be substantiated with empirical support as part of the scientific process. Absent such evidence, however, Riker took pride that his descriptions remained consistent over time despite his changing ideological positions, thus presenting "a practical refutation . . . of the claim by opponents of social science that moral premises preclude useful generalization." It was the search for such generalizations that motivated Riker from beginning to end.

In the preface to his 1964 book, Riker wrote: "Years ago, when I first thought of writing something like this book, I wanted to make a truly comparative study of federalism, which seemed to me to be exactly the kind of subject about which we might easily utter testable generalizations... In time, however, I came to realize that this was far too pretentious a project for one man." In displaying his scientific approach to studying federalism, Riker made this project one to which we all can contribute.

⁹⁷Riker, The Development of American Federalism, p. xiii.

⁹⁸Riker, Federalism: Origin, Operation, Significance, pp. xi-xii.