

FEDERAL SECOND CHAMBERS COMPARED (R.L. Watts)

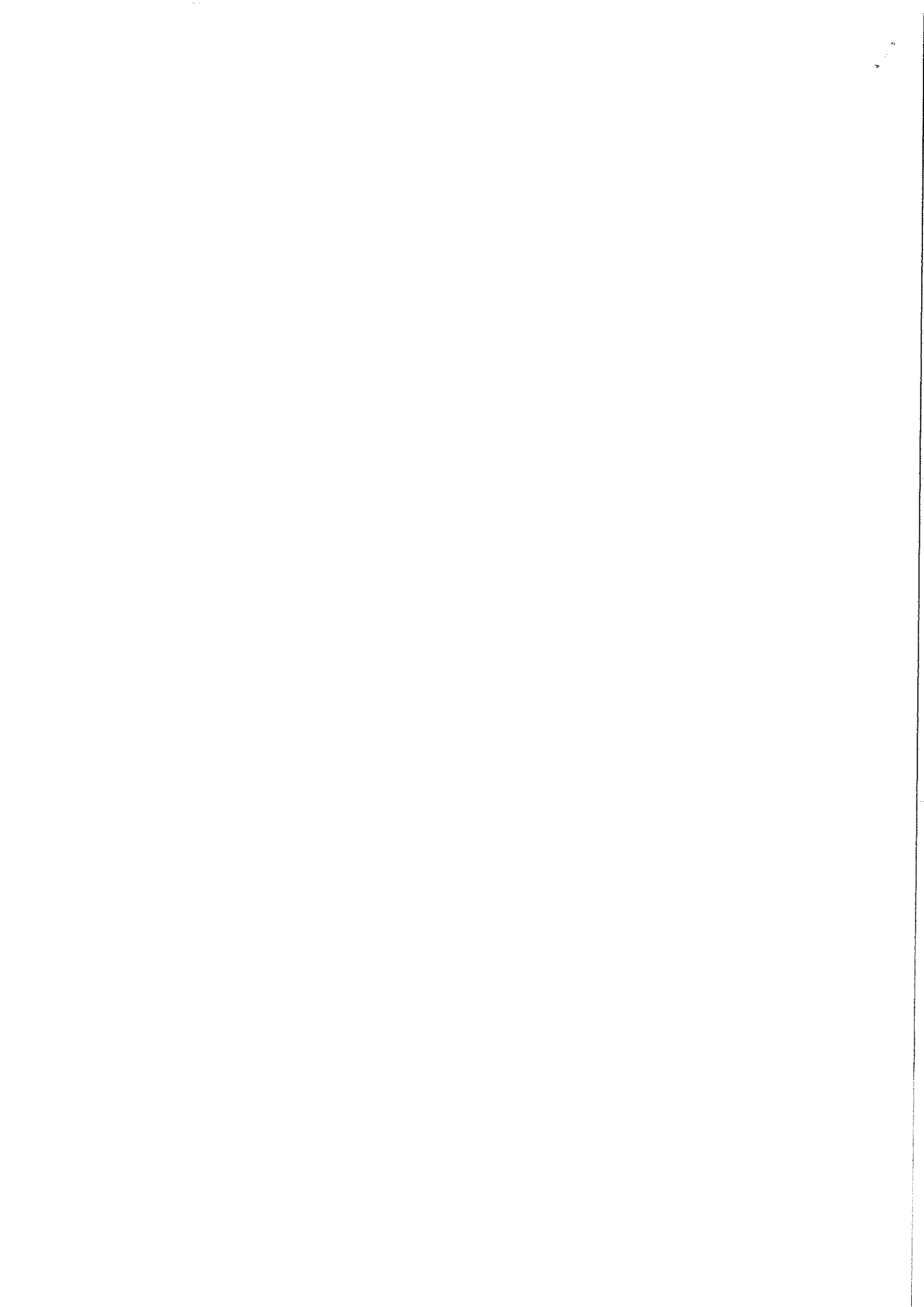
Table 1: Variations in Selection, Composition, Powers and Role of Second Chambers in Selected Federations

<i>Selection</i>	<i>Composition</i>	<i>Powers</i>	<i>Role</i>
1. Appointment by federal government (no formal consultation) (e.g. Canada term until age 75, Malaysia 63% of seats)	1. Equal "regional" representation (e.g. Canada for groups of provinces)	1. Absolute veto with mediation committees (e.g. Argentina, Brazil, Mexico, Switzerland, USA)	1. Legislative chamber only (e.g. Argentina, Australia, Brazil, Canada, India, Malaysia, Mexico, Switzerland, USA)
2. Appointment by federal government based on nominations by provincial governments (e.g. Canada: Meech Lake Accord proposal)	2. Equal state representation (e.g. Argentina, Australia, Brazil, Mexico, 37% of Malaysian senate, Nigeria, Pakistan 88% of seats, Russia, South Africa, USA)	2. Absolute veto on federal legislation affecting any state administrative functions (e.g. Germany, South Africa)	2. Combined legislative and intergovernmental roles (e.g. Germany, South Africa)
3. Appointment ex officio by state government (e.g. Germany, Russia 50% of seats, South Africa 40% of seats)	3. Two categories of cantonal representation (e.g. Switzerland: full cantons and half cantons)	3. Suspensive veto: time limit (e.g. Malaysia, South Africa (except above), Spain)	3. Ultimate interpretation of the constitution (e.g. Ethiopia)
4. Indirect election by state legislatures (e.g. USA 1789-1912, Austria, Ethiopia, India, Pakistan, Malaysia 37% of seats, Russia 50% of seats, South Africa 60% of seats)	4. Weighted state voting: four categories (e.g. Germany: 3, 4, 5 or 6 block votes)	4. Suspensive veto: matching lower house vote to override (e.g. Germany for some)	
5. Direct election by simple plurality (e.g. Argentina, Brazil, Mexico 75% of seats, USA since 1913)	5. Weighted state representation: multiple categories (e.g. Austria, India)	5. Deadlock resolved by joint sitting (e.g. India)	
6. Direct election by proportional representation (Australia, Nigeria, Mexico 25% of seats)	6. Additional or special representation for others including aboriginal (e.g. Ethiopia, India, Malaysia, Pakistan)	6. Deadlock resolved by double dissolution then joint sitting (e.g. Australia)	
7. Choice of method left to cantons (e.g. Switzerland: in practice direct election by plurality)	7. A minority of regional representatives (e.g. Belgium, Spain)	7. Money bills: brief suspensive veto (e.g. India, Malaysia) or no veto (Pakistan)	
8. Mixed (e.g. Belgium, Ethiopia, Malaysia, Mexico, Russia, South Africa, Spain)			

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Table 2: Selection, Composition, and Powers of Some Federal Second Chambers

Argentina	Senate: elected by direct vote; one-third of the members elected every two years to a six-year term; absolute veto.
Australia	Senate: direct election (by proportional representation); equal state representation; absolute veto (but followed by double dissolution and joint sitting).
Austria	Bundesrat: elected by state legislatures; weighted representation (range 12:3); suspensive veto (may be overridden by simple majority in lower house, the Nationalrat).
Belgium	Senate: combination of directly elected (40), indirectly elected by linguistic Community Councils (21), and co-opted senators (10); variable representation specified for each unit; equal competence with House of Representatives on some matters but on others House of Representatives has overriding power.
Brazil	Senado Federal (Senate): 3 members from each state and federal district elected by a simple majority to serve eight-year terms; one-third elected after a four-year period, two-thirds elected after the next four-year period; absolute veto.
Canada	Senate: appointed by federal government; equal regional representation for 4 regional groups of provinces (Ontario; Quebec; 4 western provinces; 3 maritime provinces) plus 6 for Newfoundland and one each for the 3 territories; absolute veto (legally) but in practice weakened legitimacy.
Ethiopia	House of Federation (Yefedereshn Mekir Bet): 71 members (63%) appointed by regional bodies and 41 (27%) appointed based on population and ethnicity. This body serves as the supreme constitutional arbiter. Members serve five-year terms. For members selected by states, directly or indirectly elected according to decision of state councils.
Germany	Bundesrat: state government ex officio delegations; weighted voting (3, 4, 5 or 6 block votes per state); suspensive veto on federal legislation overridden by corresponding lower-house majority, but absolute veto on any federal legislation affecting state administrative functions (60% of federal legislation reduced to about 40% by reforms in 2006); mediation.
India	Rajya Sabha (Council of States): elected by state legislatures (plus 12 additional representatives appointed by the President for special representation); weighted representation of states (range 31:1); veto resolved by joint sitting.
Malaysia	Dewan Negara (Senate): 26 (37%) elected by state legislatures plus 44 (63%) additional appointed representatives for minorities; equal state representation



(for 37% of total seats): suspensive veto (six months).

Mexico	Camara de Senadores (Senate): 128 seats in total; 96 (3 per state) are elected by popular vote to serve six-year terms and cannot be re-elected; 32 are allocated on the basis of each party's popular vote; absolute veto.
Nigeria	Senate: each state has three seats while one senator represents the Federal Capital Territory. A total of 109 senators are directly elected for a four-year term; absolute veto (except taxation and appropriation bills resolved by joint sitting) with joint committees to resolve deadlocks.
Pakistan	Senate: 100 seats indirectly elected by provincial assemblies to serve 4-year terms. Of the 22 seats allocated to each province, 14 are general members, 4 are women and 4 are technocrats. Federally Administered Tribal Areas (FATAs) and the Capital Territory fill seats through direct election, with 8 seats given to the FATAs and 4 for the Capital Territory; no veto on money bills, budget, borrowing or audit of federal accounts.
Russia	Federation Council (Soviet Federatsii): Asymmetry of length of term and method of selection depending on the republic or region. Each unit has 2 representatives in the Federation Council, one elected by of the constituent unit legislature, the other appointed by the governor; dispute resolution by joint committee which may be overridden by two-thirds majority in lower house.
South Africa	National Council of Provinces (NCOP): 90 seats, consisting of 54 representing provincial legislatures and 36 representing provincial executives; equal provincial representation (6 legislators plus 4 executives per province); veto varied with type of legislation.
Spain	Senate: 208 directly elected members and 51 appointed by parliaments of 17 Autonomous Communities; categories of 4, 3 or one directly elected senator(s) per provinces (sub-units of Autonomous Communities) supplemented by representation of one or more (related to population) appointed by each autonomous parliament; suspensive veto (2 months).
Switzerland	Council of States: in practice direct election (direct election by plurality; method chosen individually by all cantons); 2 representatives for full cantons and 1 for half cantons; absolute veto (mediation committees).
United States	Senate: direct election since 1913 (by simple plurality); equal state representation (six-year terms with one-third elected every two years); absolute veto (mediation committees).
