

Federalism And The European Union The Building Of Europe 1950 2000

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State Territoriality and European Integration

The European nation state is now placed between the interconnected processes of globalization and European integration. This new book examines these evolving relationships, showing how the conventional territorial basis of the state is being reappraised. Bringing together leading thinkers on the nation state, this volume tackles key questions about how we should conceptualize and discuss the political significance of territory in today's world. For example, does the era of Europeanization and globalization herald the end of citizens' traditional attachment to their national territories? Do our conceptions of the state no longer correspond to contemporary political realities? These questions are approached from a range of positions that illuminate the debates now taking place across the world. This book delivers a clear set of key concepts, indicators and theoretical notions to carry out a historically and empirically grounded examination. Drawing upon case studies from across Europe, the lessons and conclusions detailed have a fascinating international scope and can be applied to our understanding of globalization, which is intimately connected with European integration. This is an invaluable book for all students of European integration, political science and international relations.

International Law

Discussing what we may learn from thinking about the EU in federal terms represents a two-fold challenge. It is on the one hand a matter of establishing 'how federal' the EU is (the EU's federal challenge). On the other, the EU has federal features but is not a state, thus raising the question of whether federal theory and practice may have to be adapted to take proper account of the EU (the EU's challenge to federalism). The contributions to this collection supplement and extend existing scholarship through focusing on two important lines of inquiry. The first focuses on the relationship between federalism and democracy, with particular emphasis on how federal systems respond to and deal with citizens' interests and concerns, within and outside the political system. Representation is explored both in the process of federalization, and as a feature of established systems. The second line of inquiry places the emphasis on the relationship among the governments of federal systems. The focus is on intergovernmental relations, and the particular merits that emanate from studying these from a federal perspective. This book was originally published as a special issue of Journal of European Public Policy.

Oxford Principles of European Union Law

To what extent should local and regional governments in the European Union be allowed to determine their own fiscal policies? This book explores the core issues of fiscal federalism in the European context. It combines theoretical and empirical analysis in addressing such questions as: * what sort of fiscal federalism is appropriate in the European Community * what are the dangers of more centralization * what are the costs of greater decentralization

Understanding Federalism and Federation

Comparative federalism is an important topic, with scholarly work comparing the US & EU 'proliferating rapidly'. This volume seeks to build on & contribute to this literature, by developing a systematic comparison of the institutions, policies & developmental patterns of the European Union & the United States.

Comparative Federalism

The European Union - a supranational system with its own institutional characteristics and autonomy - has a structure and functional logic which are more similar to those of the US than those of European nation states. Yet, by and large, the EU and the US tend to be analyzed more as potential geopolitical and economic rivals or allies than compared as institutional peers. By bringing together some of the most influential political scientists and historians to compare the European and American experiences of federalism, Democracy and Federalism in the European Union and the United States explores the future development, and seeks a better understanding, of a post-national European Union democracy. This book consists of three core parts: how the EU has developed and the implications of the process of European federalization the features of

American federalism, tracing the intellectual debate that led to the approval of the American federal constitution in 1787 the future of European Union. This is essential reading for all students of European politics, democracy and international relations.

The Crisis of the European Union

What is the federal philosophy underlying the law-making function in the European Union? Which federal model best characterizes the European Union? This book analyses and demonstrates how the European legal order evolved from a dual federalism towards a cooperative federalist philosophy.

European Union Politics

There is no European Union health system but there is an EU health policy. The EU affects the health of its citizens, the health of people around the world, and the operation and finance of its Member States' healthcare systems in many ways, mostly for the better, and often in ways that are poorly understood. This book, a completely revised second edition of our previous volume on the subject, maps out the nature of EU health policies, their logic and reason for being, and their potential to affect the health of Europeans for the better. It is written in the belief that understanding the breadth and diversity of EU health policies, and the distinctive institutional structure that explains them, will improve our collective abilities to make policy for health in any sphere, from food to healthcare services and from occupational safety to international trade. Above all, we hope that this book makes it impossible to deny the scale and often indirect and positive impact of EU health policy. EU health policies extend far beyond the Public Health Article 168, from the environmental, social policy and consumer protection policies discussed alongside it in chapter 3, to the extensive internal market laws that have made so much beneficial EU regulatory policy, discussed in chapter 4, to the ambitious fiscal governance agenda discussed in chapter 5, which has increasingly developed a health focus. Across a broad sweep of policies from RescEU's civil protection to the regulation of pharmacies, the EU is omnipresent in health and health policy. It should be understood as such. The question is not whether we want an EU health policy, for EU health policy is inevitable. It is how it should be made and for what ends.

Democratic Federalism

Tanja Börzel argues that the effect of Europeanization on the politics and institutions of the EU's member states depends on the degree of conflict between European and domestic norms and rules. This book examines the relationship between the central state and regions in Germany and Spain, showing how Europeanization has served to weaken the powers of the

regions. In both countries, the regions were forced to cooperate more closely with the centre, but the institutional impact in the two countries has been strikingly different. In Germany the existing cooperative Federal system was reinforced, but in Spain the traditional competitive relationship between the levels of government could not continue. Europeanization has led to a significant change in the pattern of Spanish politics, turning rivalry into cooperation. This book thus presents an important analysis of the impact of Europeanization on domestic politics, and on the relationship between states and regions in particular.

EU Citizenship and Federalism

'Outstanding book stimulating introduction this is a volume that is rich in ideas and takes the debates over US and EU federal development in original and thought-provoking directions.' -Perspectives on European Politics and Society'The book is an important addition to the literature. It provides a comprehensive study of key issues facing the European Union, the major contemporary debates regarding its political system, and the parallels with similar debates in the United States.' -International JournalWhat is happening to the uneasy relationship between the States and the Union in the United States and the European Union? How to make subsidiarity and devolution work better on both sides of the Atlantic? And what are the new models of governance beyond the state that can sustain the challenge of legitimacy? This book brings together an impressive array of historians, political scientists, legal scholars and political economists to address these questions and articulate a Federal Vision for the 21st century.

States and Regions in the European Union

Almost all states are either federal or regionalized in some sense. It is difficult to find a state that is entirely unitary and the Routledge Handbook of Regionalism and Federalism necessarily takes in almost the entire world. Both federalism and regionalism have been subjects of a vast academic literature mainly from political science but sometimes also from history, economics, and geography. This cutting edge examination seeks to evaluate the two types of state organization from the perspective of political science producing a work that is analytical rather than simply descriptive. The Handbook presents some of the latest theoretical reflections on regionalism and federalism and then moves on to discuss cases of both regionalism and federalism in key countries chosen from the world's macro-regions. Assembling this wide range of case studies allows the book to present a general picture of current trends in territorial governance. The final chapters then examine failed federations such as Czechoslovakia and examples of transnational regionalism - the EU, NAFTA and the African Union. Covering evolving forms of federalism and regionalism in all parts of the world and featuring a comprehensive range of case studies by leading international scholars this work will be an essential reference source for all students and scholars of international politics, comparative politics and international relations.

The EU and Federalism

One of the most frequent criticisms levelled at the European Community is the discrepancy between federalist rhetoric and the intergovernmental response: between its ideological aspirations and contemporary political reality. The federalist heritage of the European Community has become discredited by contemporary political thinkers, and yet it still forms an important part of the community's ideological foundations. Within this book the contrasting theories of Spinelli and Monnet are subjected to rigorous criticism, examining the benefits and pitfalls of their proposals for a unified Europe, and the probability of the gap between theory and actuality ever being bridged in the future.

Democracy and Federalism in the European Union and the United States

Despite its geographical centrality and its considerable economic involvement in Europe, Switzerland remains unusual in that it is neither a member of the European Union or the European Economic Area. At a time when the Union is both expanding and seeking to develop its integration, the country constitutes a real anomaly amongst west European states. This book demonstrates the range, depth and complexity of Switzerland's developing relations with Europe and provides detailed and up-to-date information on Switzerland itself. Considering a variety of dimensions of the country and its ambiguous relations with the EU, the contributors, all of whom are leading specialists on Swiss-EU relations, explore: the classical political obstacles to entry: federalism, direct democracy, neutrality and the growing strength of anti-European populism policy barriers to integration: in trade and economics generally, in financial matters, and in social provisions relating to the movement of people the negotiation of the two sets of bilateral accords which presently structure Swiss relations with the Union the EU response and the prospects for future Swiss-EU relations. Switzerland and the European Union will appeal to specialists on Switzerland, academics and students in politics and international relations, and practitioners in European integration and Swiss politics.

Federalism in the European Union

This book provides a general introduction to the European Union (EU) and describes how, from its origin in 1952, it has grown into a polity of 25 states with a population of more than 450 million.

From Dual to Cooperative Federalism

"In the EU experience, the very concept of union was formally used for the first time in the preamble of the 1957 Rome Treaty establishing the European Economic Community (EEC), when the signatory states expressed their determination "to

lay the foundations of an ever-closer union among the peoples of Europe". This concept was then strengthened in the 1992 Maastricht Treaty or Treaty establishing the European Union (TEU), when the signatory states reaffirmed in the Treaty's preamble their resolution "to continue the process of creating an ever closer union among the peoples of Europe"--

Changing Borders in Europe

Tracing the evolution of federalist theory and the European Union (EU), an international line up of distinguished experts debate the pros and cons of treating the EU in a comparative context and ask whether a constitutional equilibrium has been reached in the EU. They examine policymaking or modes of governance in the areas of employment, health, environment, security and migration, comparing the EU's policies with policies of both international organisations like NATO, OECD and federal states such as Canada, Japan and South Africa.

Federal Challenges and Challenges to Federalism

Changing Borders in Europe focuses on the territorial dimension of the European Union. It examines the transformation of state sovereignty within the EU, the emergence of varied self-determination claims, and the existence of a tailor-made architecture of functional borders, established by multiple agreements. This book helps to understand how self-determination pressures within the EU are creating growing concerns about member states' identity, redefining multi-level government in the European space. It addresses several questions regarding two transformative processes - blurring of EU borders and state sovereignty shifts - and their interrelations from different disciplinary perspectives such as political science, law, political economy and sociology. In addition, it explores how the variable geographies of European borders may affect the issue of national self-determination in Europe, opening spaces for potential accommodations that could be compatible with existing states and legal frameworks. This book will be of key interest for scholars, students and practitioners of EU politics, public administration, political theory, federalism and more broadly of European studies, international law, ethnic studies, political economy and the wider social sciences.

The Federal Vision

Since the 1957 Rome Treaty, the European Union has changed dramatically - in terms of its composition, scope and depth. Originally established by six Western European States, the EU today has 28 Members and covers almost the entire European continent; and while initially confined to establishing a "common market," the EU has come to influence all areas of political, economic and social life. In parallel with this enormous geographic and thematic expansion, the constitutional and legislative principles underpinning the European Union have constantly evolved. This three-volume study aims to

provide an authoritative academic treatment of European Union law. Written by leading scholars and practitioners, each chapter offers a comprehensive and critical assessment of the state of the law. Doctrinal in presentation, each volume nonetheless tries to present a broader historical and comparative perspective. Volume I provides an analysis of the constitutional principles governing the European Union. It covers the history of the EU, the constitutional foundations, the institutional framework, legislative and executive governance, judicial protection, and external relations. Volume II explores the structure of the internal market, while Volume III finally analyses the internal and external substantive policies of the EU.

The New Democratic Federalism for Europe

This second edition of European Union Politics provides an authoritative introduction to all aspects of politics and policy in the EU. It gives readers a sense of the colour and flavour of EU politics, while systematic coverage of different theoretical perspectives encourages a more sophisticated understanding of the EU's development and function.

The Federal Future of Europe

This book examines patterns of environmental regulation in the European Union and four federal polities--the United States, Germany, Australia, and Canada. Daniel Kelemen develops a theory of regulatory federalism based on his comparative study, arguing that the greater the fragmentation of power at the federal level, the less discretion is allotted to component states. Kelemen's analysis offers a novel perspective on the EU and demonstrates that the EU already acts as a federal polity in the regulatory arena. In *The Rules of Federalism*, Kelemen shows that both the structure of the EU's institutions and the control these institutions exert over member states closely resemble the American federal system, with its separation of powers, large number of veto points, and highly detailed, judicially enforceable legislation. In the EU, as in the United States, a high degree of fragmentation in the central government yields a low degree of discretion for member states when it comes to implementing regulatory statutes. Table of Contents: Acknowledgments 1. Regulatory Federalism and the EU 2. Environmental Regulation in the EU 3. Environmental Regulation in the United States 4. Environmental Regulation in Germany 5. Environmental Regulation in Australia and Canada 6. Food and Drug Safety Regulation in the EU 7. Institutional Structure and Regulatory Style Notes References Cases Cited Index R. Daniel Kelemen's *The Rules of Federalism* is an important contribution to both the literature on federalism and on the European Union. It makes an original theoretical and empirical contribution to our understanding of regulatory federalism and sheds new light on the federal systems which it compares. It will open up new avenues of inquiry. --Alberta Sbragia, University of Pittsburgh *The Rules of Federalism* makes a significant contribution to the literature on regulatory federalism. Keleman's original theoretical perspective is made plausible through a series of fascinating case studies. The book will be of interest to scholars of

federalism, constitutional design, environmental policy, and the European Union. --Susan Rose-Ackerman, Yale Law School

Comparative Federalism

The conceptual uncertainty when dealing with processes of integration and disintegration in Europe is striking because traditional notions of the nation-state, constitutionalism, sovereignty, and federalism do not account for emerging realities in either Western or Eastern Europe. This volume explores the complex inter-relationship between federal arrangements and their effects on integrating multi-ethnic societies in Europe, and takes stock of current debates on the effects of federalism on integration and disintegration in Eastern and Western Europe. For the first time federalism is addressed in a pan-European context and an attempt is made to look for remedies to overcome nationalism in both East and West within a federalist institutional framework.

Prime Minister, Cabinet and Core Executive

This textbook offers for the first time a comprehensive analysis of the classic doctrines and main areas of international law from a European perspective, meeting the needs of the many European law schools teaching public international law in English. Special attention is devoted to the practice of the European Union, the Council of Europe and European States – both civil law and common law countries – with regard to international law. In particular the book analyses the interplay between international law, EU law and national law in the case law of the Court of Justice of the EU, the European Court of Human Rights and national jurisdictions in Europe. It provides the reader with insights into how the international legal practice of the EU and its Member States impacts the development of international law, both in terms of doctrines such as treaty-making and customary law, the exercise of (extraterritorial) jurisdiction, state responsibility and the settlement of disputes, as well as particular sub-fields of international law, such as human rights law and international economic law. In addition the book covers other important areas such as the use of force and collective security, the law of armed conflict, and global and regional international organisations. It provides European perspectives on all these issues and will be of great value to students, scholars and practitioners.

Terrorism and the Limitation of Rights

Informal dimensions of European integration have received limited academic attention to date, despite their historical and contemporary importance. Particularly studies in European integration history, while frequently mentioning informal processes, have as yet rarely conceptualised the study of informality in European integration, and thus fail usually to systematically analyse conditions, impact and consequences of informal action. Including case studies that discuss both

successful and failed examples of informal action in European integration, this book assembles cutting-edge research by both early-career and more experienced scholars from all over Europe to fill this lacuna. The chapters of this volume offer a guide to the study of informality and show how informality has impacted European integration history and the functioning of the EC/EU as well as other European organisations in a variety of ways. Reflecting the diversity of studies within this burgeoning field of research, within and across several academic disciplines, the book approaches the informal dimensions of European integration from different disciplinary, methodological and thematic angles. This book will be of key interest to students and scholars of European integration, EU politics/studies, European politics, European Union history, and more broadly to comparative politics and international relations.

Fiscal Federalism in the European Union

This edited volume aims to reveal the Janus-faced character of federalism in the European Union. Federalism appears in two main forms in the EU. On the one hand, numerous formerly unitary Member States have embarked on a path towards a (quasi-)federal governance structure. On the other hand, the EU itself is sometimes qualified as a federal system. Significantly, the concept of federalism has a very different, even opposite, connotation in both contexts. When associated with Member State reform, federalism is regarded as a technique for accommodating autonomy claims of sub-state nations. By contrast, when federalism is used as a label for the EU itself, it is conceived as a far-reaching way of integrating the nations of Europe. This dual appearance of federalism in the EU context is central to the structure of the book. The first collection of essays addresses the question whether the EU may be described as a federal system, and whether it can learn from existing federations. In the second set of contributions, the attention shifts to domestic federalisation processes, more particularly to the impact of these processes on EU law and vice versa.

Swiss Federalism

Translated by Ciaran Cronin. In the midst of the current crisis that is threatening to derail the historical project of European unification, Jürgen Habermas has been one of the most perceptive critics of the ineffectual and evasive responses to the global financial crisis, especially by the German political class. This extended essay on the constitution for Europe represents Habermas's constructive engagement with the European project at a time when the crisis of the eurozone is threatening the very existence of the European Union. There is a growing realization that the European treaty needs to be revised in order to deal with the structural defects of monetary union, but a clear perspective for the future is missing. Drawing on his analysis of European unification as a process in which international treaties have progressively taken on features of a democratic constitution, Habermas explains why the current proposals to transform the system of European governance into one of executive federalism is a mistake. His central argument is that the European project must realize its

democratic potential by evolving from an international into a cosmopolitan community. The opening essay on the role played by the concept of human dignity in the genealogy of human rights in the modern era throws further important light on the philosophical foundations of Habermas's theory of how democratic political institutions can be extended beyond the level of nation-states. Now that the question of Europe and its future is once again at the centre of public debate, this important intervention by one of the greatest thinkers of our time will be of interest to a wide readership.

Which European Union?

Based on a variety of contemporary debates on federal theory *Understanding Federalism and Federation* honours Michael Burgess' contribution to the study of these topics through a selection of approaches, theories, debates and interpretations. Gathering contributors from diverse subfields to synthesize current debates it offers a snapshot of the immense range of current research on federalism and federation. Leading authors debate key issues such as American federalism, Canada and the role of Quebec, the latest insights into comparative federalism and federation, the European Union as a federal project and the analysis of constitutional courts in federal systems. Different theoretical and empirical fields and perspectives are brought together, synthesizing major findings and addressing emerging issues and these topics are analysed through multiple lenses to provide new insights, original approaches and much-needed theoretical and empirical data on federalism and federation.

The European Union

Federalism Doomed?

This innovative book proposes a new institutional arrangement for government to fulfil the needs of its citizens as well as possible. Existing aspects of federalism and direct democracy in Europe are strengthened, and as a result future developments arising in the region are coped with better. In this book Bruno Frey and Reiner Eichenberger propose a new model of federalism which includes new types of governmental units established by citizens from below. These units are called functional, overlapping and competing jurisdictions as they extend over task-specific areas and therefore overlap. They also provide competitive governance via direct and representative democratic institutions, and as jurisdictions they have independent power over taxation policy. This new model is more responsive to citizens' preferences and adjusts more dynamically to provide public services efficiently. The authors suggest that this new system should be allowed to develop in Europe to safeguard diversity and ensure that decentralization emerges effectively. It would also allow for the flexible integration of East European transition economies into the European Union and may also combine with traditional modes of

government in developing countries. This book will be warmly welcomed by economists, political scientists and sociologists interested in the future of the European Union, by all those studying federal systems of government, and by those interested in the prospects for improving democratic institutions throughout the world.

The Informal Construction of Europe

Kochenov's definitive collection examines the under-utilised potential of EU citizenship, proposing and defending its position as a systemic element of EU law endowed with foundational importance. Leading experts in EU constitutional law scrutinise the internal dynamics in the triad of EU citizenship, citizenship rights and the resulting vertical delimitation of powers in Europe, analysing the far-reaching constitutional implications. Linking the constitutional question of federalism and citizenship, the volume establishes an innovative new framework where these rights become agents and rationales of European integration and legal change, located beyond the context of the internal market and free movement. It maps the role of citizenship in this shifting landscape, outlining key options for a Europe of the future.

The Rules of Federalism

"Federalism, defined generally as a collection of self-governing regions under a central government, is widely viewed as a sensible choice of polity both for emerging democracies and for established states. But while federal institutions are positively correlated with valued economic, democratic, and justice outcomes, ultimately it is unclear how they are connected and which cause which. In *Democratic Federalism*, Robert Inman and Daniel Rubinfeld explore how federalism works and propose concrete and proven policy guidance on how federalist policies can be designed and implemented successfully. The authors define federalism according to three parameters: how much federal revenue comes through local governmental bodies, the number of local governmental bodies, and the extent to which these local bodies are represented federally. In applying these parameters to economic concepts and theory, Inman and Rubinfeld explain how federalism works in a way meant to engage scholars in political science and sociology and policymakers drafting regulation in federalist governments. The book offers applicable ideas and comparative case studies on how to assess potential policies and how to actually design federalist institutions from scratch. Both authors have real experience with both, most notably in their work advising the South African government on how to build a federalist democracy. This book will be an essential guide to understanding and applying federalist concepts and principles"--

Federalism and European Union

The history, current state, and likely future of the European Union

Federalism and the European Union

A revisionist interpretation of the post-war evolution of European integration and the European Union (EU), this book reappraises and reassesses conventional explanations of European integration. It adopts a federalist approach which supplements state-based arguments with federal political ideas, influences and strategies. By exploring the philosophical and historical origins of federal ideas and tracing their influence throughout the whole of the EU's evolution, the book makes a significant contribution to the scholarly debate about the nature and development of the EU. The book looks at federal ideas stretching back to the sixteenth century and demonstrates their fundamental continuity to contemporary European integration. It situates these ideas in the broad context of post-war western Europe and underlines their practical relevance in the activities of Jean Monnet and Altiero Spinelli. Post-war empirical developments are explored from a federalist perspective, revealing an enduring persistence of federal ideas which have been either ignored or overlooked in conventional interpretations. The book challenges traditional conceptions of the post-war and contemporary evolution of the EU, to reassert and reinstate federalism in theory and practice at the very core of European integration.

Switzerland and the European Union

American Federalism in Practice is an original and important contribution to our understanding of contemporary health policy. It also illustrates how contentious public policy is debated, formulated, and implemented in today's overheated political environment. Health care reform is perhaps the most divisive public policy issue facing the United States today. Michael Doonan provides a unique perspective on health policy in explaining how intergovernmental relations shape public policy. He tracks federal-state relations through the creation, formulation, and implementation of three of the most important health policy initiatives since the Great Society: the State Children's Health Insurance Program (CHIP) and the Health Insurance Portability and Accountability Act (HIPAA), both passed by the U.S. Congress, and the Massachusetts health care reform program as it was developed and implemented under federal government waiver authority. He applies lessons learned from these cases to implementation of the Affordable Care Act. "Health policymaking is entangled in a complex web of shared, overlapping, and/or competing power relationships among different levels of government," the author notes. Understanding federal-state interactions, the ways in which they vary, and the reasons for such variation is essential to grasping the ultimate impact of federalism on programs and policy. Doonan reveals how federalism can shift as the sausage of public policy is made while providing a new framework for comprehending one of the most polarizing debates of our time.

Europe's Hidden Federalism

One of the most frequent criticisms levelled at the European Community is the discrepancy between federalist rhetoric and the intergovernmental response: between its ideological aspirations and contemporary political reality. The federalist heritage of the European Community has become discredited by contemporary political thinkers, and yet it still forms an important part of the community's ideological foundations. Within this book the contrasting theories of Spinelli and Monnet are subjected to rigorous criticism, examining the benefits and pitfalls of their proposals for a unified Europe, and the probability of the gap between theory and actuality ever being bridged in the future.

Democracy and Federalism in the European Union and the United States

Religious actors are becoming part of the EU bureaucratic system, and their mobilisation in Brussels and Strasbourg in the last decade has increased dramatically. This book explores the mechanism and impact of religious representation by examining relations between religious practitioners and politicians in the European Union from the Second World War until today. This book seeks to answer the following questions: How do (trans)national religious groups enter into contact with European institutions? What are the rationale and the mechanisms of religious representation in the European Union? How are religious values transposed into political strategies? What impact has relations between religious practitioners, EU officials and politicians on the construction of the European Union? Examining religious representation at the state, transnational and institutional levels, this volume demonstrates that 'faith' is becoming an increasingly important element of the decision-making process. It includes chapters written by both academics and religious practitioners in dialogue with European institutions and will be of great interest to students and scholars of European politics, history, sociology of religion, law and international relations.

American Federalism in Practice

The hidden federal features of the European Union help explain the challenges of legitimacy, democracy and freedom that face an unfinished political community. Ideas about federalism and the reality of existing federal states cannot be sharply divided in an analysis of the EU's multilevel political order, but so far, both scholars and major decision makers have shown interest only in the normal functioning of federal systems: ignoring the dilemma of the federation's legitimate authority has resulted in an existential crisis for the EU which has become ever more manifest over recent years. This book employs a combination of political philosophy and political science, of federal philosophic ideas and their traces in real federal institutions, in order to achieve the task of understanding the federal features of the EU governance system. The first part of the work focuses on building an appropriate theoretical framework to explain the new meanings attached to familiar notions of democracy, legitimacy and citizenship in the context of a political community like the EU. In the second part the federal features of the EU's political system are examined in comparison to other current and historical federal perspectives

like the US, Switzerland, Yugoslavia and Germany. Through an analysis of the hidden federal aspects of the EU and the links between hidden federalism and the EU's legitimacy crisis, this book reveals the patterns that should be avoided and gives us guidelines that should be followed if the EU is to become democratic and politically united without jeopardising the state character of its members.

Routledge Handbook of Regionalism & Federalism

Taking as a starting point the widely accepted view that states confronted with terrorism must find a proper equilibrium between their respective obligations of preserving fundamental rights and fighting terrorism effectively, this book seeks to demonstrate how the design and enforcement of a human rights instrument may influence the result of that exercise. An attempt is made to answer the question how a legal order's approach to the limitation of rights may shape decision-making trade-offs between the demands of liberty and the need to guarantee individual and collective security. In doing so, special attention is given to the difference between the adjudicative methods of balancing and categorisation. The book challenges the conventional wisdom that individual rights, in times of crisis, are better served by the application of categorical rather than flexible models of limitation. In addition, the work considers the impact of a variety of other factors, including the discrepancies in enforcing an international convention as opposed to a national constitution and the use of emergency provisions permitting derogations from human rights obligations in time of war or a public emergency. The research questions are addressed through a comparative study of the terrorism-related restrictions on five fundamental rights protected under the European Convention on Human Rights and the United States Constitution: the right to freedom of expression, the right to freedom of association, the right to personal liberty, the right to privacy, and the right to a fair trial. The book offers both a theoretical account of the paradoxical relationship between terrorism and human rights and a comprehensive comparative survey of the major decisions of the highest courts on both sides of the Atlantic.

Fiscal Federalism in the European Union and Its Countries

The European Union - a supranational system with its own institutional characteristics and autonomy - has a structure and functional logic which are more similar to those of the US than those of European nation states. Yet, by and large, the EU and the US tend to be analyzed more as potential geopolitical and economic rivals or allies than compared as institutional peers. By bringing together some of the most influential political scientists and historians to compare the European and American experiences of federalism, *Democracy and Federalism in the European Union and the United States* explores the future development, and seeks a better understanding, of a post-national European Union democracy. This book consists of three core parts: how the EU has developed and the implications of the process of European federalization the features of American federalism, tracing the intellectual debate that led to the approval of the American federal constitution in 1787

the future of European Union. This is essential reading for all students of European politics, democracy and international relations.

Representing Religion in the European Union

A new examination of contemporary federalism and federation, which delivers a detailed theoretical study underpinned by fresh case studies. It is grounded in a clear distinction between 'federations', particular kinds of states, and 'federalism', the thinking that drives and promotes them. It also details the origins, formation, evolution and operations of federal political interests, through an authoritative series of chapters that: analyze the conceptual bases of federalism and federation through the evolution of the intellectual debate on federalism; the American Federal experience; the origins of federal states; and the relationship between state-building and national integration explore comparative federalism and federation by looking at five main pathways into comparative analysis with empirical studies on the US, Canada, Australia, India, Malaysia, Belgium, Germany, Austria, Switzerland and the EU explore the pathology of federations, looking at failures and successes, the impact of globalization. The final chapter also presents a definitive assessment of federal theory. This book will be of great interest to students and researchers of federalism, devolution, comparative politics and government.

Everything You Always Wanted to Know about European Union Health Policies But Were Afraid to Ask

The book tackles a key issue for the European Union: Fiscal Federalism. It evaluates the applicability of this theoretical perspective for the EU. Conversely, it pinpoints ways in which the diversity of existing fiscal settings and organisations, both at national and European levels, can throw light on the theory. The study analyses two of the most important European policies: Cohesion Policy and the Stability and Growth Pact. It compares the episode of German Unification to the 2004 European Enlargement. It pioneers a cross-country analysis of the various national fiscal settings. Finally, it highlights the close links between the dynamics of decision-making related to the main budgetary choices and the integration process. The questions raised are crucial in the current context of economic and institutional uncertainty: How should we apprehend the Cohesion Policy, the main expression of European solidarity? How can the coordination of national fiscal policies be improved? How are European countries and their regions organised in fiscal and budgetary terms? What lessons can the EU draw from its own fiscal past and from that of its Member States? Over and above the originality of the answers provided by the authors, the book suggests that it would be difficult to take the integration process further without first clarifying what Europe can, should or wants to do.

Federalism and European Union

The political and economic crisis of EU integration has made it increasingly apparent how challenging it is to bring together different sovereign cultures, languages and regions into a single political system. Switzerland – being one of the three classic federations in the world – can provide insights, particularly in relation to the accommodation of cultural, linguistic, religious and regional diversity, which can help tackle contemporary challenges. This book describes and analyses the characteristics, institutions, and processes of Swiss federalism, along with its combination of stability and change. It presents a comprehensive study of the federal system of Switzerland, where it comes from, how it operates, and the way it has changed of late. This will allow readers to appreciate the specific and current answers the Swiss case offers to the main questions raised by wider federal research. This text will be of key interest to scholars and students in federalism and territorial politics, political institutions, local and regional government studies, multi-level governance and more broadly to European and comparative politics.

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