Democracy and Federalism in the European Union and the United States—Professor of Political Science Sergio Fabbri 2005-02-25 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 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.

Federalism and the European Union—Michael Burgesses 2002-09-11 A revisionist interpretation of the post-war evolution of European integration and the European Union (EU), this book 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. This 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 Alain Delpla. Post-war empirical developments and the conceptual shift to the supranational polity of the European Union have been either overlooked or reinterpreted in conventional interpretations. The book challenges traditional conceptions of the post-war and contemporary evolution of the EU, to reassess and reinstate federalism in theory and practice at the very core of European integration.

Federalism and the European Union—Michael Burgess 2006-04-10 One of the most frequent criticisms levied 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 critical analysis, examining the debates 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.

Federalism in the European Union—Elke Cloats 2012-09-03 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 avoiding automatic claims on sub-national entities. 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.

Comparative Federalism—Aarend Menon 2006-11-16 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.

The Federal Vision—Bojan Kovacevic 2017-05-18 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 far more, 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 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.

The EU and Federalism—Finn Larsen 2016-03-23 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.

The Constitutional Theory of the Federation and the European Union—Sjoerd Rehling Larsen 2021-02 This book departs from the ‘statist’ imagination by suggesting the EU is a federal union of states, or a federation. Dedicated to the constitutional theory of federalism, this book gives the strengths and weaknesses of a federation as a political form, its histories, and current perils for the EU.

Federalism and the European Union—Michael Burgess 1996

The Rules of Federalism—R. Daniel. KELEMMEN 2009-06-05 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, judicily enforceable legislation. In the US, 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 Keleman'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 describes. It will open up new avenues of inquiry. —Alberta Shraga, University of Pittsburgh The Rules of Federalism makes a significant contribution to the literature on regulatory federalism.
Fiscal Federalism in the European Union and Its Countries—Clément Yannaccher 2006 This 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 in which ways 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 pions 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 can 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 series of 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 in the European Union—Elke Cloots 2012 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. These essays explore this dual appearance of federalism in the EU context.

Fiscal Federalism and European Economic Integration—Mark Baimbridge 2005-06-28 The pace of economic integration amongst European Union (EU) member states has accelerated considerably during the past decade, highlighted by the process of Economic and Monetary Union (EMU). Many aspects of the EU’s apparatus, however, have failed to evolve in order to meet these new challenges. This book explores the issue of fiscal federalism within the context of EU integration from theoretical, historical, policy and global perspectives. It contrasts the pace of integration amongst EU member states with the failure of financial and administrative apparatus to evolve to encompass fiscal federalism, i.e. the development of a centralised budgetary system. This impressive collection, with contributions from a range of internationally respected authors, will interest students and researchers involved with European economics and economic integration. Its accessible style will also make it extremely useful to policy-makers and professionals for whom European economic integration is a daily topic of conversation.

Fiscal Federalism in the European Union—Amedeo Fossati 2005-08-03 To what extent local and regional governments in the European Union be understood 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?

Federalism in the European Union—Joanna Maria-Magdalena Kopka 1993

**The Oxford Handbook of Comparative Foreign Relations Law**—Curtis A. Bradley 2019-06-07 This Oxford Handbook ambitiously seeks to lay the groundwork for the relatively new field of comparative foreign relations law. Cooperative foreign relations law compares and contrasts how nations, and also supranational entities (for example, the European Union), structure their decisions about matters such as entering into and exiting from international agreements, engaging with international institutions, and using military force, as well as how they incorporate treaties and customary international law into their domestic legal systems. The legal materials that make up a nation’s foreign relations law can include constitutional law, statutory law, administrative law, and judicial precedent, among other areas. This book consists of 46 chapters, written by leading authors from around the world. Some of the chapters are empirically focused, others are theoretical, and still others contain in-depth case studies. In addition to being an invaluable resource for scholars working in this area, the book should be of interest to a wide range of lawyers, judges, and law students. Foreign relations laws is addressed regularly by lawyers working in foreign ministries, and globalization has meant that domestic judges, too, are increasingly confronted by them. In addition, private lawyers who work on matters that extend beyond their home country often are required to navigate issues of foreign relations law. An increasing number of law school courses in comparative foreign relations are also now being developed, making this volume an important resource for students as well. Comparative foreign relations law is a newly emerging field of study and teaching, and this volume is likely to become a key reference work as the field continues to develop.

**EU Federalism and Constitutionalism**—Andrew Glencross 2010-10-21 EU Federalism and Constitutionalism: The Legacy of Alberio Spinelli is the first book-length study devoted not only to how Spinelli’s advocacy for a federal Europe shaped European integration but also how Spinelli’s ideas are essential to understanding the European constitutional system today. This volume integrates perspectives from law, history, and political science to offer a comprehensive and up-to-date analysis of the history, evolution, and future of federal principles and institutions in the European integration process.

**EU Citizenship and Federalism**—Dimitry Kochenov 2017-04-13 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 law scrutinise the internal dynamics in the triad of EU citizenship, citizenship rights and the resulting 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 wherein ‘citizenship’ 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.

**Federalism and the European Union—Mustafa Tunç 2003**

Federalism Doomed?—Andreas Heinemann-Gruder 2002 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-relation 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.

From Dual to Cooperative Federalism—Robert Schütze 2013-01-31 What is the federal philosophy inspiring the structure of European law? The federal principle stands for constitutional arrangements that find “unity in diversity.” The two most manifest manifestations of the federal principle emerged under the names of “dual” and “cooperative” federalism in the constitutional history of the United States of America. Dual federalism is based on the idea that the federal government and the State governments are co-equals and each is legislating in a separate sphere. Cooperative federalism, on the other hand, stands for the thought that both governments legislate in the same sphere. They are hierarchically arranged and complement each other in solving a social problem. Can the European Union be understood in federal terms? The book’s general part introduces three constitutional traditions of the federal idea. Following the American tradition, the European Union is defined as a Federation of States as it stands on the “middle ground” between international and national law. But what federal philosophy has the European Union followed? The special part of the book investigates the structure of European law. Three arguments are formulated to show the evolution of the legal order from dual to cooperative federalism. The first looks at the decline of constitutional exclusivity on the part of the Member States and the European Union. For almost all objects of government, the Union and its States operate in a universe of shared powers. The second argument analyses the decline of legislative exclusivity. European and national legislation - increasingly - complement each other to solve a social problem. The third argument describes the “constitutionalisation” of subnational subsidiarity as the idea of complementariness competes with the idea of complementariness. A final Chapter is dedicated to Europe’s foreign affairs federalism. It analyses, whether the external sphere must be regarded as subject to different constitutional or federal principles. The book concludes that cooperative federalism will benefit both levels of government - the Union and the Member States - as the constitutional mechanism of uniform European standards complemented by diverse national standards best expresses the federal idea of “unity in diversity.”

Federalism and the European Union—Michael Burges 1989 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.

The Federal Vision—Kalypso Nicolaidis 2001-11-01 The Federal Vision is about the complex and changing relationship between levels of governance within the United States and the European Union. Based on a transatlantic dialogue between scholars concerned about modes of governance on both sides, it is a collective attempt at analysing the ramifications of the legitimacy crisis in our multi- layered democracies, and possible remedies. Starting from a focus on the current policy debates over devolution and subsidiarity, the book engages the reader in the broader tension of comparative federalism. Its authors believe that in spite of the fundamental differences between them, both the EU and the US are in the process of re-defining a federal vision for the 21st century. This book represents an important new contribution to the study of Federalism and European integration, which seeks to bridge the divide between the two. It also bridges the traditional divide between technical, legal or regulatory discussions of federal governance and philosophical debates over questions of belonging and multiple identities. It is a multi-disciplinary project, bringing together historians, political scientists and theorists, legal scholars, sociologists and political economists. It includes both innovative analysis and prescriptions on how to reshape the federal contract in the US and the EU. It includes introductions to the history of federalism in the US and the EU, the current debates over devolution and subsidiarity, the legal framework of federalism and theories of regulatory federalism, as well as innovative approaches to the application of network analysis, principal-agent models, institutional analysis, and political theories of citizenship to the federal
European Integration and American Federalism

Towards a Federal Europe

Democracy and Federalism in the European Union and the United States

Understanding Federalism and Federation

Fiscal Federalism in the European Union

Regulatory Federalism

Efficiency and Federalism in the European Union

The Constitutional Boundaries of European Fiscal Federalism

Beyond “Trading Up”:

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Efficiency and Federalism in the European Union

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Democracy, Federalism, and the European Union

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