



Bullettin n. 1/2011 - June 2011

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A Grotian Moment: Changes in the Legal Theory of Statehood

in **Denver Journal of international law and policy**, Volume 39, No. 2

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Section A) The theory and practise of the federal states and multi-level systems of government

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Döring Thomas, Schnellenbach Jan

A tale of two federalisms: Germany, the United States and the ubiquity of centralization

in **Constitutional political economy**, Volume 22, Number 1 / March 2011 , 83-102

This paper offers a comparison of government centralization in the United States and in Germany. After briefly laying out the history of federalism in both countries, we identify the instruments of centralization at work. It is argued that an initial constitutional framework of competitive federalism does not prevent the long-term centralization of competencies. Against a background of historical evidence, we discuss the political economics of government centralization. It is argued that formal institutions clearly have an effect on the pathways of government centralization, but not necessarily on the broader trend of centralization. The conclusion is reached that preservation of state and local autonomy may eventually hinge on informal political institutions.

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Hoffmann Leif

Becoming Exceptional? American and European Exceptionalism and their Critics: A Review

in **Europe en formation (L')**, n. 359, spring, 2011 , 83-105

Systematic comparisons between the EU and the US have largely been discouraged due to the fact that American exceptionalism and the European Union being sui generis were taken for granted. A reversal of this trend, however, has recently taken place with comparisons between both polities having become more common and accepted in the scholarly community. More scholars have noted that while the two polities might be exceptional in comparison with the European nation-states, they are less so when compared to each other. This article therefore reviews the arguments why the EU and the United States of America have been treated as sui generis in the past and the emergent literature on the comparability of the two polities and some of the new research results developing from it.



Section A) The theory and practise of the federal states and multi-level systems of government

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Centralismo versus federalismo : dalla Costituzione del 1988 che tipo di federalismo si è affermato in Brasile?
in *Politica Internazionale*, Numero Speciale- Brasile: come nasce una potenza regionale

No abstract available

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Nicholson-Crotty Sean, Theobald Nick

Claiming Credit in the U.S. Federal System: Testing a Model of Competitive Federalism

in *Publius: The Journal of Federalism*, vol. 41, n. 2, Spring , 232-256

Based on the assumption that lawmakers can only claim credit for public goods they produce, models of intergovernmental political competition predict that states with less ability to pay for public goods will respond more favorably to the price effect of federal grants. We offer the alternative assumption that confusion over proper credit assignment allows state lawmakers to claim credit for federal production. This produces the expectation that lawmakers in states with low ability to pay will be more likely to let federal money supplant own source spending, assuming that they will be able to continue claiming credit even as their share of production decreases. We test these competing assertions in data on transportation production in the American states between 1971 and 1996.

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Adetola Odubajo

Contending Issues in Nigeria's Federal Practice

in *Indian Journal of Federal Studies*, 23rd Issue, 1/2011 , 60-85

Since the emergence of modern federalism as a system of government through the exertions of American statesmen in the 18th century, the system has gained universal acceptance but more particularly in heterogeneous societies. The federalist model of accommodating diversity through the management of social cleavages and the schisms that often occur provides a suitable option for multicultural societies. Its mechanistic character of shared rule and separate rule, amidst the foreclosure of secession has provided assurances for political stability and peaceful coexistence amongst the variegated segments of heterogeneous states.

Nigeria's adoption of the system in the

1954 Constitution offered possibilities of managing the complexities that come with the country's wide diversity. However, the application of federalism to the country's scenario has been found wanting in numerous respect. This paper isolates specific variables (horizontal and vertical relationships; asymmetry and symmetry relationships; diversity issues; minority question; constitutionalism and constitution-making processes) that are germane to the prospects of successfully working the federal system and processes in Nigeria. In the final analysis, the point is made that no other system may be more suitable for Nigeria other than federalism; as such the need



for concerted and coordinated efforts by all stakeholders for appropriate management of federalism is required.

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Mouskhély Michel

Dans l'Europe en formation, en 1960 : Structures fédérales

in Europe en formation (L'), n. 359, spring, 2011 , 107-117

This article appeared in the first issue of L'Europe en formation, in March 1960. The author establishes the theoretical distinction between the Federal State and the Confederation of States, which finds its source in the place where the power is set up. The Confederation of States is based on a political oligarchic relationship, whereas the Federal State stipulate the rule of law and postulate democracy. Thus, the Confederation of States lies on the sole will of the member states, whereas the Federal State creates a balance between states and peoples, supported by the research of the common will and the judicial control. The superiority of the Federal State stems from the balance of the association, insuring stability and durability.

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Birkland Thomas A., DeYoung Sarah E.

Emergency Response, Doctrinal Confusion, and Federalism in the Deepwater Horizon Oil Spill

in Publius: The Journal of Federalism, vol. 41, n. 3, Summer , 471-493

The Deepwater Horizon oil spill was accompanied by intergovernmental blame casting and criticisms similar to that of Hurricane Katrina. The federal response was often viewed as slow, state officials were unsure of their role, and local officials complained that they were not adequately consulted. However, natural and oil pollution disasters have relief and regulatory regimes based on doctrines different from those governing natural disasters. This article discusses those doctrines one of which is characterized by "shared power"; the other reflects greater federal direction. The balance of national and state powers inherent in federalism can also lead to confusion and delay in disaster response, particularly when there are overlapping laws and programs and unrealistic state and local expectations.

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Joondeph Bradley W.

Federalism and Health Care Reform: Understanding the States' Challenges to the Patient Protection and Affordable Care Act

in Publius: The Journal of Federalism, vol. 41, n. 3, Summer , 447-470

Currently, a total of twenty-eight states are challenging the constitutionality of the Patient Protection and Affordable Care Act (PPACA) in federal court. Their principal claims are that the PPACA's regulation of the states violates their



independent sovereignty, and that the Act's minimum coverage requirement exceeds Congress's enumerated powers. This litigation is immensely important, as it concerns a hugely significant statute and raises fundamental questions of constitutional federalism. This article offers a detailed description of the claims raised by the states and analyzes their plausibility under current law. It then addresses the likelihood that the Supreme Court will ultimately sustain the states' arguments and invalidate the PPACA.

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Kirchgässner Gebhard, Schelker Mark

Federalism and exit costs. A comment on: C. Mantzavinos, federalism and individual liberty

in Constitutional political economy, Volume 22, Number 2 / June 2011 , 191-197

No abstract available

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Mantzavinos C.

Federalism and individual liberty: a rejoinder

in Constitutional political economy, Volume 22, Number 2 / June 2011 , 198-199

No abstract available

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Rudolph Lloyd I., Hoeber Rudolph Susanne

Federalism as State Formation in India: A Theory of Shared and Negotiated Sovereignty

in International Political Science Review , vol. 31, n. 5, november , 553-572

ABSTRACT: In the master narrative of the formation of the modern state, its unified, monopoly sovereignty is presented as universal, the natural culmination of a teleological process. We challenge the naturalness and universality of that claim by historicizing the sovereignty concept. We do so by examining the history of state formation in late medieval and early modern Europe. When, why and how were sovereignty concepts constructed and contested are questions that engage the politics of category formation. After historicizing the sovereignty concept, we turn to the study of federalism in India as state formation process rather than studying it constitutionally or comparatively.

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Rainald Borck

Federalism, Fertility, and Growth

in Scandinavian Journal of Economics, Volume 113, Issue 1 , 30-54



This paper analyses the effect of federalism on fertility and growth. In a model with human capital accumulation and endogenous fertility, two regimes of education finance are compared: central and local. I find that local education finance yields higher growth at the price of increased inequality. The effect of federalism on total and differential fertility rates depends on the elasticity of substitution between children and consumption. The paper also empirically examines the relationship between fertility rates and fiscal decentralisation on a panel of OECD countries and finds a weak negative effect of decentralisation on total and differential (poor minus rich) fertility

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Fenna Alan

Form and Function in Federal Systems

in *Australian Journal of Political Science*, vol. 46, n. 1, march , 167-179

No abstract available

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Andrea Oelsnera and Antoine Vion

Friends in the region: A comparative study on friendship building in regional integration

in *International Politics* , Volume 48, Issue 1 , 129–151

The role of international friendship in regional integration – be it as one of encouraging integration or as its by-product – tends to be overshadowed by (realist) assumptions of naked self-interest. This article aims to open up a space for friendship in the study of regional integration, by exploring the structuration of a series of speech acts and institutional facts that can be interpreted as signs of engagement in, and proofs of, friendship. In doing this, it puts forward a new analytical perspective and methodological framework. The case studies chosen to illustrate the analysis – the Franco–German and the Argentine–Brazilian dyads – reflect the historical meaning of the experience of moving away from enmity/antagonism towards building relationships based on mutual trust, which put these dyads at the centre of regional integration processes.

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Rodrigues Daniel

Fédéralisme, conflit ethnique et sécessionnisme: Le fédéralisme comme instrument de sécession non-violente

in *Fédéralisme Régionalisme* , Volume 10 - Varia

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=903>

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Silvia Bolgherini



Germania: il federalismo consensuale

in *Mulino (il)*, n. 6, novembre-dicembre, 2010 , 974-981

No abstract available

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Broschek Jörg

Historischer Institutionalismus und Vergleichende Föderalismusforschung: Fragestellungen und Analyseperspektiven

in *Swiss Political Science Review - Schweizerische Zeitschrift für Politikwissenschaft - Revue suisse de science politique*, Volume 17, Issue 1, April 2011 , 27-50

Historical Institutionalism and Comparative Federalism. Issues and Perspectives

With some exceptions, efforts to systematically apply a historical-institutionalist framework to the study of federalism have been few and far between. This paper argues, however, that historical institutionalism lends itself particularly well for addressing two important research questions in the field of comparative federalism: the origins of federal systems and their dynamics. It is suggested that a historical-institutionalist framework can significantly contribute to encourage theoretical cross-fertilization within the field of comparative federalism.

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Dietmar Braun

How Centralized Federations Avoid Over-centralization

in *Regional and Federal Studies*, Volume 21, Issue 1 , 35 - 54

The focus of this article is centralized types of federations that have been neglected both in the economic literature on federalism and in comparative federal studies. The starting point is that countries with centralized institutional solutions are subject to encroaching behaviour by the central government and are threatened with shifting further towards 'over-centralization'. 'Over-centralization' reduces federal member states to pure 'agents' of central government. By comparing four federal countries subject to centralization trends (Australia, Austria, Germany and Switzerland) and combinations of causal factors, an attempt is made to ascertain why some federations are locked in 'over-centralized' institutional solutions while others are able to ward off such an outcome.

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Figueiredo Marcelo

Il modello federale brasiliano (storia, disciplina e sistema delle risorse finanziarie)

in *Istituzioni del federalismo*, n. 5-6 , 517 - 542



No abstract available

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Rinella Angelo, Cardinale Valentina

Il principio di sussidiarietà nel diritto costituzionale comparato

in *Archivio giuridico*, n. 4 , 445-476

No abstract available

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Hernández Antonio Maria

Informe sobre el federalismo argentino

in *Cuaderno de federalismo*, Volumen XXIII , 11-20

No abstract available

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Reposo Antonio

La Federazione russa come Stato autonomico: vicende della sovranità e amending power

in *Diritto della regione (il)*, n. 5-6 , 61-74

No abstract available

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Toniatti Roberto

La razionalizzazione del ruolo dello Stato: spunti e appunti per uno studio sistematico sull'ordinamento composto

in *Diritto della regione (il)*, n. 5-6 , 259-298

No abstract available

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Dave SINARDET

Le fédéralisme consociatif belge : vecteur d'instabilité ?

in *Pouvoirs*, n. 136 , 21-35



The success of the Flemish nationalist parties in the federal elections of June 2010, following three years of major political crisis, leads the author to wonder whether the Belgian model of federalism and consensus has entered a terminal crisis. The article analyzes the core of the consensus machinery by looking at the theory of consociational democracy which has by and large been institutionalized in Belgium. Then he raises the following question: is it the system that has ceased to function or can the problems be at least partly explained by the consociational logic itself?

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Jan-Erik Lane

Models of Federalism

in **Indian Journal of Federal Studies**, 23rd Issue, 1/2011, 39-50

Federal arrangements used to constitute a set of options when organising a state. Today they are also relevant when regional organisations are set up. Yet, the plain truth is that the real set of federal states is small, comparing their number with that of unitary states. This calls for an enquiry into the rationale of federalism. It has been argued in various theories of federal organisation that it enhances decentralisation, democracy, defence and political or policy stability. None of these explanations hold up for a critical scrutiny, at least not generally. The basic rationale of federalism is the governance of size, whether area or population.

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Chafetz

Multiplicity in Federalism and the Separation of Powers

in **Yale Law Journal (The)**, Vol. 120, n. 5, March, 1084-1129

No abstract available

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Lowery David, Gray Virginia, Baumgartner Frank R.

Policy Attention in State and Nation: Is Anyone Listening to the Laboratories of Democracy?

in **Publius: The Journal of Federalism**, vol. 41, n. 2, Spring, 286-310

Do patterns of policy attention at the state level influence agenda setting in Washington over the short term? We examine this question by first developing a series of hypotheses about such linkages. We test these conjectures with a data set pooling measures of policy attention at the national and state levels for several years and several policy areas. We find little evidence that changes in state policy agendas in the aggregate influence national patterns of policy attention.

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Rauschenbach Rolf

Review Article: Föderalismus: Eine Einführung

in *Swiss Political Science Review - Schweizerische Zeitschrift für Politikwissenschaft - Revue suisse de science politique*, Volume 17, Issue 2, June 2011 , 230-234

No abstract available

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Jason Miklian

Revolutionary conflict in federations: the Indian case

in *Conflict, Security, and Development*, Volume 11, Issue 1 , 25-53

Federations promise to provide autonomous, representative governance that is flexible enough to overcome potential internal conflict resulting from the dual stresses of governing diverse populations and power overreach. India is the world's biggest federation but also hosts the most violent revolution in modern history against a federal state. Since 2004, 150,000 people have been killed or displaced in the war between the Communist Party of India-Maoist and India's government. Conflict management efforts led not to resolution but catastrophe across Andhra Pradesh, Chhattisgarh and Jharkhand as state responses contradicted each other and the centre's efforts. The differences illustrated how institutional mechanisms of decentralisation create, sustain and otherwise alter internal revolutionary conflicts that cross subunit boundaries. Three unique characteristics come into play when federal governments tackle revolutionary conflict: picking from subunit actions like policy buffers, exacerbation of state-subunit fissures and empowerment of local elites who put political self-interest above conflict resolution.

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Freire Soares Ricardo Mauricio

Riflessioni minime sul federalismo brasiliano

in *Federalismi*, Anno IX - Nr. 6

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Bonvecchi Alejandro, Lodola Germán

The Dual Logic of Intergovernmental Transfers: Presidents, Governors, and the Politics of Coalition-Building in Argentina

in *Publius: The Journal of Federalism*, vol. 41, n. 2, Spring , 179-206

How do fiscal institutions shape the ability of presidents and state governors in a federation to manipulate federal money



with coalition building goals? This article proposes a two-level theory of intergovernmental transfers based upon variation in the level of discretionality over the use of federal money that fiscal institutions grant to national and subnational executives. We use subnational level data in Argentina to show that not taking discretionality into account leads to wrong inferences about the electoral returns of intergovernmental transfers. We find that presidents extract different political utility from discretionary and nondiscretionary transfers. While discretionary transfers enable them to directly target voters bypassing opposition provincial governors, nondiscretionary transfers pay off more to co-partisan governors by guaranteeing security in the reception of transfer monies.

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Fred Cutler

The Space between Worlds: Federalism, Public Issues and Election Issues

in *Regional and Federal Studies*, Volume 20, Issue 4 & 5 , 487 - 514

This paper reconciles two strands of literature on federalism and mass political behaviour behaviour, but the reconciliation is not a happy one. One strand of literature pointed out optimistically that Canadians keep their two political worlds—provincial and federal—more separate than citizens in any other federation. Another strand points to the obvious difficulty citizens would have in separating the contribution of the two levels of government to policy results on the ground. Are these arguments fundamentally at odds? These two strands of literature can be reconciled by showing how federalism, particularly the Canadian version, forces parties, voters, and the media to make elections about issues that feature less intergovernmentalism. Unfortunately, these issues are usually of less concern to citizens than the highly intergovernmental policy areas systematically ignored in both federal and provincial elections. In short: Canadian elections are about the wrong things and federalism is to blame.

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Gamkhar Shama, Pickerill J. Mitchell

The State of American Federalism 2010–2011: The Economy, Healthcare Reform and Midterm Elections Shape the Intergovernmental Agenda

in *Publius: The Journal of Federalism*, vol. 41, n. 3, Summer , 361-394

The slow and jobless economic recovery, the midterm elections and the passage of healthcare reform legislation dominated the political landscape in 2010. The growing momentum behind federal deficit reduction and budget cuts provided a stark juxtaposition to the previously active federal role in stimulating the economy. Consequently, state and local budgets face significant belt-tightening. The cross-cutting impacts of these and other significant federal and state policy changes are expected to affect future cost sharing in government programs, place a higher burden on state and local governments over the long term and influence the balance of intergovernmental relations. Many of the important developments in politics, policy, and law during 2010–2011 are more notable for their potential future impact as opposed to immediate impact on American federalism.

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Volterra Sara

Un “dialogo” a più voci: l’esperienza degli ultimi decenni nell’interpretazione del federalismo statunitense
in *Diritto della regione (il)*, n. 5-6 , 99-118

No abstract available

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Christina Isabel Zuber

Understanding the Multinational Game: Toward a Theory of Asymmetrical Federalism
in *Comparative Political Studies* , Vol. 44 (5), May 2011 , 546-571

This article presents a baseline theory of asymmetrical federalism in multinational states. Two arguments building on a game-theoretic foundation link central and regional elites’ strategic choices to questions of federal stability. The first argument concerns the creation of asymmetrical institutions. In a confrontation game between the center and national minorities credibly threatening to exit the framework, the center’s decision to grant asymmetrical autonomy ensures mutual cooperation. Yet by extending the level of autonomy for minority regions, federal asymmetry creates a third player, the nonadvantaged regions. Consequently, the second argument models asymmetrical federalism as a “nested game” where events in the ethnonational arena determine the payoffs in the federal arena. Asymmetrical federal rules turn out to be inherently unstable from a perspective that takes all actors in all arenas into account. A narrative of the development of Russian federalism exemplifies the theory.

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Pizzetti Franco

A dieci anni dalla riforma del titolo V: perché il federalismo per l'Italia
in *Regioni (Le)*, n. 5 , 1013-1020

No abstract available

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González Hernández Esther

Catalogna.1932-2006: “L’operazione autonomia”
in *Diritto della regione (il)*, n. 3 , 17-50

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Carbonell Porras Eloísa

El ordenamiento de los entes locales en España antes y después de las reformas estatutarias
in *Federalismi*, Anno IX - Nr 9

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Rodríguez de Santiago José María

El régimen local de la República Federal Alemana antes y después de la reforma del federalismo de 2006
in *Federalismi*, Anno IX - Nr 8

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Gobbo Maurilio

I limiti alla revisione costituzionale nell'esperienza federale australiana e canadese. Profili peculiari di rigidità tra radici anglosassoni e riforme istituzionali
in *Diritto della regione (il)*, n. 5-6 , 75-98

No abstract available

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Cascajo Castro José Luis

La funzione costituzionale degli statuti (a proposito della Legge organica 14/2007 di riforma dello Statuto di autonomia di Castiglia e León)
in *Diritto della regione (il)*, n. 5-6 , 325-333

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JUAN LUIS REQUEJO PAGÉS

La reforma de las Constituciones cantonales suizas.
in *Revista de Estudios Políticos* , n. 151 , 363-371



The procedures for reforming the Constitutions of the cantons are set within a unique constitutional model. This reduces the State to the minimum necessary for the citizens to have direct participation in forming the general will. The Swiss federal system assumes (rather than constrains) the sovereignty of the cantons, ensuring that their normative will can be efficacious outside their own territory. This accords the cantons a degree of autonomy to reform their own Constitution that, in conjunction with the institutions for direct democracy, enables their citizens to exercise continuous power to shape the Constitution.

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MARTIN NETTESHEIM y BENEDIKT QUARTHAL

La reforma de las Constituciones de los Länder.

in *Revista de Estudios Políticos* , n. 151 , 281-310

This article begins by considering the comprehensive federal framework in which the constitutional autonomy of the Länder operates. It then describes in panoramic detail some regional constitutional reforms that substantially mean the establishment of guiding principles and goal-oriented provisions, references to the European projection of the regional-level administration, and reinforcing the instruments of parliamentary control of the regional governments and emergence of elements inherent to direct democracy. Despite their constitutional autonomy, far from questioning federal unity, these constitutional reforms point towards the effective realisation of its constitutional standardisation.

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Gerotto Sergio

La “dinamica costituzionale” nella Confederazione svizzera: qualche spunto di riflessione sul ruolo dei diritti popolari nel procedimento di revisione costituzionale

in *Diritto della regione (il)*, n. 5-6 , 119-150

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Rauschenbach Rolf

Review Article: Föderalismus in Deutschland und in Europa; Föderalismusreform II: Lernen von der Schweiz?

in *Swiss Political Science Review - Schweizerische Zeitschrift für Politikwissenschaft - Revue suisse de science politique*, Volume 17, Issue 1, April 2011 , 98-103

No abstract available

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Pegoraro Lucio

Revisione costituzionale e potestà statutaria

in *Diritto della regione (il)*, n. 1 , 11-26

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Rappaport Michael

The National Convention Constitutional Amendment Method: Defects, Federalism Implications, and Reform in Virginia Law Review, Vol. 96, issue 7 , 1511-1580

The amendment provisions of the United States Constitution have a serious defect. Although some commentators claim that the supermajority rules in these provisions are too strict, that is by no means clear. Rather, the clear defect in the amendment provisions is that the only effective way they provide of amending the Constitution requires Congress's approval and therefore Congress enjoys a veto over all amendments. While the Constitution does formally allow the state legislatures to seek to amend the Constitution through a national convention, that amendment method is broken. Not only has the national convention method never been used to pass an amendment or even to call a convention, the state legislatures are unlikely to ever use this method, because of the state legislatures' fear of a runaway convention that might seek to enact constitutional amendments that they strongly dislike.

This congressional veto over amendments has significant normative implications. It suggests that the Constitution cannot be amended in a way that will constrain congressional power. It also makes it unlikely that the Constitution can be amended to limit the federal government or to expand state authority, because Congress is unlikely to support these changes. While it has often been assumed that the increased nationalism of the Constitution and government over the course of American history reflects changes in technology and values, a significant portion of this nationalist movement may instead be the result of a biased amendment procedure.

In addition to exploring the normative implications of the broken amendment procedure, the article also proposes a new amendment method. Under this state drafting procedure, an amendment would be enacted when it was approved by two thirds of the state legislatures and was ratified by three quarters of the states through either state conventions or ballot measures. Finally, the article argues that this reform of the amendment procedure could actually be passed under the national convention method and proposes a strategy for enacting it.

Full text available at:

<http://www.virginialawreview.org/content/pdfs/96/1509.pdf>

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Subsection 3. The division (and the conflicts) of powers and competences

Mainardis Cesare

"Materie" trasversali statali e (in)competenza regionale



in *Regioni (Le)*, n. 5 , 1128-1134

No abstract available

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Subsection 3. The division (and the conflicts) of powers and competences

de la Quadra-Salcedo Janini Tomás

El Tribunal Constitucional en defensa de la Constitución. El mantenimiento del modelo competencial en la STC 31/2010, sobre el Estatuto de Cataluña.

in *Revista Espanola de Derecho Constitucional*, n. 90

No abstract available

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Subsection 3. The division (and the conflicts) of powers and competences

Viver Pi-Sunyer Carles

El Tribunal Constitucional, ¿«siempre, solo... e indiscutible»? La función constitucional de los Estatutos en el ámbito de la distribución de competencias según la STC 31/2010.

in *Revista Espanola de Derecho Constitucional*, n. 91

No abstract available

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LUIS ORTEGA ÁLVAREZ

El debate competencial entre el Estado y las Comunidades Autónomas.

in *Revista de Estudios Políticos* , n. 151 , 29-56

The Statute of Autonomy of Cataluña defines, in articles 110, 111, and 112, the legal concept of exclusive, shared and executive competences. The Constitutional Court in its sentence 31/10 declares the inadequacy of the Statute of Autonomy for making those definitions, because this is a function reserved to the Constitution and the interpretation of the Constitutional Court. In consequence, declares that those definitions are only a description of the constitutional jurisprudence, without adding any legal value by themselves, and proclaims the unconstitutionality of some wording of art. 111 because do not describes properly such jurisprudence.

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Wilk Eric M.

Federalism, Efficiency, and Civil Rights Enforcement

in *Political Research Quarterly*, vol. 64, n. 2, june , 392-404



ABSTRACT: This article systematically compares the efficiency of federal, state, and local civil rights agencies in enforcing national fair housing policy over time, with special attention to the South. State and local agencies processed Fair Housing Act complaints more efficiently than the U.S. Department of Housing and Urban Development (HUD), southern agencies outperformed HUD, and the probability that a racial discrimination complaint resulted in a favorable outcome for the alleged victim was the same for complaints originating within and outside the South. These findings suggest that the fair housing enforcement model may provide useful concepts for sharing power in other policy areas in the American federal system.

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Mattia Ferraresi

I governatori e la sfida al centralismo

in **Aspenia**, n. 51, gennaio , 81-86

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Panzera Claudio

I livelli essenziali delle prestazioni fra sussidiarietà e collaborazione

in **Regioni (Le)**, n. 4 , 941-956

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Coinu Giovanni

Il SUAP nel riparto di competenze legislative tra Stato e Regioni nella sentenza Corte cost. n. 15 del 2010: la semplificazione come nuova materia trasversale?

in **Regioni (Le)**, n. 4 , 960-978

No abstract available

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Lugaresi Nicola

Il contenzioso costituzionale sul "Codice dell'ambiente", tra rapporti istituzionali complessi e confini sfuggenti tra materie

in **Regioni (Le)**, n. 3 , 557-589

No abstract available



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Cocconi Monica

Il giusto procedimento fra i livelli essenziali delle prestazioni

in *Regioni (Le)*, n. 5 , 1021-1048

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Mancini Marco

Il riparto delle competenze relative allo "sport" dopo la riforma del Titolo V tra continuità e innovazione

in *Regioni (Le)*, n. 5 , 1049-1098

No abstract available

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Cortese Fulvio

L'istruzione tra norme generali e principi fondamentali: ossia, la Corte costituzionale tra contraddizioni formali e conferme sostanziali

in *Regioni (Le)*, n. 3 , 511-530

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Troisi Michele

La Corte tra "norme generali sull'istruzione" e "principi fondamentali". Ancora alla ricerca di un difficile equilibrio tra (indispensabili) esigenze di uniformità e (legittime) aspirazioni regionali

in *Regioni (Le)*, n. 3 , 531-538

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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JUAN JOSÉ SOLOZÁBAL ECHAVARRÍA

La Sentencia sobre el Estatuto de Cataluña: una visión de conjunto.

in *Revista de Estudios Políticos* , n. 151 , 203-229



The Judgement of the Constitutional Court 31/2010 has resolved a constitutional challenge brought against the Statute of Autonomy of Catalonia. The Judgement, a decision of great importance because the nature of the controlled norm, saves mostly the constitutionality of the Statute but on condition of verifying the interpretation of some of its provisions in a certain way and especially considering that the competences set by Statute do not prevent action that even on the same subjects could be implemented by the State exercising the reserved powers under the Constitution. Important to the future of the autonomous State is also the development of the principle of participation that is included in the judgement. Judgement that also confirms the legitimacy of the inclusion of identitarian content in the statutory reserve.

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Ruggiu Ilenia

La strategia nazionale per l'energia può essere definita senza la Conferenza Stato-Regioni perché è un atto di indirizzo preliminare. Una corretta, ma insidiosa, distinzione tra collaborazione obbligatoria e facoltativa in Regioni (Le), n. 4 , 877-881

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Bin Roberto

Lavori pubblici: quanto "intangibili" sono le materie enumerate negli Statuti speciali? in Regioni (Le), n. 5 , 1148-1154

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Chafetz Josh

Multiplicity in Federalism and the Separation of Powers in Yale Law Journal (The), Vol. 120, issue 5 , 1084-1129

full text available at:

<http://www.yalelawjournal.org/images/pdfs/950.pdf>

Section A) The theory and practise of the federal states and multi-level systems of government

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Giupponi Tommaso F.

Nascita e trasfigurazione di una materia trasversale: il caso della "sicurezza" in Regioni (Le), n. 5 , 1118-1125



No abstract available

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Beckmann Matthew N., Kumar Vimal

Opportunism in Polarization: Presidential Success in Senate Key Votes, 1953-2008

in Presidential Studies Quarterly, Volume 41, Issue 3, September , 488-503

That Congress has experienced increased polarization is clear, and burgeoning is the literature investigating its causes and consequences. Here we examine a counterintuitive wrinkle on the latter. Drawing from a simple game-theoretic model in which a president strategically allocates scarce “political capital” to induce changes in legislators' votes, we show congressional polarization can actually improve a president's prospects for winning key roll-call votes—a hypothesis that emerges inasmuch as polarization enables presidents to concentrate their resources lobbying fewer members (compared to a more homogenous chamber). We test this hypothesis by investigating presidents' success on Congressional Quarterly's “key” Senate roll-call votes, 1953-2008.

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Chopra, Deepta

Policy Making in India: A Dynamic Process of Statecraft

in Pacific Affairs , Volume 84, Number 1, March , 89-107

This paper problematizes the concept of the state by studying its role and interactions with society in the realm of making policy. To achieve this, the case of a recently formulated social policy in India, the National Rural Employment Guarantee Act (NREGA), is examined. The paper provides empirical evidence of policy making as a complex and iterative process, which is mediated by a multiplicity of actors who operate in relation to each other. In tracing the formulation process of the NREGA, theoretical claims regarding the understanding of the state as an ideological construct as well as comprising of material practices are substantiated. The paper sees policy making as an act of governing, and contributes to ethnographic understandings of fuzzy and porous boundaries between the state and society that are redefined through the act of policy making. This dynamism, it is argued, results in the two-dimensional phenomenon of statecraft: how the state pursues policy making as a strategy for governing its population, and in turn, how the state itself gets reconstituted in the making of policy.

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Gilmour John B.

Political Theater or Bargaining Failure: Why Presidents Veto

in Presidential Studies Quarterly, Volume 41, Issue 3, September , 471-487

This article tests two competing explanations of presidential vetoes—sequential veto bargaining (SVB) and blame game



politics. According to the SVB model, vetoes are the result of uncertainty about the president's true preferences on legislation. According to the blame game model, vetoes result because Congress deliberately passes bills the president will veto as a means of communicating relative positions to outside audiences. This article implements a test of whether a veto was expected at the time a bill achieved final passage, reasoning that if a bill was seen as sure to be vetoed at the time of passage, the veto could not be the product of SVB. The evidence points toward blame game politics as a far more important cause of vetoes than SVB.

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Marshall Bryan W., Prins Brandon C.

Power or Posturing? Policy Availability and Congressional Influence on U.S. Presidential Decisions to Use Force

in *Presidential Studies Quarterly*, Volume 41, Issue 3, September , 521-545

We examine two competing arguments relating to the role of Congress in explaining presidential decisions to use force from 1953 to 2000. We offer a policy availability rationale that suggests Congress matters in the decision to use force because presidents are motivated by their ability to influence legislative policy making. The models demonstrate that presidential success in Congress is the significant factor determining military action, not party control. Presidents employ force when their ability to influence policy is weak and avoid military actions when Congress supports the president's agenda. The results speak to the intersection of two important literatures, namely, presidential unilateralism and conventional theories on domestic politics and the use of force.

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Cohen Jeffrey E.

Presidents, Polarization, and Divided Government

in *Presidential Studies Quarterly*, Volume 41, Issue 3, September , 504-520

This article tests two models of extremism versus moderation in presidential policy stances, a party activist theory and a congressional context theory. The party activist theory argues that, due to the electoral and nomination reforms of the mid-1970s, party activists became increasingly important and powerful in their parties. As activists tend to be more policy extreme than rank-and-file voters, and grew more extreme over the past several decades, this theory predicts presidents will also be more policy extreme in the postreform than the prereform era. The congressional context theory focuses on divided government and polarization. It argues that policy-minded presidents must moderate their policy positions during divided government because they need support from the opposition party. However, polarization erects barriers and disincentives for presidential moderation, offsetting the moderating tendencies of divided government. Using data on presidential policy positions from the 1950s through the early 2000s, I test both theories, finding support for the congressional context but not the party activist theory.



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Bandyopadhyay Sanghamitra

Rich States, Poor States: Convergence and Polarisation in India

in *Scottish Journal of Political Economy*, July 2011 - Volume 58, Issue 3 , 414-436

The distribution dynamics of incomes across Indian states are examined using the entire income distribution. Unlike standard regression approaches this approach allows us to identify specific distributional characteristics such as polarisation and stratification. The period between 1965 and 1997 exhibits the formation of two convergence clubs: one at 50% and another at 125% of the national average income. Income disparities across the states declined over the 1960s and then increased from the 1970s to the nineties. Conditioning exercises reveal that the observed polarisation is associated with the disparate distribution of infrastructure. In particular, education, the extent of irrigation and literacy are found to be associated with the formation of the lower convergence club.

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Gardner James A., Ninet Antoni Abad I

Sustainable Decentralization: Power, Extraconstitutional Influence, and Subnational Symmetry in the United States and Spain

in *American Journal of Comparative Law*, vol. 59 - n. 2 , 491 - 527

In the Madisonian tradition of constitutional design, the foundation of a sustainable federalism is thought to be a scientifically precise balancing of national and subnational power. Experience shows, however, that national and subnational actors in highly diverse systems are capable of developing a rich array of extraconstitutional methods of mutual influence, so that the formal, constitutionalized balance of power rarely settles the question of the actual balance of power between levels of government. A more important factor in ensuring the long-term sustainability of a meaningfully federal system is the degree of symmetry across subnational units in their relation to the central state. A comparison of the United States and Spain suggests that federalism is most directly threatened when subnational units compete not collectively with the central state, thereby checking its power, but with each other, a condition that furnishes the central state with opportunities to exploit subnational rivalries in ways that risk genuine, long-term destabilization.

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Larocca Roger

The Bicameral Context of Presidential Agenda Setting

in *Congress & the Presidency*, Volume 38, Issue 2, June , 171-194

I study the impact of bicameralism on presidential agenda setting in Congress. I examine how the president's influence over the House and Senate is affected by the very strong impact that the House and Senate exercise over each other's agendas. To answer this question, I develop an innovative and comprehensive dataset of the 6,818 policy issues covered by both House and Senate bills introduced in the 103rd Congress. My analysis shows that estimates of the



president's influence on the agenda of a single chamber of Congress can produce biased results unless they explicitly control for the influence of the second chamber.

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Conley Richard S.

The Harbinger of the Unitary Executive? An Analysis of Presidential Signing Statements from Truman to Carter in *Presidential Studies Quarterly*, Volume 41, Issue 3, September , 546-569

Contemporary scholarship has focused much attention on presidents' routine exploitation of signing statements since the 1980s to disallow provisions of bills passed by Congress. Much less is known about earlier post–World War II presidents' use of signing statements and what precedents they may have set for their successors. This study takes a sharp focus on the 934 signing statements issued from 1945 to 1980, from Presidents Harry Truman through Jimmy Carter. The analysis classifies these signing statements by policy area and by the type of comments the president made. The results accentuate how the resurgent Congress in the 1970s—including budget reform and challenges to presidential latitude in foreign policy through legislative vetoes—compelled Presidents Gerald Ford and Carter to increasingly use signing statements to nullify legislative provisos. The analysis emphasizes how cycles of congressional change affected earlier presidents' use of signing statements, laying a foundation for their successors' more broad manipulation of this rhetorical instrument to aggrandize executive prerogative.

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Lewis Daniel C.

Bypassing the Representational Filter? - Minority Rights Policies under Direct Democracy Institutions in the U.S. States

in *State Politics & Policy Quarterly*, Vol. 11, n. 2, June , 198-222

One common critique of direct democracy posits that minority rights are endangered by institutions like ballot initiatives and referenda. Empirical research testing this claim, however, has produced conflicting results that leave the question of direct democracy's effect on minority rights open to debate. This study extends previous research by providing a more direct test of this criticism—it compares anti-minority policy proposals from direct democracy states to similar proposals from states without direct democracy institutions. The author examines both ballot proposals and traditional legislative bills to account for both the direct and indirect effects of direct democracy. Analyzing anti-minority proposals from all 50 states from 1995 to 2004 shows that direct democracy states are more likely to pass these proposals than states without direct democracy institutions.



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McGrath Robert J.

Electoral Competition and the Frequency of Initiative Use in the U.S. States

in *American Politics Research*, Vol. 39, n. 3, May , 611-638

To what extent has direct democracy, specifically the ballot initiative process, served to substitute for perceived deficiencies of representative democracy in the United States? Despite extensive literatures on both direct democracy and democratic representation, there exist very few direct evaluations of the interplay between the two. I examine whether variation in the frequency of a state's initiative use is related to the extent to which that state's representative institutions lack electoral competition. I find that initiative states with a higher percentage of uncontested elections for representative office see more initiative use than states with more competitive elections, conditional on the ideological divergence between citizens and legislators. The results contribute much to our understanding of the processes driving cycles of initiative use and identify a tangible consequence of the presence of misrepresentative state institutions.

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Italia Vittorio

I concetti giuridici nelle norme statali e nelle norme regionali

in *Quaderni Regionali* , n. 3

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Jenkins Jeffery A., Nokken Timothy P.

Institutional Context and Party Power: Member Participation and Leadership Strategy in the Lame-Duck Congressional Era

in *American Politics Research*, Vol. 39, n. 4, July , 724-753

The authors examine how institutional context affects political decision making in Congress by investigating party leaders' agenda construction strategies and members' roll-call participation across regular and lame-duck sessions in the pre-Twentieth Amendment House (1877-1933). The authors find evidence to suggest that party leaders pursued relatively more partisan agendas in lame-duck sessions and did so successfully. Next, we investigate the effects such agendas had on roll-call participation. The authors find that returning (reelected) members significantly decreased their abstention levels, while departing (defeated and retiring) members significantly increased their abstention levels. Yet the authors also find that departing members could be drawn to participate on certain types of roll-call votes even in the face of strong incentives to shirk. Party leaders rely on the generally higher levels of participation by returning members as well as the selective participation of departing members to overcome "participatory agency loss" and pass surprisingly partisan lame-duck agendas.



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Hernàn Armesto Diego

La República, el Congreso federal y la actualidad constitucional

in **Cuaderno de federalismo**, Volumen XXIII , 135 - 152

No abstract available

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Lavelle Kathryn C.

Multilateral Cooperation and Congress: The Legislative Process of Securing Funding for the World Bank

in **International Studies Quarterly**, vol. 55, issue 1, march , 199-222

ABSTRACT: International relations has demonstrated the contribution national legislatures make toward global cooperation. Yet what explains variation in securing funding for International Organizations (IOs) through the US Congress? I derive a theory of interaction from studies of interest groups in American politics and argue that the cause of funding delays and their resolution can be found where groups advance policy reform agendas through Congressional channels. Using process tracing of successive case studies, the article presents evidence from International Development Association (IDA) replenishments. It situates the rationality of members of Congress and other national and transnational actors within the context of a formal, domestic political institution whose budgetary process is deeply conflicted and subject to constant change. Thus, the theory offered here could be used by either rationalists or constructivists to support a material or ideational explanation for Congressional action.

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Boudin Chesa

Publius and the Petition: Doe v. Reed and the History of Anonymous Speech

in **Yale Law Journal (The)**, Vol. 120, n. 8, June , 2140-2182

This Note argues that signatures on petitions intended for use in direct democracy processes such as ballot initiatives should be subject to public scrutiny and disclosure. They should not benefit from free speech protections allowing for anonymity. Signatures used in these proceedings should not be considered petitions or speech at all, but rather lawmaking. Through historical, doctrinal, and prudential analysis, this Note distinguishes between core First Amendment rights, which might include signatures on a general petition with no legislative implications or minority associational rights, and speech-like activity that forms part of the regulated lawmaking process.

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Wehner Joachim



The Case for Congressional Budgeting

in *Public Administration Review*, Volume 71, Issue 3, May/June , 349–351

William Howard Taft and Frederick A. Cleveland's vision of executive budgeting clashes with the unique status of the U.S. Congress among the world's legislatures, and its proponents may exaggerate the potential for presidents to act as fiscal guardians. This article advocates more congressional budgeting by reinstating effective fiscal rules and strengthening the role of the budget committees. These mechanisms would enhance fiscal discipline and aid consolidation.

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Balkin Jack M.

The Reconstruction Power

in *New York University Law Review* , Vol. 85, n. 6 , 1801-1861

Modern doctrine has not been faithful to the text, history, and structure of the Thirteenth, Fourteenth, and Fifteenth Amendments. These amendments were designed to give Congress broad powers to protect civil rights and civil liberties; together they form Congress's Reconstruction Power. Congress gave itself broad powers because it believed it could not trust the Supreme Court to protect the rights of the freedmen. The Supreme Court soon realized Congress's fears, limiting not only the scope of the Reconstruction Amendments but also Congress's powers to enforce them in decisions like *United States v. Cruikshank* and the *Civil Rights Cases*. Due to these early cases, Congress was often forced to use its Commerce Power to protect civil rights. Modern decisions beginning with *City of Boerne v. Flores* and *United States v. Morrison* have compounded these errors. When we strip away these doctrinal glosses and look at the original meaning and structural purposes underlying the Reconstruction Amendments, we will discover that the Reconstruction Power gives Congress all the authority it needs to pass modern civil rights laws, including the Civil Rights Act of 1964. That was the original point of these amendments, and that should be their proper construction today.

When it enforces the Reconstruction Amendments, Congress is not limited to remedying or preventing state violations of rights. It has long been recognized that Congress may reach private conduct through its Thirteenth Amendment powers to eradicate the badges and incidents of slavery. But Congress also has the power to enforce the Fourteenth Amendment's Citizenship Clause—a guarantee of equal citizenship that, like the Thirteenth Amendment, contains no state action requirement. The Citizenship Clause, designed to secure equality of citizenship for freedmen, gives Congress the corresponding power to protect the badges and incidents of citizenship. Congress may therefore ban discriminatory private conduct that it reasonably believes will contribute to or produce second-class citizenship.

full text available at:

http://www.law.nyu.edu/ecm_dlv1/groups/public/@nyu_law_website__journals__law_review/documents/documents/ecm_pro_067735.pdf



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Bridges Amy, Kousser Thad

Where Politicians Gave Power to the People - Adoption of the Citizen Initiative in the U.S. States in State Politics & Policy Quarterly, Vol. 11, n. 2, June , 167-197

What led elites in some U.S. states to surrender policy-making power to voters between 1898 and 1918, while leaders elsewhere retained only representative democracy? The authors argue that progressives behaved as strategic politicians by supporting direct democracy when they were stymied at achieving their goals in the legislature and were confident that the voters who would be empowered by initiatives that agreed with progressive policies. They made their delegation of power conditional on who would receive it. The presence of these underlying conditions made adoption of the citizen initiative likely, the authors posit, while the timing of reforms came when insurgent reformers had a strong presence in state government, when the results of a galvanizing election sent a clear signal, or when the adoption of the initiative in one state diffused to its neighbors. Exploring these hypotheses by analyzing a new data set, the authors find strong support for their expectations about the conditions that created fertile ground for direct democracy.

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Stenberg Carl W.

An ACIR Perspective on Intergovernmental Institutional Development in Public Administration Review, Volume 71, Issue 2, March/April , 169–176

This article traces the creation and demise of the U.S. Advisory Commission on Intergovernmental Relations (ACIR) and assesses the prospects for restoring an ACIR-like capability to the federal system. Recent initiatives by the National Academy of Public Administration, the Big 7 state and local government official associations, and Congress are summarized, and the facilitating and inhibiting factors associated with intergovernmental institutional development are examined. At least three ingredients in the formula that gave birth to the ACIR in 1959 will need to be present more than 50 years later: (1) support from congressional champions, the president, and public interest groups; (2) visibility and urgency of intergovernmental fiscal and management issues and the need for a permanent intergovernmental presence to address them; and (3) “homework and spadework” to enlist potential conservative and liberal interest group and think tank backers

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Evans Kevin

Challenging Law: Presidential Signing Statements and the Maintenance of Executive Power in Congress & the Presidency, Volume 38, Issue 2, June , 217-234

With increasing frequency, presidents have used the constitutional challenges in presidential signing statements to carve out pieces of legislation that they do not like. Few scholars have analyzed signing statements on the unit of



analysis where constitutional challenges are operating – sections of legislation. What determines whether a section of law receives a challenge from the president? Using an original dataset coded from the first four divisions of the Consolidated Appropriations Act of 2005 and the original text of signing statements, I show that the president is likely to issue constitutional challenges to sections of legislation in order to protect issue areas of traditional presidential influence (foreign policy and defense) and to combat various forms of congressional oversight. In addition, I find evidence to suggest that the president is less likely to challenge sections of legislation that expand the power of bureaucratic agencies compared to those sections that do not. These findings have several important implications for the “two presidencies thesis,” theories of bureaucratic control, and the state of inter-branch affairs at the end of the Bush presidency.

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Pfiffner James P.

Decision Making in the Obama White House

in **Presidential Studies Quarterly**, Volume 41, Issue 2, June , 244-262

Presidents attract extremely smart, ambitious people to serve in the White House, but the quality of the advice the president receives depends upon how he or she uses the available talent. Chief executives face daunting challenges in evaluating the onslaught of information, judging the perspectives of their subordinates, and ensuring that they receive advice based on presidential perspectives rather than the priorities of their subordinates.

Political scientists who study presidential decision making have come to consider several factors as central to understanding White House organization and process: the level of centralization, the extent of multiple advocacy, and the use of honest brokers to manage advice to the president. This article examines President Obama's decision-making style with respect to these three factors and uses several case studies to illustrate them: economic policy, detainee policy, and decision making on the war in Afghanistan.

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Hendell Garri Benjamin

Domestic Use of the Armed Forces to Maintain Law and Order—*posse comitatus* Pitfalls at the Inauguration of the 44th President

in **Publius: The Journal of Federalism**, vol. 41, n. 2, Spring , 336-348

The U.S. Constitution and federal and state laws provide many circumstances where regular active duty and state militia military forces can be legitimately used to maintain law and order. There are certain restrictions on the use of certain forces domestically, the most well known of which are contained in the often misunderstood Posse Comitatus Act, which prohibits the use of such forces “to enforce the laws” unless such use is specifically authorized by the Constitution or Act of Congress. However, there is no law which allows state governors to dispatch militias to



Washington, DC in order to maintain law and order there, as occurred during the inauguration of the 44th President of the United States.

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Mashaw Jerry L.

Federal Administration and Administrative Law in the Gilded Age

in **Yale Law Journal (The)**, Vol. 120, n. 7, May , 1362-1473

The dominant story of America's so-called "Gilded Age" describes an era of private excess and public corruption. In a rapidly industrializing society, private capital, in league with venal politicians, ran roughshod over a national state apparatus incapable of responding to the emerging social and economic needs of the day. Only toward the end of this era, with the passage of the Interstate Commerce Act of 1887, did the national government begin to break free from a laissez-faire ideology that was antithetical to state building in virtually all of its forms. Indeed, on this conventional account, the American administrative state, and with it administrative law, only began to emerge in the early twentieth century. And both remained underdeveloped until the New Deal constitutional revolution.

There is much truth to this familiar narrative, but it is far from the whole truth. State capacities built steadily throughout the post-Reconstruction era. Congress created multiple new departments, bureaus, and programs, and federal civilian employment grew much more rapidly than population. Just as today, conflicts between political parties, the drama of electoral politics, and the vagaries of congressional lawmaking dominated the headlines. But the day-to-day activities of government were in the charge of administrative departments and bureaus. Operating under broad delegations of authority, administrators developed a rich internal law of administration that guided massive administrative adjudicatory activity and substantial regulatory action as well. Moreover, policy innovation at the legislative level depended heavily on the research and recommendations of existing administrative agencies. In short, if we look at legislative and administrative practice rather than at constitutional ideology or political rhetoric, we can see the emergence of a national administrative state and national administrative law before either had a name.

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Cameron Charles, Park Jee-Kwang

Going Public When Opinion Is Contested: Evidence from Presidents' Campaigns for Supreme Court Nominees, 1930-2009

in **Presidential Studies Quarterly**, Volume 41, Issue 3, September , 442-470

The standard "political capital" model of going public assumes presidents do not face mobilized opponents. But often presidents must fight against opponents who themselves go public. We propose studying such situations with an "opinion contest" framework and use new data on Supreme Court nominations to contrast the political capital and opinion contest approaches. From 1930 to 2009 presidents went public over Supreme Court nominees primarily when groups mobilized against the nominee. Republican presidents did so particularly when their nominee would move the Supreme Court's median to the right. When going public, presidents typically engaged in "crafted talk." Finally, going public was associated with more negative votes in the Senate, not fewer, because presidents went public over Supreme



Court nominees only when battling an active opposition.

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Beckmann Matthew N., Kumar Vimal

How presidents push, when presidents win: A model of positive presidential power in US lawmaking
in *Journal of Theoretical Politics*, Volume 23, n. 1, January , 3-20

Presidents' positive role in US lawmaking is as ubiquitous as it is unclear. While a rich literature has identified many macro-level factors that constrain presidents' policymaking potential, still unanswered is Richard Neustadt's micro-level question: how can presidents influence legislation given the context and Congress they happen to inherit? Developing a game theoretic model in which the president allocates scarce 'political capital' to induce changes in legislators' behavior, we deduce two lobbying strategies that White House officials may execute and, in turn, examine their impact on the laws that result. Comparative statics analysis not only shows how presidents can best target their persuasive arsenal, but further specifies the factors that condition those efforts' effectiveness. Interestingly, results show that standard roll-call-based tests likely underestimate presidents' legislative impact. We thus conclude by reconsidering the practice and potential of presidential leadership in national policymaking.

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Rose-Ackerman Susan , Desierto Diane A., Volosin Natalia

Hyper-Presidentialism: Separation of Powers without Checks and Balances in Argentina and the Philippines
in *Berkeley Journal of International Law*, Vol. 29.1

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Kincaid John, Stenberg Carl W.

Introduction to the Symposium on Intergovernmental Management and ACIR Beyond 50: Implications for Institutional Development and Research
in *Public Administration Review*, Volume 71, Issue 2, March/April , 158–160

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Jacobson Gary C.

Legislative Success and Political Failure: The Public's Reaction to Barack Obama's Early Presidency
in *Presidential Studies Quarterly*, Volume 41, Issue 2, June , 220-243

During his first two years in office, fulfilling prominent campaign promises, Barack Obama pushed through legislation attacking the recession and its causes, initiated sweeping reforms in the health care system, and shifted U.S. forces from Iraq to Afghanistan. His reward was to see his Democratic Party suffer a crushing defeat in the 2010 elections. I examine the contours of opinion regarding Obama before he was elected and as they subsequently evolved during his early presidency in order to understand where, how, and why the president's legislative and policy successes turned into political failures.

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Williams, Philippa; Vira, Bhaskar; Chopra, Deepta

Marginality, Agency and Power: Experiencing the State in Contemporary India
in *Pacific Affairs* , Volume 84, Number 1, March , 7-23

The idea of the state has shown remarkable resilience over the last couple of decades, despite assaults on it from neoliberal doctrines and the forces of globalization. During this period, the abiding presence and role of the state has been particularly evident in the contemporary political life of the Asia Pacific region. This article pays special attention to the contemporary Indian state in the context of development. It reflects upon the ways in which the state is experienced, by focusing on questions of marginality, agency and power as they intersect the politics of development. By reading the empirical insights documented within this special issue against a rich trajectory of scholarship on the Indian state, the article argues that there has been a recent qualitative change in the way in which the contemporary Congress-led UPA government has presented itself to the common person. The implementation of pro-poor and more inclusive policies has altered the discursive landscape within which state-society interactions have taken place over the last five years. Importantly, these policies have functioned to reconfigure not only the material interactions between the state and India's marginalized, but also the imagined spaces within which marginal groups renegotiate their relationships with the state.

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Pfander James E. , Hunt Jonathan L.

Public Wrongs and Private Bills: Indemnification and Government Accountability in the Early Republic
in *New York University Law Review* , Vol. 85, n. 6 , 1862-1939

Students of the history of administrative law in the United States regard the antebellum era as one in which strict common law rules of official liability prevailed.

Yet conventional accounts of the antebellum period often omit a key institutional feature. Under the system of private legislation in place at the time, federal government officers were free to petition Congress for the passage of a private bill appropriating money to reimburse the officer for personal liability imposed on the basis of actions taken in the line of duty.



Captain Little, the officer involved in one oft-cited case, *Little v. Barreme*, pursued this avenue of indemnification successfully.

As a result, the ultimate loss associated with that officer's good faith effort to enforce federal law fell on the government rather than on the officer himself.

This paper fills out the picture of government accountability in the early nineteenth century by clarifying the practice of congressional indemnification. After identifying cases in which officers sought indemnity from Congress through a petition for private relief, we examine the way official liability, as administered by the courts, interacted with private legislation, as administered by Congress, to shape the incentives of government officers to comply with the law. We find that a practice of relatively routine indemnification took the sting out of sovereign immunity, a doctrine that key players—including James Madison and John Marshall—treated as thinly formalistic. We also find that Congress assumed responsibility for deciding when federal officers were entitled to indemnity for acts taken in the scope of employment. The antebellum system thus contrasts sharply with modern government accountability law. Jurists today tend to regard sovereign immunity as a barrier to relief, rather than a principle of forum allocation that preserves legislative primacy in the adoption of money bills. Moreover, courts today often refrain from deciding the question of formal legality in an effort to strike a proper balance between the victim's interest in accountability and the official's interest in immunity. Whatever the wisdom of the resulting body of qualified immunity law, the doctrine reflects judicial control of matters that the early republic had assigned to the legislative branch.

Full text available at:

http://www.law.nyu.edu/ecm_dlv1/groups/public/@nyu_law_website__journals__law_review/documents/documents/ecm_pro_067737.pdf

Section A) The theory and practise of the federal states and multi-level systems of government

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Nathan Richard P.

Reflections of a Member of the U.S. Advisory Commission on Intergovernmental Relations

in *Public Administration Review*, Volume 71, Issue 2, March/April, 177–180

There is consensus on the need for a successor to the U.S. Advisory Commission on Intergovernmental Relations in Washington, D.C., but no agreement on how this entity should be organized and funded and what it should do. There are now many players, both organizations and individuals, in the intergovernmental field, and they need to be sorted out. A key distinction is that American federalism is both an idea and an interest, and a new ACIR should focus on the former as a neutral, independent body with informational, convener, educational, and dissemination functions. We should encourage a discussion and debate on what the new ACIR should be and how it should be structured in order to bring federalism and intergovernmental relations back to the table in Washington.

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McDowell Bruce D.

Reflections on the Spirit and Work of the U.S. Advisory Commission on Intergovernmental Relations in Public Administration Review, Volume 71, Issue 2, March/April , 161-168

What did the U.S. Advisory Commission on Intergovernmental Relations (ACIR) accomplish before it was disbanded in 1996? Were its accomplishments sufficiently valuable to justify reestablishing the organization? This article reviews the commission's origins, history, and accomplishments, and addresses future intergovernmental needs. The ACIR's accomplishments were substantial, but are largely unavailable today. Lessons learned from the ACIR suggest the need to (1) recreate a network of intergovernmental advocates within the legislative and executive branches of the federal government; (2) restart the information flows and high-level federal, state, and local policy dialogues that withered after the ACIR's demise; (3) strengthen boundary-crossing institutions capable of addressing metropolitan and multistate problems; and (4) develop new opportunities to achieve public policy outcomes that can be attained only by the cumulative efforts of federal, state, and local governments working together—often with private parties as well.

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Dinan John

Shaping Health Reform: State Government Influence in the Patient Protection and Affordable Care Act in Publius: The Journal of Federalism, vol. 41, n. 3, Summer , 395-420

The Patient Protection and Affordable Care Act has significant implications for state governments and its passage presents an opportunity to contribute to inquiries into ways that state officials wield influence in the national legislative process. State officials were occasionally influential when they drew on state experience and expertise and congress members were willing to benefit from this knowledge. State officials were also influential when a member of their congressional delegation was in a position to cast a pivotal vote on the bill and willing to withhold support unless state interests were addressed. State officials were also influential when they elevated their concerns in the public consciousness to the point that the bill's supporters were forced to accommodate them or risk the bill's defeat.

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345–348

The (II)logics of Federal Budgeting, and Why Crisis Must Come in Public Administration Review, Volume 71, Issue 3, May/June , Andrews Matt

The U.S. federal budgeting system faces severe challenges in coming years. Deficits are being recorded at levels and with regularity not seen in prior periods. This article suggests that such problems reflect the uncomfortable mix of logics informing budgetary and political institutions—that is, the rules of the game. Logics make it appropriate to expect that government be limited in its tax demands but simultaneously responsive in providing expensive services necessary for the achievement of the American dream, for example. Crisis is needed to allow the emergence of institutional forms that mediate between these conflicting logics.



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Thurber James A.

The Contemporary Presidency: Changing the Way Washington Works? Assessing President Obama's Battle with Lobbyists

in *Presidential Studies Quarterly*, Volume 41, Issue 2, June , 358-374

This article explores the causes, characteristics, and consequences of President Obama's attacks on lobbyists and his attempt to change the way the influence industry works in Washington. It concludes with a discussion of the barriers President Obama has faced in reforming pluralist democracy in Washington and an assessment of his successes and failures in his first two years in office.

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Cole Richard L.

The Current Status and Roles of State Advisory Commissions on Intergovernmental Relations in the U.S. Federal System

in *Public Administration Review*, Volume 71, Issue 2, March/April , 190–195

During the 1970s and 1980s, a number of states created entities commonly called advisory commissions on intergovernmental relations (ACIRs). Although as many as half the states at one time or another supported an ACIR, only about 10 do so today. Relying on face-to-face and telephone interviews, e-mail correspondence, website analysis, and mailed surveys of directors and other staff members of active and terminated ACIRs, this study reports on the organization and structure, staffing and finances, and activities and performance characteristics of the state ACIRs still viable today. The study attempts to identify factors that seem most related to successful performance of these agencies, as well as to the termination of the agencies. In conclusion, it speculates on the continued role of state ACIRs.

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Meyers Roy T. , Rubin Irene S.

The Executive Budget in the Federal Government: The First Century and Beyond

in *Public Administration Review*, Volume 71, Issue 3, May/June , 334–344

This article reviews the history of executive budgeting in the United States a century after President William Howard Taft's Economy and Efficiency Commission proposed an executive budget. This history, the authors argue, does not suggest that giving more budget power to the president will improve budget outcomes. Instead, what is needed is more cooperation between the branches of government and a better-educated public—goals that were shared by budget reformers when the Taft report was published.

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Farrier Jasmine

The Law: Barack Obama and Budget Deficits: Signs of a Neo-Whig Presidency?
in *Presidential Studies Quarterly*, Volume 41, Issue 3, September , 618-634

In his muted leadership on deficit reduction, Barack Obama has highlighted the continuing tensions between the Constitution and the modern presidency. The framers did not structure nor envision vigorous day-to-day executive leadership on any subject and largely granted the power of the purse to Congress. Yet in response to new fiscal realities, the Budget and Accounting Act of 1921 required presidents to think holistically about agency estimates and budget aggregates. But neither this act nor its belated 1974 congressional sibling was designed to rein in majority will to balance the budget. Deficits result from a complex stew of old and new policy decisions made by both branches. From a constitutional view, then, deficit reduction should be an equal burden on both branches. From a modern view, the president must lead the way. By that measure, President Obama has failed. With his deliberative style and open political sensitivity to a volatile economic and electoral landscape, he has not yet offered a clear and bold fiscal vision. He has also ignored the fiscal commission he created. This neo-Whig strategy keeps pressure on Congress but also excuses the president from the spirit and purpose of the 1921 law.

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Garvey Todd

The Law: The Obama Administration's Evolving Approach to the Signing Statement
in *Presidential Studies Quarterly*, Volume 41, Issue 2, June , 393-407

After utilizing constitutional signing statements with relative frequency during the first six months of his administration, President Obama issued only two such statements over the next 18 months, including a stretch of almost 16 months without a single constitutional signing statement. While it is unclear exactly how the administration will proceed, there is evidence to suggest that other interpretive mechanisms, such as opinions of the Office of Legal Counsel and Statements of Administration Policy, could potentially play an increased role as a partial substitute for the politically unpopular signing statement.

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Kincaid John

The U.S. Advisory Commission on Intergovernmental Relations: Unique Artifact of a Bygone Era
in *Public Administration Review*, Volume 71, Issue 2, March/April , 181-189

The U.S. Advisory Commission on Intergovernmental Relations (ACIR) befitted an era marked by low party polarization, bipartisanship, and cooperative federalism. Although the ACIR's work was valuable, the growth of federal power, rise of party polarization, and the decline of bipartisanship, along with many other political, governmental, and social changes



during its 37-year life (1959–96), marginalized the ACIR to the point of political vulnerability. These historic changes make it unlikely that the ACIR will be resurrected in a comparable or partial form.

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Korzi Michael J.

**“A Legitimate Function”: Reconsidering Presidential Signing Statements
in Congress & the Presidency**, Volume 38, Issue 2, June , 195-206

This article is a reconsideration and reassessment of presidential signing statements. Although many scholars and commentators have weighed in on the practice since 2006—when Charlie Savage's Boston Globe stories ignited a firestorm of criticism and debate on the issue—signing statements are still frequently misunderstood. Thus, one of the key purposes of the article is to delineate what signing statement is, from what it is not. Furthermore, the article examines the transition from the George W. Bush administration to that of Barack Obama. In particular, President Obama's views on, and use of, signing statements are elaborated and discussed. Although not a vigorous defender of the practice, President Obama's approach to signing statements is notable for its moderation and restraint, if sometimes more in theory than in practice. The article ends with an extended consideration of the utility and benefits of signing statements, while still acknowledging their potential ill effects.

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Kincaid John, Stenberg Carl W.

**“Big Questions” about Intergovernmental Relations and Management: Who Will Address Them?
in Public Administration Review**, Volume 71, Issue 2, March/April , 196–202

Fiscal, administrative, and political tensions among the partners in the federal system have not eased, and perhaps have grown, since the demise of the U.S. Advisory Commission on Intergovernmental Relations in 1996. Yet no governmental organizational capacity exists to address big intergovernmental questions in an ongoing manner through nonpartisan or bipartisan research, data collection, deliberation, and policy formulation.

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Subsection 6. The judiciary branch

Rayburn Yung Corey

**Flexing Judicial Muscle: An Empirical Study of Judicial Activism in the Federal Courts
in Northwestern University Law Review**, Vol. 105, issue 1 , 1-60

Full text available at:



<http://www.law.northwestern.edu/lawreview/v105/n1/1/LR105n1Yung.pdf>

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Gluck Abbe R.

**Intersystemic Statutory Interpretation: Methodology as “Law” and the Erie Doctrine
in *Yale Law Journal (The)*, Vol. 120, issue 8 , 1898-1998**

Do the Erie Doctrine and its “reverse-Erie” mirror require state and federal courts to apply one another’s statutory interpretation methodologies when they interpret one another’s statutes? Surprisingly, the courts have no consistent answer to this question—even though state and federal courts constantly interpret one another’s laws. What’s more, exploring this application of Erie reveals that one of the most important jurisprudential questions about statutory interpretation also remains entirely unresolved: namely, are the rules of statutory interpretation “law,” individual judicial philosophy, or something in between?

This Article argues that many federal courts are getting the Erie question wrong—or at least that they are unaware that the question exists in the first place. The Erie inquiry also makes clear that federal courts treat both state and federal statutory interpretation methodology as much less “lawlike” than they treat analogous interpretive principles, without acknowledging or justifying the distinction. Federal courts routinely bypass state interpretive principles when they interpret state statutes, but almost always look to other state methodological principles, including state rules of contract interpretation, choice of law, and constitutional interpretation. Further, unlike in those other areas, the U.S. Supreme Court does not treat even its own statements about federal statutory interpretation principles as “law” and does not give them precedential effect. This practice has licensed an interpretive freedom for state and lower federal courts when those courts interpret federal statutes—a freedom that facilitates federal-law disuniformity that the Court generally does not tolerate in other contexts. This Article challenges the notion that statutory interpretation is sufficiently different from other decisionmaking regimes to justify these distinctions.

Full text available at:

<http://www.yalelawjournal.org/images/pdfs/985.pdf>

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Lanier Drew Noble

**Acclimation Effects and the Chief Justice: The Influence of Tenure and Role on the Decisional Behavior of the Court’s Leader, 1888-2007
in *American Politics Research*, Vol. 39, n. 4, July , 682-723**

Under the acclimation effect view, recent appointees to the Court modify their behavior in systematic ways early in their tenure as opposed to their later decisional tendencies. Similarly, many studies have examined the chief justice’s unique behavior. This study blends these two rich strands and explores whether chief justices demonstrate an acclimation effect, such that their behavior changes systematically through time. Using more than a century of Court data, this study



examines whether new chief justices' concurrence and dissent rates decline and whether they write fewer individual opinions gradually. I find that the chief justice's position serves to create an incentive structure that is uniquely associated with declining rates of specially concurring and dissenting votes in certain cases. Also, new chief justices pen fewer special concurrences and dissents in some policy areas. My results hence imply that the chief justice experiences unique acclimation effects in learning to marshal the Court.

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Mosseri-Marlio Claude

Approches divergentes de la concurrence entre, essentiellement, la Cour suprême américaine et la Cour de justice de l'Union européenne

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 548, mai , 302-307

Why does the meaning of competition differ so much from one side of the Atlantic to the Other? Because the roots and the management of their justice and administrative processes are often at odds. As the cases reviewed make clear there are frequently clashing decisions. On major issues spelled out in this article their reasoning at times are at loggerheads. In closing, suggestions are proposed to arrive at more converging points of view.

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Goelzhauser Greg

Avoiding Constitutional Cases

in *American Politics Research*, Vol. 39, n. 3, May , 483-511

Why does the Supreme Court avoid deciding cases it accepts for review? In this article, I contend that the Court uses procedural access doctrines such as standing, ripeness, and mootness to sidestep constitutional cases when confronted with certain internal and external pressures. Using data from 1946 to 2001, the results suggest that the Court utilizes procedural tools to dismiss constitutional cases when preference heterogeneity on the Court increases and when the justices are confronted with issues about which groups feel strongly and are deeply divided. Although the Court does not appear to be influenced by the threat of political opposition, it is more reluctant to resolve disputes when members of Congress file an amicus brief. The results offer a first glimpse into how often the Court invokes the "passive virtues." They also have implications for our understanding of agenda setting, decision-making in access cases, and normative constitutional theory.

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Greenhouse Linda, Siegel Reva B.

Before (and After) Roe v. Wade: New Questions About Backlash



in **Yale Law Journal (The)**, Vol. 120, issue 8 , 2028-2087

Today, many Americans blame polarizing conflict over abortion on the Supreme Court. If only the Court had stayed its hand or decided *Roe v. Wade* on narrower grounds, they argue, the nation would have reached a political settlement and avoided backlash. We question this court-centered backlash narrative. Where others have deplored the abortion conflict as resulting from courts “shutting down” politics, we approach the abortion conflict as an expression of politics—a conflict in which the Supreme Court was not the only or even the most important actor.

In this essay, we ask what escalation of the abortion conflict in the decade before the Supreme Court decided *Roe* might teach about the logic of conflict in the decades after *Roe*. To do so, we draw on sources we collected for our recently published documentary history, *Before Roe v. Wade: Voices That Shaped the Abortion Debate Before the Supreme Court’s Ruling* (2010). We begin our story at a time when more Republicans than Democrats supported abortion’s decriminalization, when Catholics mobilized against abortion reform but evangelical Protestants did not, when feminists were only beginning to claim access to abortion as a right. We show how Republicans campaigning for Richard Nixon in 1972 took new positions on abortion to draw Catholics and social conservatives away from the Democratic Party. Evidence from the post-*Roe* period suggests that it was party realignment that helped escalate and shape conflict over *Roe* in the ensuing decades.

The backlash narrative suggests that turning to courts to vindicate rights is too often counter-productive, and that adjudication is to be avoided at all costs. We are not ready to accept this grim diagnosis at face value, and we urge further research into the dynamics of conflict in the decades after *Roe*. The stakes in understanding this history are high.

Full text available at:

<http://www.yalelawjournal.org/images/pdfs/987.pdf>

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Cann Damon M., Wilhelm Teena

Case Visibility and the Electoral Connection in State Supreme Courts

in **American Politics Research**, Vol. 39, n. 3, May , 557-581

Critics traditionally portray state Supreme Court elections as low-information events that fail to accomplish the stated goal of engendering accountability to the public. Recent changes in the intensity of contestable judicial elections have led scholars to consider the effect of public opinion on state court decision making. We delineate necessary conditions for judicial responsiveness to public opinion, integrating research on state court decision making with the broader literature on representation. We then empirically test our framework for judicial responsiveness. Our findings suggest that the strength of the electoral connection between state supreme court justices and their constituents is quite dependent on method of judicial retention and the visibility of the case.



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Pollack Michael C.

Chevron's Regrets: The Persistent Vitality of the Nondelegation Doctrine

in *New York University Law Review* , Vol. 86, n. 1 , 316-350

Since the Chevron decision in 1984, courts have extended to administrative agencies a high level of deference when those agencies reasonably interpret ambiguous statutes, reasoning that agencies have more technical expertise and public accountability than courts. However, when the agency's interpretation implicates a significant policy choice, courts do not always defer. At times, they rely on principles of non delegation to rule against the agency interpretation and require that choices be

made by Congress instead. Chevron makes no explicit exception for significant policy choices, but in cases like *MCI v. AT&T* and *FDA v. Brown & Williamson*, the Supreme Court has manipulated the application of the Chevron test to find statutory clarity and preclude deference to agencies for exactly this reason. Led by litigants who highlighted the separation of powers implications of the agency's interpretations, the Court has suggested both that the principles of non delegation remain a constitutional constraint and that alluding to them, even without resort to some canon of interpretation, is a viable litigation strategy. This Note exposes and defends the persistent, if unspoken, role played by the principles of non delegation in the jurisprudence of the administrative state in an era of Chevron deference. It draws a strategic and doctrinal framework from which to challenge agencies' statutory interpretations and presents a live circuit split involving the authority of the Food and Drug Administration to criminalize certain failures to maintain research records that is a ripe opportunity for applying that framework.

Full text available at:

http://www.law.nyu.edu/ecm_dlv4/groups/public/@nyu_law_website__journals__law_review/documents/documents/ecm_pro_068678.pdf

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Bartels Brandon L.

Choices in Context: How Case-Level Factors Influence the Magnitude of Ideological Voting on the U.S. Supreme Court

in *American Politics Research*, Vol. 39, n. 1, January , 142-175

Most scholarship on Supreme Court decision making assumes that justices' ideological preferences exhibit a uniform impact on their choices across a variety of situations. I develop a theoretical framework positing the importance of case-level context in shaping the magnitude of ideological voting on the Court. I hypothesize how issue-related factors influence this magnitude. I test the hypotheses using a multilevel modeling framework on data from the 1953-2004 terms. The results provide support for several of the hypotheses; issue salience, issue attention, the authority for the decision (statutory interpretation versus constitutionality of federal or state laws), intercourt conflict, the presence of a lower court dissent, and mandatory versus discretionary jurisdiction all significantly influence ideological voting. Overall, the article adds significant qualifications to extant theories of judicial decision making by showing how ideological voting on the Court is shaped by the varying situations that confront the justices from case to case.



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De Santa Cruz Oliveira Maria Angela Jardim, Garoupa Nuno

Choosing Judges in Brazil: Reassessing Legal Transplants from the United States

in *American Journal of Comparative Law*, vol. 59 - n. 2 , 529-561

This Paper compares the Brazilian with the United States general procedures of judicial selection at the state and federal levels. The most significant difference between the two approaches is that in Brazil the selection at the lower level is entirely administered by the judiciary, while in the United States, judges are either approved by the executive or elected by popular vote. At the Supreme Court level, however, the Brazilian Constitution uses the same mechanism that is used in the United States, namely presidential nomination and Senate confirmation. This Article contends that the constitutional transplant of the U.S. model of judicial selection, at the Supreme Court level, has produced a marked balance of power between different branches of the Brazilian government and has led to significantly fewer conflicts between the president and the Senate than in the United States. We will try to explain why apparently identical legal institutions have evolved in such different ways, in particular focusing on the specific role of the Senate in confirming presidential nominees.

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Levin, M.

Civil Justice and the Constitution: Limits on Instrumental Judicial Administration in Japan

in *Pacific Review (The)* , Volume 24, Issue 1 , 266-318

Numerous works have shown how central judicial administrators in Japan may ideologically influence the nation's lower court judges. This piece draws upon these reports to analyze and frame these circumstances as "instrumental judicial administration," qualitatively distinguishing the various means used by administrators and reflecting on their degrees of impact on civil procedural justice. Then, moving from description to prescription, the work provides a thorough consideration of the underlying legal context, broadly drawing from constitutional text and history, statutory text, and case law, before launching a search for solutions in its conclusion. Although the immediate focus is on how instrumental judicial administration emerges in the Japanese civil justice system, the approach here is broadly applicable for studies of the roles of judges and functions of courts generally.

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Segal Jeffrey A., Westerland Chad

Congress, the Supreme Court, and Judicial Review: Testing a Constitutional Separation of Powers Model

in *American Journal of Political Science*, Vol. 55, Issue 1 , 89-104



Recent scholarship suggests that the U.S. Supreme Court might be constrained by Congress in constitutional cases. We suggest two potential paths to Congressional influence on the Court's constitutional decisions: a rational-anticipation model, in which the Court moves away from its preferences in order to avoid being overruled, and an institutional-maintenance model, in which the Court protects itself against Congressional attacks to its institutional prerogatives by scaling back its striking of laws when the distance between the Court and Congress increases. We test these models by using Common Space scores and the original roll-call votes to estimate support in the current Congress for the original legislation and the Court's preferences over that legislation. We find that the Court does not appear to consider the likelihood of override in constitutional cases, but it does back away from striking laws when it is ideologically distant from Congress.

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Xin He

Debt Collection in the Less Developed Regions of China: An Empirical Study from a Basic-Level Court in Shaanxi Province

in China Quarterly (The), Volume 206

Contrary to the prevailing view in the literature that Chinese courts have been notoriously incompetent in enforcement, this article contends that the situation may not be so bad. Based on in-depth fieldwork investigations of 60 debt collection cases at a basic-level court in the less developed hinterland region of China, this study finds that the majority of plaintiffs recover most of their debts through the court. Local protectionism persists, but seems to be contained within legal rules. Nevertheless, the underdeveloped economy of the region has limited the effectiveness of several core judicial reform measures. Unlike the situation in more developed regions, the forces of economic development outside the court have not been significant enough to reshape the power structure inside the court. The overall situation suggests, however, that China's efforts in the field of legal reform, including the promulgation of substantive laws as well as strengthened institution-building have, in general, been conducive to the effective processing of routine debt collection cases.

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Casillas Christopher J., Enns Peter K.

How Public Opinion Constrains the U.S. Supreme Court

in American Journal of Political Science, Vol. 55, Issue 1 , 74-88

Although scholars increasingly acknowledge a contemporaneous relationship between public opinion and Supreme Court decisions, debate continues as to why this relationship exists. Does public opinion directly influence decisions or do justices simply respond to the same social forces that simultaneously shape the public mood? To answer this question, we first develop a strategy to control for the justices' attitudinal change that stems from the social forces that influence public opinion. We then propose a theoretical argument that predicts strategic justices should be mindful of public opinion even in cases when the public is unlikely to be aware of the Court's activities. The results suggest that the influence of public opinion on Supreme Court decisions is real, substantively important, and most pronounced in



nonsalient cases.

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Webb Brantley

How To Review State Court Determinations of State Law Antecedent to Federal Rights
in *Yale Law Journal (The)*, Vol. 120, n. 5, March , 1192-1250

In *Stop the Beach Renourishment, Inc. v. Florida Department of Environmental Protection*, 130 S. Ct. 2592 (2010), a plurality of the Supreme Court endorsed a judicial takings doctrine for the purpose of policing wayward state property law decisions. The plurality's opinion culminates several decades' worth of effort by legal scholars and property law groups to secure closer federal review of state court property law determinations antecedent to federal takings claims. In a great victory for these groups, but in an opinion that also cuts against more than a century of Supreme Court deference to state courts in this area, the plurality adopted a new standard of independent review for antecedent state property law determinations. This Note examines the tradition of deference cast aside by the plurality's opinion and makes a case for its rehabilitation. Important purposes are served by Supreme Court deference to state court determinations of antecedent state law; not least of these is the check that deference places on the Supreme Court's own power over state court decisionmaking. This Note concludes that the damaging consequences of independent review ultimately outweigh any benefits that may accrue to property owners; it urges the Court to return to a deferential standard of review and leave state courts free to develop distinctive bodies of property law responsive to their states' local needs and histories.

Section A) The theory and practise of the federal states and multi-level systems of government

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Weiden David

Judicial Politicization, Ideology, and Activism at the High Courts of the United States, Canada, and Australia
in *Political Research Quarterly*, vol. 64, n. 2, june , 335-347

ABSTRACT: This article proposes a new cross-national thesis for judicial decision making. The judicial politicization theory posits that judges on highly politicized high courts will be more likely to decide cases using ideological and attitudinal factors than judges at less politicized courts. The theory holds that informal norms regarding judicial appointment by the executive are more important than the formal selection mechanism in determining whether a judiciary is highly or less politicized. The results show significant attitudinal judicial voting at each high court and strong support for the contention that judges on highly politicized courts are more likely to decide cases ideologically.

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Elizondo Mayer Carlo -Serra, Magaloni Ana Laura

La forma es fondo: cómo se nombran y deciden los ministros de la suprema corte de justicia



in **Cuestiones constitucionales. Revista mexicana de derecho constitucional**, n. 23 , 27-60

Opinion polls show low confidence in the Supreme Court. This article brings attention to some formal issues that impact the performance and legitimacy of our Court. The starting point of this analysis is that formal questions matter. On one hand, the rules of election and the time in office affect who takes a seat in the Court and with what expectations. On the other hand, the procedure by which the eleven justices reach a decision affects the contents of their ruling. This work is divided into three sections: the first considers what the data from the opinion polls say about confidence in the Supreme Court. The second will consider how the way in which Justices are elected affects who makes it to the Court as Justice and with what kind of professional goals. Finally, we will study how formal aspects of the decision-making process of the Supreme Court affect its ruling, both formal and substantively, and, therefore, the legitimacy of the Court as a whole.

Full text available:

<http://www.juridicas.unam.mx/publica/librev/rev/cconst/cont/23/ard/ard2.pdf>

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Ortega Luis

La posición de los Estatutos de Autonomía con relación a las competencias estatales tras la Sentencia del Tribunal Constitucional 31/2010, de 28 de junio, sobre el Estatuto de Autonomía de Cataluña.

in *Revista Española de Derecho Constitucional*, n. 90

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Dumont Hugues

La traduction, ciment du 'Pacte constitutionnel européen': Une relecture du débat sur la primauté du droit européen par rapport aux Constitutions nationales (avec une postface sur l'arrêt Lisbonne de la Cour constitutionnelle allemande)

in *Revue belge de Droit constitutionnel*, n. 1 , 15-54

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Boyea Brent D., Farrar-Myers Victoria A.

Leadership and Election Litigation in State Supreme Courts

in *State and Local Government Review*, Vol. 43, n. 1, April , 17-31

Elections in the American states are important mechanisms for legitimizing state governments by facilitating the involvement of citizens in electing political leaders. Elections, however, receive scrutiny through challenges in state



courts on issues such as contested elections and the structure and context of election ballots. Capitalizing on attention to the role of leadership in institutional maintenance, the analysis presented examines the effects of leadership and other essential political and legal characteristics on building decision consensus in election cases. An empirical test using 203 election decisions by state supreme courts from 1995 to 1998 illustrates that, among other factors, the authority of leadership facilitates consensus where considered jointly with the resources of courts, the state as a litigant, and internal rules that prioritize seniority.

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Subsection 6. The judiciary branch

Breyer Stephen

Making Our Democracy Work: The Yale Lectures

in **Yale Law Journal (The)**, Vol. 120, issue 8 , 1999-2026

Full text available at:

<http://www.yalelawjournal.org/images/pdfs/986.pdf>

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 6. The judiciary branch

Aquino Guimarães Tomas de; Odelius Catarina Cecilia; Medeiros Janann Joslin; Vargas Santana João Augusto

Management Innovation at the Brazilian Superior Tribunal of Justice

in **American Review of Public Administration (The)**, May 2011; 41 (3) , 297-312

We describe administrative reform involving management innovation undertaken at the Superior Tribunal of Justice, Brazil's highest appellate court for infra-constitutional cases. The innovation is the introduction of a new management model based on strategic planning and a process management approach to work processes. Introduction of the new model has been supported by the use of information technology and project management techniques. Qualitative methods were used for data collection and analysis. Findings reveal that the innovation is contributing to the development of a systemic overview of key processes, reducing the fragmenting effects of the division of work activities within the Tribunal. At least three new organizational routines or capabilities have been developed as a result of the innovation studied: Electronic Court Management, Project Management, and Process Management. The paper contributes to knowledge about court management, a field that has received little research attention in the public administration literature.

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Seidman Louis Michael

Our Unsettled Ninth Amendment: An Essay on Unenumerated Rights and the Impossibility of Textualism

in **California Law Review**, Vol. 98, issue 6 , 2129-2160



The Ninth Amendment—our resident anarchic and sarcastic “constitutional jester”—mocks the effort of scholars and judges alike to tame and normalize constitutional law. The Amendment stubbornly resists control. It stands as a paradoxical, textual monument to the impossibility of textualism, an entrenched, settled instantiation of the inevitability of unsettlement. If it did not exist, constitutional skeptics would have had to invent it.

full text available at:

<http://www.californialawreview.org/articles/our-unsettled-ninth-amendment-an-essay-on-unenumerated-rights-and-the-impossibility-of-textualism>

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Goldman Brian P.

Should the Supreme Court Stop Inviting Amici Curiae to Defend Abandoned Lower Court Decisions?
in *Stanford Law Review*, Vol. 63, issue 4 , 907-972

Forty-three times since 1954—approximately twice every three Terms—the Supreme Court has heard a case in which no party argued one side of the issue before the Court, generally because the party who prevailed in the lower court refused to defend its victory below. When faced with this unusual, nonadversary posture, the Court has tapped an attorney to brief and argue the case as an amicus curiae in support of the orphaned argument. This practice raises a number of questions: First, at the most basic descriptive level, why has it been necessary? If the respondents themselves did not wish to defend their victories below, then whom were the appointed amici representing? Second, did these uncontested cases run afoul of Article III’s limitation of federal jurisdiction to “cases” and “controversies,” or the American tradition of adversarial litigation? And third, even if the invitations were constitutionally permissible, was it prudent for the Court to spend its scarce certiorari grants on them rather than waiting for more traditional cases to present the same issues?

This Note explores some answers to those questions. It identifies four broad categories into which these cases fall, based on the reasons the appointment of an amicus was deemed necessary, and evaluates each against the principal goals of the adversary system. Often the Court’s role as a neutral adjudicator of disputes is aided by the assistance of an amicus curiae who can represent the lower court’s position on an issue of independent interest to the courts, such as subject matter jurisdiction. But there are some questions that the Court is not empowered to answer unless they are contested, such as issues and arguments that the parties are entitled to waive—and sometimes have actively chosen to waive—or those that have become moot on appeal. To the extent appointing an amicus enables the Court to resolve legal questions that are not squarely presented by a live controversy, the practice itself should be abandoned, lest the Court appear to be reaching out to address issues that do not arise organically. Even where a live controversy does remain, it may be imprudent to choose less-than-fully-adversarial cases as vehicles to set national precedent. The Note concludes by proposing three criteria to determine the propriety of inviting an amicus to argue an unrepresented position, and finds that under those criteria, fifteen of the forty-three appointments were probably ill-advised.

Full text available at:

<http://www.stanfordlawreview.org/content/article/should-supreme-court-stop-inviting-amici-curiae-defend-abandoned-lower-court-decisio>



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Brinton Lucas

Structural Exceptionalism and Comparative Constitutional Law

in *Virginia Law Review*, Vol. 96, issue 8 , 1965-2009

For over the past two decades, there has been an ongoing debate over whether the Supreme Court should rely on comparative constitutional law when interpreting the U.S. Constitution. This Note offers an exceptionalist critique of the practice. Specifically, it argues that the U.S. Constitution's exceptional view of the role of the judiciary cautions against this use of comparative constitutional law. The U.S. Constitution is rare among contemporary charters in its reflection of the belief that the judicial branch should be confined to matters of law instead of questions of policy. This separation of law and politics is primarily expressed in the relative absence of institutional safeguards to control the federal judiciary. Whereas architects of foreign constitutions expected some judicial policy-making and consequently built in ex ante and/or ex post controls into their systems, the U.S. Constitution treats the judiciary as a relatively unthreatening institution. This Note contends that when the Supreme Court draws on the constitutional law of these countries without their accompanying safeguards, it risks that the reasoning of foreign judges will operate unconstrained by the checks they took for granted and lead to unintended costs for American society.

Full text available at:

<http://www.virginialawreview.org/content/pdfs/96/1965.pdf>

Section A) The theory and practise of the federal states and multi-level systems of government

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Jaremba Urszula

The Impact of EU law on National Judiciaries: Polish Administrative Courts and their Participation in the Process of Legal Integration in the EU

in *German Law Journal*, Vol. 12, n. 3 , 930-956

Since May 2004 Polish administrative courts have passed a great deal of judgments in which the law of the European Union (formerly European Community law) has played either the main role or a subsidiary role in the proceedings. This article seeks to examine how the above-mentioned courts comply with the expectations which are put on them by EU law and how they participate in the process of legal integration within the EU. In this context, the author scrutinizes how the national judiciary adjudicating in the administrative law area understands, interprets, employs and applies the systemic principles of EU law such as: supremacy, and (in) direct effect and effectiveness. In addition, the participation of national courts in the process of a dialogue with the Court of Justice of the European Union through the preliminary ruling procedure is captured. The analysis is not aimed at being exhaustive and focuses solely on the total impact of EU law on the national judiciary and the general trends in the judicial application of EU law, that is to say the overall reception of EU law and the dimension of the EU-friendliness displayed by Polish administrative courts.



Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No3/PDF_Vol_12_No_03_930-956_Developments_Jaremba.pdf

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Quinn Rosenkranz Nicholas

The Objects of the Constitution

in *Stanford Law Review*, Vol. 63, issue 5 , 1005-1070

The Constitution empowers and restricts different officials differently. A constitutional claim is a claim that a particular government actor has exceeded a grant of power or transgressed a restriction. But because different government actors are vested with different powers and bound by different restrictions, one cannot determine whether the Constitution has been violated without knowing who has allegedly violated it. The predicates of judicial review inevitably depend upon the subjects of judicial review. Current practice speaks, euphemistically, of challenges to “statutes,” thus obscuring the subjects of constitutional claims. But the Constitution does not prohibit statutes; it prohibits actions—the actions of particular government actors. Thus, every constitutional inquiry should begin with the subject of the constitutional claim. And the first question in any such inquiry should be the who question: who has allegedly violated the Constitution?

This Article’s predecessor, *The Subjects of the Constitution*, demonstrated the analytical power of this seemingly innocuous question. To begin with, the who question reveals constitutional culprits, triggering the essential backstops of constitutional accountability. If the Constitution has been violated, the People must know who has violated it, so that they can know whom to blame, whom to vote against, whom to impeach.

This Article picks up where its predecessor left off. The predecessor established the primacy of the who question; this Article shows how to answer it. Part I begins with the intellectual primogenitor of this approach: Chief Justice Marshall’s masterful opinion for the Court in *Barron v. Baltimore*. It then presses beyond *Barron*, using Marshall’s method to address the questions that he left unanswered. Part II analyzes several of the passive-voice clauses of the Bill of Rights, in the first systematic effort to identify their implied objects. As it turns out, these objects form a pattern, which amounts to a central, structural theme of the Bill of Rights that has long been overlooked. Part III turns to Section 1 of the Fourteenth Amendment. Its key sentence, unlike the bulk of the Bill of Rights, is written in the active voice, with an explicit subject (“State”), but the who question is nevertheless quite subtle, because the sentence does not specify the relevant branch of state government. This Part shows how the answer informs the incorporation debate. It builds on Akhil Amar’s insight that the Bill of Rights underwent “refinement” when incorporated against the states by the Fourteenth Amendment, and it identifies perhaps the most important refinement of all: refinement of the actors bound by the Bill—refinement of its objects.

In short, this Article and its predecessor amount to a new model of constitutional review, a new lens through which to read the Constitution. This approach begins with a grammatical exercise: identifying the subjects and objects of the Constitution. But this is hardly linguistic casuistry or grammatical fetishism. The subjects and objects of the Constitution are not merely features of constitutional text; they are the very pillars of constitutional structure. The very words “federalism” and “separation of powers” are simply shorthand for the deep truth that the Constitution empowers and restricts different governmental actors in different ways. Indeed, this is the primary strategy that the Constitution



deploys to constrain governmental power; more than any other principle of institutional design, the Framers pinned their hopes on the axiom that ambition may counteract ambition. And so, in allocating each governmental power—and in “giv[ing] to each [branch] a constitutional control over the others”—the first question was, inevitably, who? To elide the who question is to overlook the central feature of our constitutional structure. And it is this structure, above all, that is the object of the Constitution.

Full text available at:

<http://www.stanfordlawreview.org/content/article/objects-constitution>

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Kang Michael S., Shepherd Joanna M.

The Partisan Price of Justice: An Empirical Analysis of Campaign Contributions and Judicial Decisions
in *New York University Law Review* , Vol. 86, n. 1 , 69-130

Do campaign contributions affect judicial decisions by elected judges in favor of their contributors' interests? Although the Supreme Court's recent decision in *Caperton v. A.T. Massey Coal Co.* relies on this intuition for its logic, that intuition has largely gone empirically untested. No longer. Using a dataset of every state supreme court case in all fifty states over a four-year period, we find that elected judges are more likely to decide in favor of business interests as the amount of campaign contributions received from those interests increases. In other words, every dollar of direct contributions from business groups is associated with an increase in the probability that the judge in question will vote for business litigants. Surprisingly, though, when we disaggregate partisan and nonpartisan elections, we find that a statistically significant relationship between campaign contributions and judicial decisions in favor of contributors' interests exists only for judges elected in partisan elections, and not for judges elected in nonpartisan ones. Our findings therefore suggest that political parties play an important causal role in creating this connection between campaign contributions and favorable judicial decisions. In the flurry of reform activity responding to *Caperton*, our findings support judicial reforms that propose the replacement of partisan elections with nonpartisan methods of judicial selection and retention.

Full text available at:

http://www.law.nyu.edu/ecm_dlv4/groups/public/@nyu_law_website__journals__law_review/documents/documents/ecm_pro_068670.pdf

Section A) The theory and practise of the federal states and multi-level systems of government

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Arnall Anthony

The Principle of Effective Judicial Protection in EU law: An Unruly Horse?
in *European Law Review*, Vol. 36, issue 1 , 51-71

No abstract available



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Binder Christina

The Prohibition of Amnesties by the Inter-American Court of Human Rights

in **German Law Journal**, Vol. 12, n. 5 , 1203-1230

The Inter-American Court of Human Rights has proven a particularly active defender of human rights in Latin America. The Court has developed an innovative and creative jurisprudence with respect to all kinds of human rights violations, including forced disappearances, extrajudicial killings, violations of indigenous peoples' rights or those of undocumented migrants. Legal scholars have praised the Inter-American Court for its effective protection of human rights and even the International Court of Justice has drawn on the judgments of the Inter-American Court. The Inter-American Court has, however, also been criticized for adopting an overly broad standard of review, exceeding the competences conferred on it in the American Convention on Human Rights (ACHR, Convention) and for its detailed reparation orders which encroached on the states' internal domestic affairs. Put differently, the Court was blamed for being a too active judicial lawmaker. It has therefore been suggested that the Inter-American Court would be well advised to pay more attention to national sovereignty and the consent of the regional community of states when exercising its adjudicative function.

Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No5/PDF_Vol_12_No_05_1203-1230_Beyond%20Disptue%20Special_Binder%20FINAL.pdf

Section A) The theory and practise of the federal states and multi-level systems of government

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Leigh Grove Tara

The Structural Safeguards of Federal Jurisdiction

in **Harvard Law Review**, Volume 124 · January 2011 · Number 3

Scholars have long debated Congress's power to curb federal jurisdiction and have consistently assumed that the constitutional limits on Congress's authority (if any) must be judicially enforceable and found in the text and structure of Article III. In this Article, I challenge that fundamental assumption. I argue that the primary constitutional protection for the federal judiciary lies instead in the bicameralism and presentment requirements of Article I. These Article I lawmaking procedures give competing political factions (even political minorities) considerable power to "veto" legislation. Drawing on recent social science and legal scholarship, I argue that political factions are particularly likely to use their structural veto to block jurisdiction-stripping legislation favored by their opponents. Notably, this structural argument is supported by the history of congressional control over federal jurisdiction. When the federal courts have issued controversial opinions that trigger wide public condemnation, supporters of the judiciary — even when they were only a political minority in Congress — repeatedly used their structural veto to block jurisdiction-stripping proposals. This structural approach also provides one answer to a puzzle that has particularly troubled scholars: whether there are any constitutional limits on Congress's authority to make "exceptions" to the Supreme Court's appellate jurisdiction. The structural safeguards of Article I have proven especially effective at preventing encroachments on the Supreme Court's



Article III appellate review power.

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Posner Richard A., Yoon Albert H.

What Judges Think of the Quality of Legal Representation

in **Stanford Law Review**, Vol. 63, issue 2 , 317-350

Studying the legal profession poses several challenges. The evolution of law has moved lawyers away from a generalist practice towards increased specialization. This makes it difficult to compare lawyers across different practice areas meaningfully and to provide a comprehensive assessment of the legal profession. Judges are well situated to provide such an evaluation, given their experience and scope of cases. This Article reports the responses of federal and state judges to a survey we conducted in 2008. The questions relate to their perceptions of the quality of legal representation, generally and in criminal and civil cases; how the quality of legal representation influences how they and juries decide cases; and their recommendations for change in the profession. We find that judges perceive significant disparities in the quality of legal representation, both within and across areas of the law. In many instances, the underlying causes of these disparities can be traced to the resources of the litigants. The judges' responses also suggest that they respond differently than juries to these disparities, and that the effect of these disparities on juries may be more pronounced in civil than in criminal cases.

full text available at:

<http://www.stanfordlawreview.org/content/article/what-judges-think-quality-legal-representation>

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Mazzoni Jason

When the Supreme Court Is Not Supreme

in **Northwestern University Law Review**, Vol. 104, issue 3 , 979-1066

Full text available at:

<http://www.law.northwestern.edu/lawreview/v104/n3/979/LR104n3Mazzone.pdf>

Section A) The theory and practise of the federal states and multi-level systems of government

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Provost Colin

When to Befriend the Court? - Examining State Amici Curiae Participation Before the U.S. Supreme Court

in **State Politics & Policy Quarterly**, Vol. 11, n. 1, March , 4-27

Over the past 30 years, the U.S. states have increased their participation as amici curiae significantly, in addition to



winning more of their cases as direct parties. However, little attention has been paid to the factors that cause amicus participation rates to vary among the states. The author examines the decision of state attorneys general (AGs) to initiate or join amicus curiae briefs in all 253 U.S. Supreme Court criminal procedure cases from 1990 through 2001. He hypothesizes that AGs are motivated largely by their own policy preferences and by their motivation to get reelected. Because amicus briefs are not particularly high-profile policy tools, reelection motivations ought to be demonstrated through responsiveness to elites in state government. The findings provide less support for this idea and more support for the idea that state AGs follow their own policy preferences through amicus participation.

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Subsection 7.Economic and fiscal federalism

PHILIPP GENSCHER, ACHIM KEMMERLING, ERIC SEILS

Accelerating Downhill: How the EU Shapes Corporate Tax Competition in the Single Market

in *Journal of Common Market Studies*, Volume 49, Issue 3, May 2011 , 586-606

Tax competition in the European Union is shaped by four partly opposed institutional mechanisms. While market integration and enlargement increase competitive pressure, the tax co-ordination of the Council of Ministers and the tax jurisprudence of the European Court of Justice could potentially reduce it. The net effect is to accelerate tax competition. This article presents quantitative evidence to suggest that tax competition is stronger in the EU than in the rest of the world, and explores qualitatively why tax co-ordination and tax jurisprudence have failed to prevent a race to the bottom in tax rates.

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Di Maria Roberto

Alcune considerazioni in materia di finanziamento delle funzioni degli ee.II. alla luce del combinato disposto dalla legge delega 42/2009 e dal d.d.l. «Calderoli»

in *Quaderni Regionali* , n. 3

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Gilbert E. Metcalf

Assessing The Federal Deduction For State And Local Tax Payments

in *National Tax Journal*, 64 June , 565-90

This paper examines the distributional and behavioral impacts of ending the deductibility of state and local taxes against the federal individual income tax. I carry out a number of distributional analyses — considering both variation across income and across states — of the subsidy from deductibility as well as the distributional impact of potential partial reforms. I also consider how behavioral responses affect the distributional analysis. Using a large panel of data on state



and local governments, I find that deductibility increases reliance on deductible taxes and increases state and local spending out of own-source revenue.

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Subsection 7.Economic and fiscal federalism

Anderson Geoff, Fenna Alan

**Australian Federalism and the Global Economic Crisis of 2008-09
in Europe en formation (L'), n. 358, hiver, 2010 , 131-148**

The incoming Rudd government brought to an end what looked like an increasingly rapid spiralling of Commonwealth unilateralism and centralisation in the latter years of the Howard government. At the same time, the framework for a much more generally cooperative federalism introduced in 2007 provided a ready vehicle for countercyclical policy activism in response to escalating symptoms of overseas financial crisis in 2008. The crisis reinforced centralising elements of the government's program, but in a muted way. More damaging for the States was the way that the crisis demonstrated their inherently weak fiscal position in the federation.

Thanks to a combination of very active countercyclical policy and continuing high demand for its resource exports, Australia experienced no official recession and thus Commonwealth-State relations were not subject to the degree of strain they might have been in more extreme circumstances. At the same time, the High Court's surprisingly high degree of sensitivity to federalism in the Pape decision further limited the centralising impact of the crisis. Whether this decision will come to have a decisive impact on federalism will depend on future cases that may come before the Court.

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Oricchio Michele

**Autonomie regionali e «federalismo fiscale»
in Nuova rassegna di legislazione, dottrina e giurisprudenza, n. 22**

No abstract available

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Subsection 7.Economic and fiscal federalism

J. Miguel Kanai

**Barrio resurgence in Buenos Aires: Local autonomy claims amid state-sponsored transnationalism
in Political Geography, Volume 30, Issue 4 , 225-235**

This paper argues that observing neighborhood movements through the lens of territorial state restructuring holds theoretical promise. Contemporary struggles over municipal decentralization need to be located within broader state re-scaling processes. Seeking to contribute a Latin American perspective to the largely Anglo-American field of urban neoliberalization research, this study engages with the emergence of local autonomy claims in Buenos Aires, Argentina. Middle-class activists and organizations advanced such claims against the background of thorough transnationalism, in



what may be interpreted as a localist political reaction to the socio-spatial consequences of urban and state restructuring. Field evidence is used to assess the ultimate political efficacy and democratic implications of their political agency, particularly in what concerns municipal decentralization. It is argued that curtailing the empowerment of barrio districts were the following conditions: mayoral opposition to communal reforms; ongoing cross-scalar tensions between the city and national government; and the barrio-centric issue framings of activists, which hampered social recruitment in an increasingly heterogeneous and transnationalized urban space.

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Renzsch Wolfgang

**Closing the gap? The Financial Crisis and the German Länder
in Europe en formation (L'), n. 358, hiver, 2010 , 51-60**

This article analyses the effects of the global financial crisis in the German economy through the main indicators of GNP, employment, taxes and equalisation, making a distinction between Western and Eastern Germany. It reaches the conclusion that the recovery follows the traditional German economic path. Moreover, the gap between East and West Germany is being reduced during the crisis, because of the newly developed industries in the East.

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Subsection 7. Economic and fiscal federalism

Bruno Bises, Gianluca Laganà, Flavia D'Oro

**Costi e benefici del distacco da una giurisdizione locale: il caso di una provincia
in Economia Pubblica, Fascicolo 5-6**

The proper size of local jurisdictions is one of the problems the economic theory of fiscal federalism deals with. On theoretical grounds, the economic literature identifies the benefits and costs of larger vs. smaller jurisdictions mainly in economies of scale and differences in population preferences, respectively. Gains and losses due to the tax-transfer mechanism are often also considered. In practice, any decentralised country may face the two opposite phenomena of small jurisdictions merging to found a larger one and/or the communities belonging to a single political-administrative unit separating so as to give rise to two (or more) smaller jurisdictions. In this paper the latter case is analysed with special reference to the possible splitting of the Italian province of Reggio Calabria and the founding of a new province in its eastern part. The mentioned approaches are jointly used so as to provide a unitary cost-benefit evaluation. Firstly, the efficiency gains and losses from the province splitting are considered. By using indicators of the population income, wealth and consumption, of demographic and education composition and of political opinions, the gains in preference homogeneity are tested also through the cluster methodology and a spatial analysis. Then the economies of scale are analysed with respect to the administrative offices, and the additional political and bureaucratic costs are inferred using data from the mother-province budget. Finally, an analysis of financial sustainability of the new province is accomplished, through a simulation of its budget and the calculation of fiscal and financial indicators. While no gains in terms of better correspondence of the new province decisions to local preferences may be hypothesized as a consequence of the separation from the old province, higher costs due to the doubling of political and administrative apparatus and a worsening of fiscal and financial situations should be expected. The well known result that the secession from large jurisdictions comes out in net losses for poorer areas appears to be confirmed.



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de Mello Luiz

Does fiscal decentralisation strengthen social capital? Cross-country evidence and the experiences of Brazil and Indonesia

in Environment and Planning C: Government and Policy, Volume 29, Issue 2, April , 281-296

With this paper I test the hypothesis that, by giving people more voice in the government decision-making process, fiscal decentralisation fosters social capital, measured in terms of interpersonal trust. Empirical evidence based on World Values Survey data and seemingly unrelated probit estimations for a cross-section of countries suggests that people living in federal and decentralised countries find it more important to have a voice in government decisions than their counterparts living in unitary and centralised countries. Provoice attitudes are, in turn, associated with greater social capital. The cross-country estimations are complemented by country-specific regressions for Brazil and Indonesia on account of these countries' experiences with fiscal decentralisation. The results show that the cohorts of individuals that have been exposed to decentralisation are in general more provoice (and trustful of strangers in the case of Brazil) than their counterparts that have not been exposed to decentralisation. These findings are not driven by the effects of political liberalisation on people's attitudes towards the importance of having a voice in government decisions and interpersonal trust.

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Subsection 7. Economic and fiscal federalism

J. Stephen Ferris, Marcel-Cristian Voia

Does the expectation or realization of a federal election precipitate Canadian output growth?

in Canadian Journal of Economics/Revue Canadienne d'Economique, volume 44, issue 1

This paper asks whether Canadian data is consistent with the predicted effects of political opportunism, partisanship, and political competition on real output growth since Confederation. Using annual data from 1870 to 2005 we find new support for an opportunistic electoral cycle in Canadian data but only if the actual election date used in most studies is replaced by an estimate of the incumbent governing party's subjectively held likelihood of an election arising. In our case the estimate is generated from a Cox-proportional hazard model. The paper explores in detail the issues raised by using a generated regressor to approximate a subjectively held expectation versus an observable proxy and argues that these conditions are met in our case. Finally we also find evidence consistent with partisan cycles in the data but much less evidence consistent with the hypothesis that changes in the degree of political competition have affected real output growth

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Geys Benny, Revelli Federico

Economic and political foundations of local tax structures: an empirical investigation of the tax mix of Flemish municipalities



in **Environment and Planning C: Government and Policy**, Volume 29, Issue 3, June , 410-427

Building on the revenue structure theory developed by Hettich and Winer, with this paper we are the first to investigate the economic and political determinants of local tax mix choices. We thereby use panel data on 289 municipalities in the Flemish region of Belgium (period 1995 – 2002), where local governments enjoy extensive fiscal autonomy and have a wide choice of available tax instruments. Estimating a system of five reduced-form equations for the five central revenue sources (income, property, business, user fees, and other own revenues), our results show that economics plays a significantly more important role than politics in shaping the local tax mix. Moreover, supporting theoretical predictions about marginal cost equalization across available tax instruments, absolute reliance on each revenue source increases as the overall revenue requirement gets larger (a 'scale effect').

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Juan José Solozábal Echavarría

El blindaje foral en su hora. Comentario a la Ley Orgánica 1/2010

in *Revista Española de Derecho Constitucional*, n. 90

Este estudio contiene una crítica a la reciente Ley Orgánica 1/2010, que atribuye innovadoramente el control de las normas forales fiscales vascas al Tribunal Constitucional, detrayéndolas de la Jurisdicción Contencioso-Administrativa, a la que dichas normas se encontraban sujetas, creando asimismo un nuevo proceso constitucional, el Conflicto en defensa de la Autonomía Foral de los Territorios Históricos de la Comunidad Autónoma del País Vasco. A la regulación en cuestión de la LO 1/2010 se le hacen, de una parte, críticas generales, resultantes de la base equívoca de la Ley: determinada idea del control parlamentario que se atribuye a la Ley de Presupuestos y forzamiento del foralismo constitucional. Pero la nueva Ley recibe del autor asimismo críticas más concretas consistentes en la infracción constitucional del tipo de normas capaces del control de onstitucionalidad, la modificación encubierta del Estatuto de Autonomía del País Vasco, la desprotección inconstitucional de los reglamentos, produciéndose asimismo finalmente una complicación excesiva del propio sistema interno de Fuentes de la Comunidad Vasca.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Wolf Nikolaus, Ritschl Albrecht O.

Endogeneity of Currency Areas and Trade Blocs: Evidence from a Natural Experiment

in *Kyklos*, Volume 64, Issue 2, May 2011 , 291-312

This paper draws on a natural experiment to examine the effects of policy arrangements on international trade. We study data on trade and currency bloc formation in Europe after the Great Depression. Far removed from being customs or currency unions, these blocs could not create much trade and should be mere placebos. Yet under conventional approaches to the gravity equation, they exhibit highly significant and sometimes very large trade effects. We employ treatment effect methods from labor econometrics to identify endogeneity both along the time axis and in the cross section. We find pervasive evidence of such endogeneity, which standard estimates of the gravity equation fail to detect. These findings are confirmed by matching models designed to eliminate the endogeneity of bloc formation itself. Our results caution against the significant and high trade creation effects of political arrangements often reported in the gravity literature.



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Allers Maarten A, Ishemoi Lewis J

Equalising spending needs of subnational governments in a developing country: the case of Tanzania
in *Environment and Planning C: Government and Policy*, Volume 29, Issue 3, June , 487-501

Decentralisation of government creates fiscal disparities: some subnational governments can provide their citizens with more public services than others. Many countries try to equalise fiscal disparities by targeting grants at disadvantaged jurisdictions. This is especially difficult for developing countries, where data are scarce. We develop a method to estimate spending needs of local governments in developing countries. We apply this method to health spending by Tanzanian districts, but it can be used in other areas and other countries as well. We use our estimates to derive an equalising grant allocation formula. A comparison with the existing grant allocation indicates that more deprived districts should receive higher grants than they obtain now.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

ANDROS GREGORIOU, ALEXANDROS KONTONIKAS, ALBERTO MONTAGNOLI

Euro Area Inflation Differentials: Unit Roots and Nonlinear Adjustment
in *Journal of Common Market Studies*, Volume 49, Issue 3, May 2011 , 525-540

This article examines the time-series properties of inflation differentials in 12 economic and monetary union (EMU) countries. The evidence from standard linear unit root tests indicates that inflation differentials are highly persistent in the majority of countries. However, when one allows for the possibility that inflation differentials can be characterized by a nonlinear mean reverting process, one finds evidence of stationarity in all cases. The empirical results suggest that once nonlinearity is accounted for, inflation differentials do not consistently intensify real divergence in the euro area.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Okpanachi Eyene

Federalism and Economic Growth: The Importance of Context in Nigerian Public Finance Reform
in *Publius: The Journal of Federalism*, vol. 41, n. 2, Spring , 311-335

This article examines public finance reforms in the Nigerian federal system against the background of its transition from military to democratic rule in 1999 and the challenges posed to overall outcomes, especially by the fiscal health of the sub-national units. Using a before-and-after assessment of policies and performances, the article highlights the progress made in reforming public finance, and discusses the formidable political, institutional and social constraints that have made reforms difficult and inefficient. By focusing on the Nigerian case information, the article contributes to the debates on whether or not, and when federalism can contribute to economic growth and prosperity.

Section A) The theory and practise of the federal states and multi-level systems of government



Subsection 7.Economic and fiscal federalism

Emmanuel O. Ojo

Federalism and Natural Resources Management in Africa

in *Indian Journal of Federal Studies*, 23rd Issue, 1/2011 , 86-103

In a deeply divided and plural societies, as exist in Africa, problems of 'resource scarcities' and the associated struggles over such resources have emerged as sources of conflict that point to the inadequacies of the prevailing government mechanisms, with the emergent conflicts having dire consequences both for the political system and for the management of the national economy. The issue of equitable resource allocation and management in African states is one of the critical challenges. The question arises as to how federalism responds to such challenges. It is this context that paper examines the nexus between federalism and management of natural resources in Africa. It also highlights the major limitations of federalism vis-à-vis natural resources management in Africa.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Désirée Teobaldelli

Federalism and the shadow economy

in *Public Choice*, Volume 146, Numbers 3-4 , 269-289

This paper analyzes the relationships between federalism and the shadow economy. The theoretical analysis leads to the conclusion that the shadow economy is smaller in federal countries than in unitary states. The mobility of individuals among competing jurisdictions leads policy makers to adopt policies that are more efficient in terms of taxation and public good provision. This increases the return for activities in the formal sector relative to those in the informal one, thus reducing activity in the shadow economy. A cross-sectional empirical analysis of a sample of 73 countries confirms this theoretical prediction.

Section A) The theory and practise of the federal states and multi-level systems of government

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Groenendijk Nico

Federalism, Fiscal Autonomy and Democratic Legitimacy in Europe: Towards Tax Sharing Arrangements

in *Europe en formation (L')*, n. 359, spring, 2011 , 5-19

In this article data on fi scal autonomy of different levels of government in the European Union are presented. Within Europe central governments still hold the lion's share of the power to tax and spend. Other levels of government largely have to make do with upward and downward funding schemes which seriously diminish their fi scal autonomy. It is argued that this (vertical) fi scal imbalance has considerable negative impacts on especially the legitimacy of the European Union, both in terms of input and output legitimacy, and that the EU as a whole suffers from a joint legitimacy problem in fi scal matters. After a review of several theories on federalism (fiscal federalism theory, dual or competitive federalism and cooperative federalism) it is concluded that the model of cooperative federalism best suits the European Union. Part of this model is tax sharing (or joint taxation) which is advocated as a way-out of the current fi scal deadlock.



Section A) The theory and practise of the federal states and multi-level systems of government

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Caravita Beniamino

Federalismi, federalismo europeo, federalismo fiscale

in **Federalismi**, Anno IX - Nr 9

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Jorio Ettore

Federalismo fiscale: il nuovo fisco municipale

in **Federalismi**, Anno IX - Nr 10

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Jorio Ettore

Federalismo municipale: la determinazione dei costi e fabbisogni standard (e non solo)

in **Federalismi**, Anno IX - Nr 9

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Barani Luca

Fiscal Federalism and Capital Cities: A Comparative Analysis of Berlin and Brussels

in **Europe en formation (L')**, n. 359, spring, 2011 , 21-45

A general comparative perspective is adopted in order to define the features of fiscal federalism in Belgium and Germany and the positioning of their capital cities within the political economy of these federal systems. Whereas the Belgian political system is defined by competitive federalism, the German one is marked by cooperative tendencies.



The major argument of the article is that centripetal (Germany) and centrifugal (Belgium) forces are determinant factors of the nature and relative position of each capital city within the federation. The article argues that a capital city within a system is better off than one within a competitive federalism one with respect to financial autonomy, but the contrary is true as far as it concerns accountability and transparency. In the comparison, specific attention is dedicated to the role of de facto capital of Europe acquired by Brussels, which implies an added layer of functions performed by the Belgian federal capital in respect of Berlin.

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Haiyan Duan, Jing Vivian Zhan

Fiscal Transfer and Local Public Expenditure in China: A Case Study of Shanxi Province
in *China Review (The)*, Volume 11, Number 1, Spring

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Feld Lars P, Schnellenbach Jan

Fiscal federalism and long-run macroeconomic performance: a survey of recent research
in *Environment and Planning C: Government and Policy*, Volume 29, Issue 2, April , 224-243

In this paper we offer both a broad survey of the literature on fiscal federalism and long-run economic performance, and a detailed report of some of our own recent studies in this field. We look at the difference between study types (cross-country versus single-country studies), and at the relevance of the broader institutional framework into which fiscal decentralization is embedded. We also look into structural change and intergovernmental transfers as a detailed mechanism through which federalism may have an impact on aggregate economic performance. It turns out that fiscal decentralization has no robust effect on growth, but the evidence hints at a positive effect on overall productivity, conditional on the broader institutional framework.

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Baldi Brunetta

I "numeri" del federalismo fiscale un confronto fra le Regioni
in *Istituzioni del federalismo*, n. 5-6 , 495 - 516

Section A) The theory and practise of the federal states and multi-level systems of government



Subsection 7.Economic and fiscal federalism

Caretti Paolo

I possibili effetti paradossali dell'attuazione del federalismo fiscale in relazione al mancato trasferimento delle funzioni alle Regioni: il caso emblematico dell'istruzione scolastica

in *Regioni (Le)*, n. 3 , 459-464

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Campanelli G.

I profili costituzionali del federalismo fiscale

in *Foro Italiano*, 2010

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Gori Luca

Il decreto legislativo n. 85 del 2010, c.d. "federalismo patrimoniale"

in *Federalismi*, Anno IX - Nr 8

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Marco Cammelli

Il federalismo fiscale tra i gattopardi

in *Mulino (il)*, n. 1, gennaio-febbraio, 2011 , 21-31

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Pi-Sunyer Carles Viver

Impact of the Global Economic Crisis on the Political Decentralisation in Spain

in *Europe en formation (L')*, n. 358, hiver, 2010 , 61-90

This article aims to analyse not only the impact of the economic crisis on the system of political decentralisation in Spain, but also to shed light on whether the crisis has changed the guidelines under which the so-called 'state of autonomies' operates, and whether it has changed the constitutional position of the different levels of government and



the relations among them. The author aims also to discern whether political decentralisation has influenced the characteristics of the economic crisis in Spain, the kind of measures adopted to combat it and the efficiency and efficiency of these measures

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Wolf Holger

Internal devaluation in a monetary union

in *International Economics and Economic Policy*, Volume 8, Number 1 / April 2011 , 3-6

Reversing significant cumulative losses in competitiveness has emerged as a core challenge in some Eurozone countries. This brief note takes a closer look at one episode of successful internal devaluation, the experience of the new states following German reunification. The case suggests that substantial cumulative competitiveness gains are possible but require significant time. The case further points to relative productivity gains—and hence to structural reforms—as an important aspect of the adjustment process.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Ernst-Ulrich Petersmann

International Economic Law, 'Public Reason', and Multilevel Governance of Interdependent Public Goods

in *Journal of International Economic Law*, Volume 14 Issue 1 , 23-76

Is ineffective protection of international public goods, and thereby also of interrelated national public goods, the inevitable fate of humanity? The negative answer to this question in Section II argues that ineffective protection of public goods is mainly due to a lack of adequate theories, rules, and institutions for overcoming the collective action problems in multilevel governance of interdependent public goods. Section III reviews the competing conceptions of 'international economic law' (IEL) such as public international law approaches, multilevel economic law approaches, 'global administrative law' (GAL) approaches, 'conflicts law approaches', and 'multilevel constitutional approaches'. Section IV argues that—similar to the experience that 'national public goods' can be supplied democratically only in a framework of constitutional, legislative, administrative, and judicial rules and procedures supported by domestic citizens—multilevel governance of 'international public goods' requires a multilevel constitutional framework for multilevel rule-making and judicial protection of rule of law and constitutional rights supported by domestic citizens as 'primary' legal subjects of IEL. Section V concludes that multilevel governance of interdependent public goods must no longer be designed only as 'foreign policy', but also as part of 'multilevel constitutionalism' necessary for protecting common, reasonable self-interests of all citizens and states.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Pola Giancarlo

Italy Out of the Crisis: More Centralized or Federated?

in *Europe en formation (L')*, n. 358, hiver, 2010 , 91-109



1- A brief summary of Italian 'fiscal federalism' (current and in the making). 2- The (potential) interference of the crisis with the road map to federalism and its (real) intrusion into Berlusconi's budget consolidation policies, in a delicate moment for Italy. 3- Back to the crisis and to its impact on central and subcentral finances (with some hints at Italy's position) 4- Focusing on Italy: how it happened and what damages the country suffered, etc. 5-Italy (and Europe) coming out of the last curve: more centralized or federated?

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

D'Auria G.

L'amministrazione del federalismo fiscale

in *Foro Italiano*, 2010

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Vigato Elisabetta

L'attuazione del federalismo fiscale nelle Regioni speciali. Il passaggio del testimone di funzioni e responsabilità

in *Federalismi*, Anno IX - Nr. 11

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Bonetti Paolo

L'autonomia finanziaria regionale e locale come motore delle autonomie territoriali: un'introduzione dall'art. 114 all'art. 119 Cost.

in *Regioni (Le)*, n. 5 , 1161-1220 Dettagli

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Rivosecchi Guido

La determinazione dei fabbisogni standard degli enti territoriali: un elemento di incertezza nella via italiana al federalismo fiscale

in *Federalismi*, Anno IX - Nr 8

No abstract available



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Carrozza P.

La legge sul federalismo fiscale: delega in bianco o principi-decalogo per una laboriosa trattativa
in *Foro Italiano*, 2010

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Antonini Luca

La nuova legge delega sul federalismo fiscale
in *Diritto della regione (il)*, n. 1 , 33-50

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Immordino Dario

La sentenza della CGE sulla tassa sullo scalo turistico della Regione Sardegna nel contesto dei rapporti tra autonomia tributaria regionale e regole comunitarie
in *Regioni (Le)*, n. 4 , 979-998

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Miscia Valentina

Le società finanziarie regionali. Strumenti di sviluppo economico regionale dopo la riforma del Titolo V
in *Quaderni Regionali* , n. 3

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

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Duque Villanueva Juan Carlos

Los procesos constitucionales de control de las normas forales fiscales vascas
in *Revista Espanola de Derecho Constitucional*, n. 90



En este artículo se analizan los dos nuevos procesos constitucionales, denominados recurso y cuestión, creados por la Ley Orgánica 1/2010, de 19 de febrero, de modificación de las leyes orgánicas del Tribunal Constitucional y del Poder Judicial, a través de los cuales se encomienda al Tribunal Constitucional el control de las normas forales fiscales de los Territorios Históricos de la Comunidad Autónoma del País Vasco. Su creación se complementa con la exclusión de la jurisdicción contencioso-administrativa en la fiscalización de dichas normas pese a su rango infralegal. A lo largo del artículo se exponen algunos de los más importantes problemas, así como se apuntan algunas posibles soluciones a los mismos, que plantea esta reforma legislativa que presenta una relevante incidencia en la configuración de nuestro sistema de justicia constitucional

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Massimo Florio, Gareth Myles

Public Investment and Cost-Benefit Analysis in the European Union

in Fiscal Studies, Volume 32, Issue 1 , 3-9

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

James Alm, Robert D. Buschman, David L. Sjoquist

Rethinking local government reliance on the property tax

in Regional Science and Urban Economics, Volume 41, Issue 4 , 320-331

Historically, local governments in the United States have relied on the property tax as one of their main sources of own-source revenues. However, the recent collapse of housing prices and the resulting negative impact on local government budgets suggest that it may be opportune to rethink this strategy. In this paper we document the overall decline in property values in the United States in recent years, and we find that the impact is in the aggregate negative but that the impact varies significantly by state and by locality. We also examine the impact on local government revenues, and we again find substantial regional and local variation. Indeed, our data indicate that substantial numbers of local governments seem to have avoided the significant and negative budgetary impacts seen most clearly for state and federal governments, at least to date. We then focus specifically on the State of Georgia, in order to determine the ways in which local governments have responded to the economic recession. Our empirical analyses indicate that there are several factors causing changes in property tax revenues, but the dominant factor is changes in housing prices, with some significant lags. We conclude that local government reliance on the property tax has in fact been an advantage for many local governments in the current economic environment, and that such reliance is likely to – and should – continue in at least some form for the immediate future.

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Subsection 7.Economic and fiscal federalism

Derick W. Brinkerhoff



State Fragility and Governance: Conflict Mitigation and Subnational Perspectives
in *Development Policy Review*, Volume 29, Issue 2, 131-153

Many drivers of intrastate conflict concern the relationship between the state and society, and thus are influenced by the quality of governance. Efforts to restore or create good governance, however, have adopted a relatively standardised democratising template. This article argues that conflict mitigation is a useful mechanism for adapting this template to conditions in fragile states. Furthermore, subnational reforms have important potential to mitigate the drivers identified in quantitative studies of conflict, as illustrated by selected experiences with decentralisation, citizen participation and local service delivery. The analysis confirms the important contributions both of quantitative research that has identified causal factors driving conflict and of qualitative study that has explored governance reforms that can address those factors.

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JEFFEREY M. SELLERS, SUN-YOUNG KWAK

State and Society in Local Governance: Lessons from a Multilevel Comparison

in *International Journal of Urban and Regional Research*, Volume 35, Issue 3, 620-643

A generation of literature on local governance has established it to be largely a matter of relations between society and the local state. Existing typologies of national infrastructures for local governance, however, have neglected national variations in the shape of civil society to focus exclusively on governmental institutions. In this article we propose a new typology of national infrastructures of local governance that takes the structure of civil society into account. We test the typology as a predictor of local patterns of influence in a multilevel comparative analysis of data from the UDITE survey of over 4,000 local officials in fourteen OECD countries. The analysis demonstrates that certain types of national infrastructures consistently affect local power relations, as do the parallel infrastructures common to distinct sectors of policy. The effects from these infrastructures generally depend on synergies with the influence of local actors in civil society as well as in the local state

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Steven G. Craig, Edward C. Hoang

State government response to income fluctuations: Consumption, insurance, and capital expenditures

in *Regional Science and Urban Economics*, Volume 41, Issue 4

This paper analyzes state government response to changes in the underlying economy with a view to determining whether, and to what extent, state governments respond to economic fluctuations. Specifically, we build impulse response functions from a panel of US states to examine how states cope with changes in economic conditions. We examine current expenditures, as well as Unemployment Insurance, welfare, and capital spending. Further, we examine how both short and long term debt and state government taxes vary with GSP. Our examination of average state government behavior indicates that states respond slowly to changes in the economy, and that they do not utilize some of the institutional features that are purportedly designed to cushion budgetary impacts. Finally, we find that welfare and UI spending follow separate distinct time paths, but not ones seemingly constrained by institutional barriers.



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Bahl Roy, Cyan Musharraf

Tax assignment: does the practice match the theory?

in Environment and Planning C: Government and Policy, Volume 29, Issue 2, April , 264-280

This paper builds on the existing literature to better explain the tax assignment choices made by countries in different economic circumstances. In particular, we explain why the degree of tax autonomy given to subnational governments is significantly greater in industrial than in developing countries, even when adjustment is made for differences in income level. We consider several arguments for this disparity. First, electoral regimes are not in place for the accountability gains to be fully captured. Second, tax decentralization may result in unacceptable fiscal disparities, and, third, tax administration costs are higher for subnational governments and there is not enough incentive to take steps to lower them. Finally, and contrary to expectations, we do not find empirical evidence that giving more discretionary powers to subnational governments in developing countries will lead to a crowding out of central revenues, but we do find this result for industrial countries.

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Subsection 7.Economic and fiscal federalism

Tarr G. Alan

The Global Financial Crisis: A View from the American States

in Europe en formation (L'), n. 358, hiver, 2010 , 33-49

This article addresses the challenges of the global financial crisis on the American states, from a fiscal approach. After a study of the fiscal provisions and conditions of the states, the author analyses the consequences of the shortage of revenues in the new economic context, and the answers that can be brought through the Federal level, and mostly the American Recovery and Reinvestment Act of 2009.

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Subsection 7.Economic and fiscal federalism

Kincaid John

The Global Financial Crisis: Continuity in U.S. Federalism

in Europe en formation (L'), n. 358, hiver, 2010 , 15-32

This article describes briefly the impacts of the U.S.-originated global financial crisis on the national, state, and local governments in the United States and then examines the stimulative and regulatory responses to the crisis undertaken by the federal government under Presidents George W. Bush and Barack Obama, while highlighting the polarization between Democrats and Republicans over how best to respond to the crisis. Government efforts to rejuvenate the national economy have not been very successful. Unemployment is likely to remain high and economic growth is likely to be slow for the foreseeable future; however, the prospects for the future of fiscal federalism are gloomy. Nevertheless, thus far, the United States has responded to the crisis through the traditional institutions and practices of its federal system,



and the crisis has not produced any significant changes in the form or functions of American federalism.

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Béland Daniel, Lecours André

The Ideational Dimension of Federalism: The 'Australian Model' and the Politics of Equalisation in Canada
in *Australian Journal of Political Science*, vol. 46, n. 2, June, 199-212

ABSTRACT: This article examines the ideational dimension of federalism and its consequences for the analysis of policy development. With this objective in mind, the article offers an explanation for Canada's rejection of the two main aspects of the 'Australian model' of equalisation: the assessment of expenditure needs and the existence of an arms-length commission to determine payments. As argued, the ideological prevalence of provincial autonomy in Canada explains why federal officials opted to reject the 'Australian model' as they prepared to establish the country's program and why subsequent reforms never introduced a needs-assessment dimension or created an arms-length agency to administer equalisation. At the theoretical level, this article shows how ideational factors can shape policy outcomes.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Sorens Jason

The Institutions of Fiscal Federalism

in *Publius: The Journal of Federalism*, vol. 41, n. 2, Spring, 207-231

Federal and decentralized political systems vary in the extent to which sub-central governments enjoy policy authority, political independence from the center, and taxation powers. The institutionalist view of fiscal federalism holds that sub-central governments' fiscal powers are meaningful and self-enforcing only when the central government cannot undermine regional authority. Most recent empirical research on fiscal federalism has ignored the institutional foundations of the system, with adverse consequences for measurement and interpretation. A new, institutional measure of fiscal federalism is proposed. Cross-national tests using this measure for thirty-nine democracies find that more fiscally federal countries, especially those with many competing jurisdictions, have smaller government consumption and government share of gross domestic product, while expenditure decentralization increases government size, findings consistent with widely accepted institutionalist theories.

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Subsection 7. Economic and fiscal federalism

Hänni Peter

The State and the Financial Industry in Switzerland

in *Europe en formation (L')*, n. 358, hiver, 2010, 111-130

Even though the Swiss economy is based on the principle of economic freedom and although the State should generally refrain from intervening in the market there are situations in which the State is allowed to compete with private actors. In the majority of the cases, the Cantons bailed their bank for political reasons out.



Moreover, during the financial crisis, Federal actors bailed UBS out. The Federal Council based the ordinance directly on articles of the Constitution of which the applicability was controversial. To prevent State interventions in the future, an expert commission has presented first results, aiming to more stringent requirements concerning equity capital for the large banks.

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Subsection 7.Economic and fiscal federalism

Sepulveda Cristian F, Martinez-Vazquez Jorge

The consequences of fiscal decentralization on poverty and income equality

in **Environment and Planning C: Government and Policy**, Volume 29, Issue 2, April , 321-343

Many countries around the world are currently pursuing policies for poverty reduction and the improvement of income distribution, and most of them are also implementing fiscal decentralization reforms. Although, separately, fiscal decentralization, poverty, and the distribution of income have been the subjects of extensive theoretical and empirical research, to date we have little understanding of what may be the impact of fiscal decentralization on poverty and inequality. We set out to shed some light on those relationships. We describe the possible channels through which fiscal decentralization might affect poverty and income inequalities and carry out an empirical analysis using panel data for a large number of countries. We find that fiscal decentralization may have significant effects on poverty and inequality. In particular, fiscal decentralization appears to lead to increases in the poverty measures we use, but it also appears to reduce income inequality if the general government represents a significant share of the economy (20% or more).

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Alessandro Cavallero

The convergence of inflation rates in the EU-12 area: A distribution dynamics approach

in **Journal of Macroeconomics**, Volume 33, Issue 2

This paper provides an assessment of Euro area inflation dynamics based on the distribution dynamics approach. It is found that raw series and trends have converged, although the convergence process has not been constant over time. Inflation cycles still lack of synchronization over short time horizons. In search for an economic explanation for cyclical inflation dynamics, the paper suggests that country-specific labor market institutions are likely to affect inflation outcomes above all in high inflation countries. Moreover, the cyclical inflation divergence arises from output fluctuations.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7.Economic and fiscal federalism

Byron Lutz, Raven Molloy, Hui Shan

The housing crisis and state and local government tax revenue: Five channels

in **Regional Science and Urban Economics**, Volume 41, Issue 4 , 306-319

State and local government tax revenues dropped steeply following the most severe housing market contraction since



the Great Depression. We identify five main channels through which the housing market affects state and local tax revenues: property tax revenues, transfer tax revenues, sales tax revenues (including a direct effect through construction materials and an indirect effect through the link between housing wealth and consumption), and personal income tax revenues. We find that property tax revenues do not tend to decrease following house price declines. We conclude that the resilience of property tax receipts is due to significant lags between market values and assessed values of housing and the tendency of policy makers to offset declines in the tax base with higher tax rates. The other four channels have had a relatively modest effect on state tax revenues. We calculate that these channels jointly reduced tax revenues by \$22 billion from 2006 to 2009, which is about 3% of total state own-source revenues in 2006. We conclude that the recent contraction in state and local tax revenues has been driven primarily by the general economic recession, rather than the housing market per-se

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Steytler Nico, Powell Derek

**The impact of the global financial crisis on decentralized government in South Africa
in Europe en formation (L'), n. 358, hiver, 2010 , 149-172**

This paper examines the impact of the global financial crisis on South Africa, in particular on how the highly centralized federal system absorbed and responded to the crisis. The arguments are that the global crisis and the recession that followed have exacerbated long-standing structural problems in the economy, and that the state's response to the crisis again highlighted the highly centralised nature of the country's fiscal constitution.

One section of the paper explores the impact of the financial crisis on the economy and the three orders of government. Another section examines how each sphere responded to the crisis. A final section assesses the impact of those responses on the political economy of the country and the workings of the federal system, concluding with a speculation on the long term legacy of the global crisis.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 7. Economic and fiscal federalism

Clerc Laurent, Dellas Harris, Loisel Olivier

To be or not to be in monetary union: A synthesis

in Journal of International Economics, Volume 83, Issue 2, March 2011 , 154-167

Monetary union can benefit countries suffering from policy credibility problems if it eliminates the inflation bias and also allows for more efficient management of certain shocks. But it also carries costs as some stabilization may be feasible even in the absence of credibility, and this may be more than what an individual country can hope for in a monetary union. In this paper, we combine the stabilization and credibility branches of the currency union literature and construct a simple welfare criterion that can be used to evaluate alternative monetary arrangements. We produce examples where monetary union may be welfare improving even for low-modest levels of inflation bias (2–3%) as long as business cycles are not too a-synchronized across countries.

Section A) The theory and practise of the federal states and multi-level systems of government



Subsection 7. Economic and fiscal federalism

Jorio Ettore

Un primo esame del d. lgs. 68/2011 sul federalismo regionale e provinciale, nonché sul finanziamento della sanità (... cinque dubbi di incostituzionalità)

in *Federalismi*, Anno IX - Nr 12

Section A) *The theory and practise of the federal states and multi-level systems of government*

Subsection 7. Economic and fiscal federalism

Bin Roberto

Verso il "federalismo fiscale" o ritorno al 1865?

in *Regioni (Le)*, n. 4 , 721-726

No abstract available

Section A) *The theory and practise of the federal states and multi-level systems of government*

Subsection 7. Economic and fiscal federalism

Paolo Liberati

“Which Tax” or “Which Tax for What?”: Tax Assignment in the Theory of Fiscal Federalism

in *Public Finance Review*, 39 (3) , 365-392

What is the power of traditional and competitive theories of fiscal federalism in explaining tax assignment at a local level? This article deals with this issue, arguing that both theories fail to properly explain the practice of tax assignment across countries. The author shows that the inapplicability of local benefit taxes makes the theory of tax assignment both under- and overdetermined in the framework of the traditional theory where the public sector is a benevolent player. The author also shows that the politicians' misconduct that is emphasized by competitive theories of fiscal federalism would lead toward earmarking local taxes, if the aim is to enforce responsibility, a feature that is not widely observed in practice. It is therefore argued that alternative lines of research must be addressed to rationalize the practice of tax assignment.

Section A) *The theory and practise of the federal states and multi-level systems of government*

Subsection 8. The Central Bank(s)

Pavlina R. Tcherneva

Bernanke's paradox: can he reconcile his position on the federal budget with his recent charge to prevent deflation?

in *Journal of Post Keynesian Economics*, Vol. 33 No. 03

No abstract available



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 8. The Central Bank(s)

Man-Kwong Leung; Qianjin Lu

Changing Money Market and Monetary Policy Operations in China: an institutional perspective

in *Journal of Contemporary China*, Volume 20, Issue 69 , 287 - 305

This paper uses an institutional perspective to examine the changing monetary policy operations in China since the 1978 reform. It shows that the establishment of money markets has enabled the central bank to shift its policy approach of direct control over credits to a set of indirect monetary tools. Under the constraint of exchange rate stability and other institutional factors, the effectiveness of these indirect tools is limited. Establishing an interbank money market policy rate through SHIBOR will provide a means of signaling the cost of funds to banks and the public. Its success in China is conditional on improved corporate governance and the competitive structure of banks, increased flexibility in its exchange rate determination, and a more cost-conscious state sector.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 8. The Central Bank(s)

Helge Berger, Michael Ehrmann, Marcel Fratzscher

Geography, skills or both: What explains Fed watchers' forecast accuracy of US monetary policy?

in *Journal of Macroeconomics*, Volume 33, Issue 3 , 420-437

The paper shows that there is a substantial degree of heterogeneity in the ability of Fed watchers to forecast US monetary policy decisions. Based on a novel database for 268 individual professional forecasters since 1999, the average absolute forecast error of FOMC decisions varies 5–10 basis points between the best and worst-performers across the sample. This heterogeneity is found to be related to both the skills of analysts – such as their educational and employment backgrounds – and to geography. In particular, forecasters located in regions which experience more idiosyncratic economic conditions perform worse in anticipating monetary policy. This evidence is indicative that limited attention and heterogeneous priors are present even for anticipating important events such as monetary policy decisions.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 8. The Central Bank(s)

Angeloni Ignazio

Quale banchiere per l'Europa in crisi

in *ItalianiEuropei*, n. 3

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 8. The Central Bank(s)

Felix Blossier de Casabianca



The Achilles' Heel of the Brazilian Economy - High Interest Rates in Brazil and the Need for Central Bank Reform Could Dampen the Brazilian Economic Miracle
in *Journal of Developing Societies*, 27 (1) , 1-10

Brazil's important inflation problems were cured by the 1994 Real Plan, but this monetary reform also resulted in a very high SELIC rate, the central bank's overnight lending rate. More than 15 years after this reform and in spite of excellent economic indicators, interest rates in Brazil are still abnormally high, thus restricting credit and undermining the country's development. The purpose of the present article is to analyze the factors at the root of such high interest rates in order to see that a central bank reform appears to be the best solution to tackle these elevated interest rates.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Schubert, G.; Ahlers, A.L.

'Constructing a New Socialist Countryside' and Beyond: An Analytical Framework for Studying Policy Implementation and Political Stability in Contemporary China

in *Journal of Chinese Political Science*, Volume 16, Number 1 / March , 19-46

This article proposes a two-dimensional analytical framework to investigate the impact of local policy implementation on political system stability and legitimacy in China. It combines David Easton's political systems theory with policy analysis and a variant of actor-centered institutionalism known as "strategic group analysis". In the second part of the article, this framework is applied to a case study on local implementation of the official "constructing a new socialist countryside" policy in Qingyuan County, Zhejiang Province.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Sarcinelli Ulrich, König Mathias, König Wolfgang

Bürgerbeteiligung in der Kommunal- und Verwaltungsreform

in *Aus Politik und Zeitgeschichte*, Band 7-8, 2011

The full text is free:

www.bpb.de/publikationen/EJF1E1,0,B%FCrgerbeteiligung_in_der_Kommunal_und_Verwaltungsreform.html

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Bürgerbeteiligung in der Freiwilligkeitsphase

Empfehlungen aus einem Demokratieexperiment

Fazit

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Silvia Chris

Collaborative Governance Concepts for Successful Network Leadership

in State and Local Government Review, Vol. 43, n. 1, April, 66-71

State and local governments across the United States have increasingly utilized collaborative, interorganizational approaches to the delivery of public services. This shift in governance structure often necessitates that public managers not only lead the agency in which they are employed, but also work within, and often lead, a network. These two different contexts in which public managers operate require different managerial and leadership approaches. This article discusses some of the differences between hierarchical leadership and network leadership, important aspects of collaborative leadership, and the leadership behaviors that are considered effective within collaborative governance structures. The article concludes with a discussion of some best practices for collaborative leadership, including the formation of joint commitment, the identification of resources, the creation of a shared understanding, the achievement of stakeholder support, and the establishment of trust.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Hongmei Yi, Denise Hare, Linxiu Zhang³

Does The Provision Of Public Goods Correspond To Local Demand?

in Contemporary Economic Policy, Vol 29 Issue 1

Recently China's central government has promoted public goods investment in pursuit of rural development and poverty reduction. However, the top down nature of investment planning may lead to mismatches between public goods projects and the demands of local residents. Using village- and household-level survey data, this study seeks to identify the determinants of project implementation, focusing on investments in roads, drinking water, and irrigation. Contrary to some popular perception, our results suggest symmetry between farmers' reported demand and the types of projects implemented in their villages. The relative contribution of local demand to project implementation is seen to vary, however, across different types of public goods.



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Galán Galán Alfredo

El renacer de una vieja polémica en España: la interiorización de los gobiernos locales en la comunidades autónomas

in *Istituzioni del federalismo*, n. 1-2 , 141 - 174

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Arkady Lyubarev

Electoral Legislation in Russian Regions

in *Europe-Asia Studies*, Volume 63, Issue 3 , 415 - 427

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Pedersen Anne Reff; Sehested Karina; Sørensen Eva

Emerging Theoretical Understanding of Pluricentric Coordination in Public Governance

in *American Review of Public Administration (The)*, May 2011; 41 (3) , 375-394

Currently, we are witnessing a comprehensive change in the theoretical understandings of how coordination is provided in the pursuit of public governance. Traditional strands of theory took their departure from the presumption that coordination is the outcome of processes within coherent institutionally or functionally demarcated units that follows a specific pre-given rational logic of consequentiality. This view is apparent in public administration theory, organization theory, and planning theory. In recent years, this unitary, rationalist understanding of coordination has been challenged by a more pluricentric understanding of coordination in public governance. Coordination is viewed as a messy and floating process that revolves around interactive arenas that promote communication between a plurality of interpretive logics and situated practises. Although the traditional theories of coordination tended to view vertical and horizontal forms of coordination as radically different modes of coordination, the new theories question the analytical value of this distinction by pointing to the relational, interpretive, interdependent, and interactive aspects of all coordination processes including processes in which public authorities seek to govern their subjects. In the new theories, one of the main questions is how to get a better hold of this new understanding of coordination in processes of public governance. The article aims to do so by bringing together insights from three theoretical strands: public administration theory, organizational theory, and planning theory to show how each of them are currently contributing to the development of what we define as a theory of pluricentric coordination in public governance.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Jing Vivian Zhan



Explaining Central Intervention in Local Extra-Budgetary Practices in China

in *Asian Survey* , Vol. 51, No. 3, May/June , 497-519

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Brancasi Antonio, Caretti Paolo

Il sistema dell'autonomia locale tra esigenze di riforma e spinte conservatrici: il caso della Città metropolitana in Regioni (Le), n. 4 , 727-752

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Morand Deviller Jaquelin

Indivisibilità, diversità e mutabilità dei territori in Francia

in *Diritto della regione (il)*, n. 5-6 , 151-162

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Bräuchler, B; Erb, M

Introduction Eastern Indonesia under Reform: The Global, the National and the Local

in *Asian Journal of Social Science*, Volume 39, Number 2 , 113-130

The boundaries of what has constituted “Eastern Indonesia” have shifted depending on the historical, cultural, political, or economic context. We review various ways that Eastern Indonesia has been understood, to overview the different ways of delineating and approaching this fascinating part of Indonesia in order to introduce this special issue. The intention of this special issue, however, is not to attempt to clearly define Eastern Indonesia once and for all, but to open up via these various historical and contemporary concerns with Eastern Indonesia, new ways of grappling with this region in the present Post-Suharto era. The current social and political transformations offer a great deal of opportunity to reflect on the way global and national flows of people, money, notions of governance and religious ideas, are so crucial to understanding and making sense of the current dynamics in the region. By focusing our attention on how these global and national influences intersect with the local, we want to bring out how they are appropriated and manipulated by local communities; at the same time they may undermine and transform what is taking place at the local level.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Cameron Ross



Introduction: Russian Regional Politics under Putin and Medvedev

in Europe-Asia Studies, Volume 63, Issue 3 , 361 - 366

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Bunnell Tim, Miller Michelle Ann

Jakarta in Post-Suharto Indonesia: Decentralisation, Neo-liberalism and Global City Aspiration

in Space and Polity, Volume 15, Number 1 / April , 35-48

In this paper, an examination is made of Jakarta's changing political and economic position since the mid 1990s. This period of transformation is dealt with in four parts: the first relates to spatial and administrative changes to Jakarta and its wider urban region; the second considers the impact and implications of the 1997 Asian financial crisis (krismon) and ensuing political transformation which saw the resignation of President Suharto; the third part details the decentralisation laws of 1999 and their implications for urban and regional development; and the fourth considers the context of the 2008–10 global financial crisis (krisis global) in which 'neo-liberalisme' became a political slur in Indonesia, ironically at the same time as the governor of Jakarta declared 'global city' aspirations.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Hawkins Christopher; Feiock Richard

Joint Ventures, Economic Development Policy, and the Role of Local Governing Institutions

in American Review of Public Administration (The), May 2011; 41 (3) , 329-347

The "rules of the game" embodied in municipal government institutions constrain as well as provide opportunities for local government officials to capture individual benefits related to policy action. Whether the projected benefits of cooperation are localized or community-wide are hypothesized to combine with the political incentives produced under different forms of government to influence the likelihood local officials will enter into an economic development joint venture with other local governments. Analysis pooling survey data from the same cities at two time points provides evidence that prior agreements influence future cooperative actions and that joint ventures are more likely when there are localized benefits combined with mayor—council government, or when broader benefits are pursued under manager—council form of government.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Bräuchler, B

Kings on Stage: Local Leadership in the Post-Suharto Moluccas

in Asian Journal of Social Science, Volume 39, Number 2 , 196-218



In 2007, village kings from all over the Moluccan province gathered in Ambon city and founded a pan-Moluccan raja forum called Majelis Latupati Maluku (MLM). The association is meant to unite traditional leadership, re-integrate Moluccan society and build an effective interface to the regional government. Decisive were two factors: firstly, the inter-religious violence that had torn Moluccan society apart required neutral means to (re)unify the Moluccan people and prevent further conflict; and secondly, the decentralisation laws passed in post-Suharto Indonesia were meant to re-empower the local level by legalising the revival and reconstruction of local political structures and the comeback of traditional leaders, such as the raja, in the Moluccas. These village kings attracted tremendous attention all of a sudden and great hopes are placed in them both from the top, as well as from the bottom. This article aims to discuss the enormous challenges the MLM faces by analysing current developments and looking into the historical dimension of the raja and the MLM. This includes critical reflections on questions of representation, the interface between tradition (adat) and politics, the notion of an inventive adaptation of so-called traditional institutions to new requirements and the potential of the raja and the MLM as means for peace.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Stock Gissendanner Scott

Kommunale Integrationspolitik

in *Aus Politik und Zeitgeschichte*, Band 7-8, 2011

The full text is free:

www.bpb.de/publikationen/3BB7SE,0,Kommunale_Integrationspolitik.html

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Zukunftsaussichten für eine kooperative Integrationspolitik

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Subsection 9. Local government(s)

Di Giacomo Russo Bruno

La dimensione costituzionale del potere locale

in *Amministrazione italiana (Ia)*, n. 12, 1627-1644



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Medina Alcoz Luis

La distribución de competencias sobre entes locales en estados compuestos: Alemania, Italia, Reino Unido y España

in *Federalismi*, Anno IX - Nr 8

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

ELISABETTA CATELANI

La reforma de los Estatutos en las Regiones italianas.

in *Revista de Estudios Políticos*, n. 151, 311-362

The reform of regionalism in Italy has its origin in a variety of constitutional laws made between 1999 and 2001, which introduced amendments to Title V of the Constitution which establishes the territorial autonomy. The aim of this work will be to verify the directions taken by the Italian Regions in the exercise of their own autonomy, which are the areas covered by the new Statutes and the various options that have been taken in the exercise of that function, especially in the field of form of government.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Valeria Lingua

Limiti e opportunità della democrazia partecipativa nei piccoli comuni (Limits and Opportunities of Participative Democracy in Little Municipalities)

in *Archivi di Studi Urbani e Regionali*, Fascicolo 97-98

Il percorso partecipativo attivato per la realizzazione del piano strutturale in un piccolo comune della periferia toscana permette di sviluppare alcune riflessioni sulle opportunità e i limiti dell'attivazione di processi partecipativi in realtà di piccole dimensioni. L'autrice evidenzia dilemmi e conflitti emergenti in contesti marginali rispetto al sistema socioeconomico, infrastrutturale e turistico dominante, dotati di un buon substrato di capitale sociale, ma di scarse risorse tecniche, finanziarie e culturali.

Section A) The theory and practise of the federal states and multi-level systems of government

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Stanton John

Local Democracy, Economic Development and Construction Act 2009: A reinvigorated local democracy?
in *Public law*, January , 1-8

Section A) The theory and practise of the federal states and multi-level systems of government
Subsection 9. Local government(s)

Ali Ashghar Mirian

Local Governance in Iran
in *Indian Journal of Federal Studies*, 23rd Issue, 1/2011 , 124-139

The institutions of local government in both unitary federal systems are vital link between the citizen and the state. The power, competence and responsibilities of the local governments and the principle of local governance vary considerably from one case to another but one undercurrent concern that runs across the polities is the efficiency of the administrative mechanism and concern for citizen centric governance. From this perspective the institutions of local governance in Iran become important. Though Iran follows a centralized system of governance, it makes provision of local governance. The institution of local governance in Iran are, of course, placed in a pyramidal form of the structure of governance; still they constitute a vital link between the citizen and government. An attempt has been made to examine the system of local governance in Iran in terms of power and responsibilities provided to the institutions of local governance.

Section A) The theory and practise of the federal states and multi-level systems of government
Subsection 9. Local government(s)

Warm David

Local Government Collaboration for a New Decade - Risk, Trust, and Effectiveness
in *State and Local Government Review*, Vol. 43, n. 1, April , 60-65

Local government collaboration, in which efforts and responsibility are shared across organizations, is an increasingly pervasive approach to addressing community challenges. It has evolved from interlocal, bilateral and targeted cooperative arrangements to include complex relationships involving multiple partners and various sectors focused on achieving long-term outcomes. The increasing prevalence and complexity of collaboration is the result of broad financial, competitive, practical and political pressures, yet successful collaboration is often impeded by countervailing structural, societal, process and leadership barriers. Overcoming these barriers requires particular approaches to leadership and the use of replicable organizing processes and strategies aimed at building the mutual trust that enables collaborative action to flourish.

Section A) The theory and practise of the federal states and multi-level systems of government



Subsection 9. Local government(s)

Richard I.C. Tambulasi

Local Government Without Governance: A New Institutional Perspective of Local Governance Policy Paralysis in Malawi

in *Public Policy and Administration*, 26 (3)

Democratic local governance in Malawi dates back to the year 2000 when Malawi had its first democratic local government elections. The councillors' mandate ended in March 2005 and a new set of local government elections were supposed to be held in the same month. However, up to the writing of this article (April 2010) the Government has not yet conducted the local government elections. With the presidential and parliamentary elections already held in May 2009, there are no plans to conduct local elections any sooner. The argument of this article is that the absence of councillors is paralyzing the local governance policy in the country. This is because currently, it is only administrative activities that are taking place but governance functions have been stalled, thereby paralyzing the policies that provide for these functions. Taking a new institutional perspective, this article seeks to understand the nature, dynamics, explanations and impacts of the paralysis. Through an institutional analysis, the article explains the intricacies that shape the local governance policy paralysis in Malawi and the underlying motives of the political actors in the paralysis.

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Subsection 9. Local government(s)

Vladimir Gel'mana; Sergei Ryzhenkov

Local Regimes, Sub-national Governance and the 'Power Vertical' in Contemporary Russia

in *Europe-Asia Studies*, Volume 63, Issue 3 , 449 - 465

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Keith R. Ihlanfeldt

Local government structure and the quality of minority neighborhoods

in *Public Choice*, Volume 147, Numbers 1-2 , 69-91

One of the most long-standing and controversial issues surrounding local government structure in the United States is how "reformed" political institutions have impacted minority neighborhoods. A common belief is that reformism has harmed these neighborhoods, but there is no empirical evidence on this issue. Drawing upon capital asset pricing theory, this paper empirically investigates the effects of two reforms, the council-manager form of government and at-large councilor elections, on the quality of nonwhite neighborhoods. Quality is found to be higher in majority white places with at-large as opposed to district-based elections. Quality is not found to be affected by the form of government.

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Subsection 9. Local government(s)

Vetter Angelika



Lokale Politik als Rettungsanker der Demokratie?

in *Aus Politik und Zeitgeschichte*, Band 7-8, 2011

The full text is free:

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Chancen für eine "Erneuerung der Demokratie von unten"?

Kritischer Ausblick

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Subsection 9. Local government(s)

McWilliam, A.

Marginal Governance in the Time of Pemekaran: Case Studies from Sulawesi and West Papua

in *Asian Journal of Social Science*, Volume 39, Number 2 , 150-170

One of the outcomes of the radical decentralisation policies accompanying political reform and democratisation in Indonesia is a sustained administrative programme known by the term pemekaran, or a 'blossoming' of new administrative and budgetary units that extend to the farthest corners of the nation. This paper explores aspects and impacts of the pemekaran process as it unfolds in two remote corners of Indonesia, namely the sub-district of Rota in Konawe Regency of Southeast Sulawesi and the newly-established district of Bintuni in the swamp lands of Bintuni Gulf, West Papua. In both regions the strategic possibilities that accompany pemekaran have fostered a vibrant local politic based around appeals to established patterns of landed authority. But the logic of pemekaran can lead to fragmentation and confusion over jurisdictional authority. Critics argue that the process dilutes capacity and political authority. Supporters acknowledge the limits but applaud the extension of development funding into areas which otherwise would remain isolated and impoverished. The paper explores some of the dimensions of this debate and the role of pemekaran in shaping local experience on the margins of the state.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Helge Blakkisrud

Medvedev's New Governors

in *Europe-Asia Studies*, Volume 63, Issue 3 , 367 - 395



No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Marta Lackowska and Karsten Zimmermann

**New forms of territorial governance in metropolitan regions? A Polish–German comparison
in *European Urban and Regional Studies*, Volume 18, No 2 , 156-169**

The governance of metropolitan affairs emerges as one of the crucial issues in many countries. The academic debate shows a bias towards categories and descriptions based on North American and, to a lesser degree, West European experiences. Based on the results of comparative research on metropolitan regions in Germany and in Poland, we can say that there is much more diversity than convergence in the practice of regional reform in the studied cases. Moreover, the normative and analytical framework of the new regionalism is not as appropriate to describe the Polish and – to a lesser extent – the German metropolitan reality as it is widely assumed. Recently emerging metropolitan arrangements bear the features of novelty, but at the same time most of them still lean strongly on governmental premises. Surprisingly, despite obvious differences between the two countries, some cross-national similarities are noticeable between the metropolises, which share some characteristics such as the position of a front-runner in the national economy or the national exponent in the global city hierarchy. The main difference can be identified in the economic focus of the metropolitan governance arrangements. Whereas this is a dominant approach in German city-regions, in Poland it still remains low on the agenda, at least in practice. Moreover the involvement of non-governmental actors in metropolitan initiatives is much lower in Poland.

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Fox, J.J.

Re-Considering Eastern Indonesia

in Asian Journal of Social Science, Volume 39, Number 2

Eastern Indonesia has been a region of international interest since its identification as a source of spices and rare woods. This paper considers ideas of sovereignty held by both Portuguese and Dutch at the time of European contact. It traces the consequence of the application of these ideas to the development of forms of governance in eastern Indonesia: in particular, the concept of indirect rule that began with contracts of trade fostered by the Dutch East India Company. Such contacts with local rulers or community representatives provided the basis for later colonial rule and contributed to specific social identities that remain prominent to the present. These historically established social identities continue to underpin various efforts at establishing local autonomy.

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Grigorii V. Golosov

Russia's Regional Legislative Elections, 2003-2007: Authoritarianism Incorporated

in Europe-Asia Studies, Volume 63, Issue 3 , 397 - 414



No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Robinson, K

Sawerigading vs. Sharia: Identities and Political Contestation in Decentralised Indonesia

in *Asian Journal of Social Science*, Volume 39, Number 2 , 219-237

Islamist groups are attempting to shape Indonesia's political landscape post-New Order through advocating local regulations based on sharia in districts newly empowered by regional autonomy. In the province of South Sulawesi, which was gripped by a separatist Islamic rebellion in the 1950s and 1960s, the former rebel leader, Kahar Muzakkar, is invoked in a movement to implement sharia-based local regulations. However, the politics of decentralisation are also associated with a resurgence of local cultural identities, which embrace non-Islamic traditions. In Muslim South Sulawesi, these claims have been expressed through the ceremonial re-installation of local traditional rulers and performance of public ceremonies to care for the sacred regalia that legitimate authority, but also through government-funded seminars that explore distinctive Bugis and Makassarese cultural traditions. These claims to power can be understood as a reaction to the taming of cultural difference by the Suharto regime, but they also represent vehicles for local elites to assume power. Based on an analysis of one of the district cultural seminars and accompanying cultural festival, this paper examines the manner in which cultural traditions are strategically mobilised in South Sulawesi, in a rival movement to the Islamist claims to implement sharia.

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Erb, M

Talk of Corruption in Eastern Indonesian Communities: Reactions to Local Government in the Post-Suharto Reform Era

in *Asian Journal of Social Science*, Volume 39, Number 2 , 171-195

Eastern Indonesia, most notably Nusa Tenggara Timor province, has been frequently referred to as the poorest region in Indonesia and claims have recently been made that it is the most corrupt as well. The spread of corruption in the post-Suharto period, with the introduction of regional autonomy and decentralisation, has often been commented on; but what is corruption? How do people define it? This paper uses an anthropological lens on corruption to suggest that with the spread of ideas of 'good governance' and 'democracy', one significant way that local communities in NTT province engage with the state and define corruption is as an abuse of power and non-consultation with the populace. This has become particularly acute with the government belief that new investment opportunities in the reform era will become a road to development and prosperity for local communities, who are, however, seen to be unable to provide for themselves or seek their own ways out of poverty. Several regional governments in NTT province have taken advantage of new laws put into effect in the reform era to award mining concessions to domestic and foreign mining companies. A swell of protest has arisen across the province, however, and an increasing critique of poor government and corrupt practices focuses on these mining contracts.

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Frank Peck, Ignazio Cabras

The Impact of Local Authority Procurement on Local Economies
in *Public Policy and Administration*, 26 (3)

Public procurement has a significant impact on economic development in regions and localities. Previous research in the UK has focused on variations in government spending across regions, the effects of competitive tendering processes and EU State Aid rules on regional economies. Empirical studies of procurement at the level of local authorities have received less attention. Increasing pressure to be 'efficient and effective' in use of public resources can contradict the need to support local communities, particularly through a period of economic downturn. Until recently, there has been a paucity of relevant data at a local level to examine the impacts of procurement. This paper analyses the combined patterns of spend of eight Local Authorities in the County of Cumbria in North West England. The characteristics of the supply base are investigated using a two-stage survey of businesses that secure local authority contracts. Results show the characteristics of suppliers and their level of dependency on local authority contracts. Managers' evaluation of the advantages and disadvantages of contracting with the public sector are also analysed. The findings suggest that many small and medium enterprises (SMEs) in Cumbria rely upon local authority contracts for business stability. The interviews confirm the vulnerability of SMEs to the current trend towards more formal approaches to public procurement and the use of a narrow definition of 'value for money'. The paper concludes by considering the implications of the findings for the extent to which local authorities have retained a capacity to act to support local economic development.

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Yu-wai Lia, Bo Miao, Graeme Lang

The Local Environmental State in China: A Study of County-Level Cities in Suzhou
in *China Quarterly (The)*, Volume 205 , 115-132

Local administration in China remains a contested territory of environmental governance. Economic growth often comes with high environmental cost; the central government's environmental regulations are implemented unevenly. This article examines the experience of policy uptake and adoption of the National Model City of Environmental Protection programme in the county-level cities of the Suzhou Municipality. It analyses the rationales for these cities' adoption of the policy, and implications for the emergence of the "environmental state" in local China. It suggests that while economic development remains an important priority of local officials, this preference is not immutable and is now complemented in some areas by substantial local commitments to environmental good practice, often under the influence of local leaders as well as provincial authorities.

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Subsection 9. Local government(s)

Cameron Ross

The Rise and Fall of Political Parties in Russia's Regional Assemblies
in *Europe-Asia Studies*, Volume 63, Issue 3 , 429 - 448

No abstract available



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 9. Local government(s)

Galarraga Ibon, Gonzalez-Eguino Mikel, Markandya Anil

The Role of Regional Governments in Climate Change Policy

in European Environment/Environmental Policy and Governance, Volume 21, Issue 3, May-June , 164-182

Climate change is one of the greatest challenges facing us, and it requires urgent policy action. Although climate change policies are mainly being discussed at international level by means of the United Nations Conventions and the Kyoto Protocol, the bulk of the impact will be felt at regional and local level. Regional and local governments are thus important actors. Moreover, regional governments in many parts of the world hold a wide range of the competences to implement policy actions for both adaptation and mitigation. This paper illustrates the important role of regions in climate policies and considers many of the policy instruments being designed and implemented. The paper describes 23 leading regions in climate policy. Finally, the case of Basque climate policy is described as an example of an industrial region in Europe where the degree of decentralization is significant.

Section A) The theory and practise of the federal states and multi-level systems of government

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Behrend Jacqueline

The Unevenness of Democracy at the Subnational Level: Provincial Closed Games in Argentina

in Latin American Research Review, Volume 46, Number 1, 2011 , 150-176

Democratization studies initially focused on processes at the national level, but in recent years, there has been a growing interest in the spatially uneven nature of democracy at the subnational level. This article draws on examples from Argentina and develops an analytical framework of closed games to analyze the functioning of subnational democracy. It argues that the less democratic provinces or states of nationally democratic countries are not necessarily authoritarian and that the concept of subnational authoritarianism prevents us from seeing political dynamics that may arise in the context of a reasonably well-functioning electoral democracy and may result in subnational closed games. The article takes into account the role of political families, media ownership, control of access to business opportunities, and control of the provincial state.

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Christian De Visscher, Annie Hondegheem, Caroline Montuelle, Karolien Van Dorpe

The changing Public Service Bargain in the federal administration in Belgium

in Public Policy and Administration, Volume 24, No. 2

Successive waves of reforms in government have caused radical changes in the relations between top civil servants and politicians. This article examines the extent to which politico—administrative relations have changed in the Belgian federal administration, as a result of the Copernicus reform. Using the concept of Public Service Bargain (PSB), we look at changes in reward, competency and loyalty/responsibility. Research is conducted among the highest ranking officials by means of a questionnaire and interviews. The main research findings reveal the emergence of a 'hybrid' public



service bargain, instead of the expected 'managerial' bargain. The article concludes with some theoretical explanations for these findings

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GREGORIO CÁMARA VILLAR

Veste y realidad de los derechos estatutarios.

in *Revista de Estudios Políticos*, n. 151, 57-107

This paper analyzes the inclusion and regulation of social rights in the Statutes of Autonomy of second generation, the main features of the intense academic debate on this issue and the controversial doctrine established by the Constitutional Court Judgments 247/2007, on the Statute of the Comunidad Valenciana, and 31/2010, on the Statute of Catalonia. From a general conceptual framework, the author highlights the arguments that support the legitimacy of their establishment and their relation to fundamental rights, the respect for constitutional limits, their authentic character of subjective rights in terms of structure and regulatory function and, ultimately, the central role given to them by the «estatuyente» legislator in a new statutory model which wants to be supported by the establishment of direct links with citizens.

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Stoker Gerry

Was Local Governance Such a Good Idea? A Global Comparative Perspective

in *Public Administration*, Vol 89 Issue 1, 15-31

The idea of local governance has gained much prominence but can elected local government be sustained in a role as network coordinator alone? To investigate this question this article focuses attention on four societal roles that local government systems undertake. They can support political identity, underwrite economic development, facilitate social welfare provision or act as a lifestyle co-ordinator through the practice of community governance. Tying our investigation to the embedded societal roles of local government in different systems opens up the opportunity for a global comparative perspective. It also supports an argument that a sustainable system of local government is likely to be one that is able to combine societal roles to a substantial degree and those systems left with community governance as their key societal function are particularly likely to find themselves pushed to the sidelines of governing arrangements.

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Subsection 10. Processes of federalization and decentralization

Leyland Peter

Devolution in the United Kingdom: a case of perpetual metamorphosis

in *Istituzioni del federalismo*, n. 1-2, 175-200



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

La Torre Giovanna

Il federalismo del gambero e la lega

in *Critica liberale*, Volume XVIII, n. 185, marzo

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Segatori Roberto

Le debolezze identitarie del regionalismo italiano

in *Istituzioni del federalismo*, n. 5-6 , 435 -468

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Romanelli, Raffaele, Allegretti Umberto, Griffo Maurizio, Baldi Brunetta, Diamanti Ilvo, Piretti Maria Serena,

Accentramento, decentramento, federalismo. Strategia per l'Italia unita.

in *Contemporanea - Rivista di storia dell'800 e del '900* , numero 1, gennaio , 101-136

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Spadaro Antonino

Ancora sugli organi regionali di garanzia statutaria, fra tante luci e qualche ombra

in *Regioni (Le)*, n. 3 , 465-496 Dettagli

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Palermo Francesco

Asymmetric federalism: the italian way

in *Cuaderno de federalismo*, Volumen XXIII , 153 -180



No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Grimaldi Luca

Autonomia statutaria, nuovo regionalismo ed affermazione dei modelli di welfare 'inclusivo'

in *Federalismi*, Anno IX - Nr 12

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Marco Goldoni

Belgio: il federalismo che disunisce

in *Mulino (il)*, n. 6, novembre-dicembre, 2010 , 965-974

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Gimeno Sendrà José Vicente G

Competencias autonómicas en la regulación del proceso en defensa de los derechos estatutarios

in *Revista de derecho politico*, n. 79 , 11-25

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Bland Gary

Considering Local Democratic Transition in Latin America

in *Journal of Politics in Latin America* , Vol 3, No 1 , 65-98

Drawing from well-known theories of democracy and democratic transition, this essay considers the transition to local democracy in Latin America. It raises a central question: Given the landmark decentralization of the past three decades, what constitutes local democracy in the region today and in which countries can we say it exists? Core considerations in comparing local democracy and national democracy are discussed. I present the concept of "minimum decentralization" and, using this framework, posit six procedural and institutional conditions for defining local democracy. Eighteen systems are evaluated against these conditions at the municipal and intermediate levels of government. Despite the real transfer of authority in many countries, and though several Latin American countries have established or nearly established local democracies, only a few of the local systems can be considered democratic. Though the conclusion is



somewhat counter-intuitive, explanations for the slow development of decentralization and local democracy are considered.

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55 - 71

Convergence and Divergence: the Federalization of Belgian Equality Policies

in *Regional and Federal Studies*, Volume 21, Issue 1 , Karen Celis, Petra Meier

The development of an asymmetrical federal structure profoundly changed the institutional setting for Belgian gender equality policies. This contribution assesses the influence of this process on the development of the Belgian women's policy agencies and its gender equality policies. It argues that while the characteristics of the Belgian federal system—its asymmetrical structure and dual, centrifugal nature—stimulate the development of diverging structures, the nature of the issue—the cross-cutting character of gender inequality, the hegemonic approach to gender inequality—and the absence of national civil society actors push towards a convergence of policy approaches across different policy-making institutions.

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de Esteban Alonso Jorge

De Constitución normativa a nominal

in *Teoría y realidad constitucional*, n. 27 , 177-195

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Ivanyna Maksym, Shah Anwar

Decentralization and corruption: new cross-country evidence

in *Environment and Planning C: Government and Policy*, Volume 29, Issue 2, April , 344-362

We attempt to improve the understanding and measurement of decentralization and its relationship with corruption in a worldwide context. This is done by presenting the conceptual underpinnings of such a relationship as well as using more defensible measures of both decentralization in its various dimensions as well as corruption for a sample of 158 countries. It is the first paper that treats various tiers of local governments (below the intermediate order of government) as the unit of comparative analysis. By pursuing rigorous econometric analysis we demonstrate that decentralization, when properly measured to mean moving government closer to people by empowering local governments, is shown to have a significant negative effect on the incidence of corruption regardless of the choice of the estimation procedures or the measures of corruption used. In terms of various dimensions of decentralized local governance, political decentralization matters even when we control for fiscal decentralization. Further voice (political accountability) is empirically shown to be more important in combating corruption than exit options made available through competition among jurisdictions.



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Lago-Peñas Ignacio, Lago-Peñas Santiago

Decentralization and the nationalization of party systems

in *Environment and Planning C: Government and Policy*, Volume 29, Issue 2, April , 244-263

On the basis of a sample of 227 elections in seventeen Western European countries over the period 1945 – 98, we examine to what extent party systems are shaped by fiscal and political decentralization. With the exception of a few special cases, empirical evidence does not support the existence of a robust relationship between the degree of decentralization and the nationalization of party systems.

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Ehrentraut, S.

Decentralization and the promise of indigenous peoples' empowerment: the case of the World Bank in Cambodia

in *Pacific Review (The)* , Volume 24, Issue 1 , 89 - 113

Indigenous peoples' rights, including the right to self-determination, are increasingly codified in international law and policy and disseminated globally by international organizations. These norms mark a profound change in the ideals of citizenship promoted by the international community, away from linguistically and institutionally homogenous citizenship in centralized states to group-differentiated citizenship in decentralized, multi-level and multi-lingual states that use local and regional autonomy for the accommodation of indigenous peoples. Essential to realizing these norms is the devolution of some degree of autonomy to sub-central state units substantially controlled by indigenous communities. Because the transfer of powers to indigenous peoples is crucial to their accommodation, protection and participation in modern states, and because decentralization programs are an important component of reform agendas in most developing countries, it is important to understand how these emerging norms are integrated into real-world decentralization processes.

This article analyzes the application of the World Bank's safeguards policy for indigenous peoples within the institution's support to decentralization reform in Cambodia. The analysis demonstrates that under certain circumstances, the policy not only fails to translate into effective protection but leads to outcomes diametrically opposed to its objectives. In its current design, Bank support to decentralization contributes to the marginalization of indigenous peoples in Cambodia and undermines the institutional, cultural and natural resources upon which their empowerment and participation depends. In environments in which full compliance might be unrealistic to accomplish by individual projects, safeguard obligations lead to a strategy on the part of Bank projects of avoiding geographical and policy areas that are likely to trigger the safeguards policy, in order to reduce projects' vulnerability to non-compliance claims. The article discusses how more effective application of the safeguards policy might be achieved and how strategies for the empowerment of indigenous peoples can more effectively draw on decentralization frameworks.

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Blais André, Anduiza Eva, Gallego Aina

Decentralization and voter turnout

in *Environment and Planning C: Government and Policy*, Volume 29, Issue 2, April , 297-320

With this paper we study the impact of decentralization on turnout. We test the hypotheses that decentralization increases turnout in subnational elections, lowers participation in national elections, and reduces the gap between regional and national arenas. A comparative cross-national analysis does not show any significant effect of decentralization on turnout in national elections. But we take a closer look at two countries, Canada and Spain, where fiscal decentralization has taken place during the past decades. In both countries the empirical evidence suggests that decentralization has contributed to reducing the turnout gap between regional and national elections.

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Expósito Enriqueta

Declaraciones estatutarias ¿de derechos?: Un análisis a la luz de las SSTC 247/2007 y 31/2010

in *Teoría y realidad constitucional*, n. 27 , 481-501

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Alvarez E, Tur Ausina Rosario

El Estatuto de Cataluña a través de los votos particulares a la STC 31/2010

in *Teoría y realidad constitucional*, n. 27 , 315-343

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Fossas Espadaler Enric

El estatuto tras la sentencia

in *Teoría y realidad constitucional*, n. 27 , 291-313

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Torres Muro Ignacio, Álvarez Rodríguez Ignacio

El poder judicial en Cataluña en la STC 31/2010



in *Teoria y realidad constitucional*, n. 27 , 345-375

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Tajadura Tejada Javier

El pronunciamiento del Tribunal Constitucional sobre el preámbulo del Estatuto de Autonomía de Cataluña: Nación, realidad nacional y derechos históricos

in *Teoria y realidad constitucional*, n. 27 , 423-447

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Díez Sastre Silvia

El régimen local británico antes y después de la 'devolution'

in *Federalismi*, Anno IX - Nr 9

Section A) The theory and practise of the federal states and multi-level systems of government

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Wintrobe Barry K.

Enacting Scotland's 'Written Constitution': The Scotland Act 1998

in *Parliamentary History*, Volume 30, Issue 1, February , 85-100

The Scotland Act 1998 was one of the most significant pieces of constitutional legislation of the 1997–2010 Labour government. Yet, unlike the attempts to enact devolution in the 1970s, its parliamentary passage was relatively uncontroversial. In the 1970s, there was no party or public consensus for the proposed scheme, and no majority government to prevent various enforced amendments which ultimately led to its defeat in the March 1979 referendum. In the late 1990s, the situation was very different with much more consensus; a huge parliamentary majority with favourable legislative programming, and extensive advance policy development. The parliamentary progress of the bill was characterised by smooth passage and constructive scrutiny. Once enacted, the legislation was implemented smoothly and swiftly, though this did not prevent some unintended consequences, such as controversies over the Sewel convention and over the size of the Scottish parliament. The devolution scheme of the 1998 act enjoyed an extended honeymoon, with generally favourable political, financial and legal circumstances. However, recent years have seen the onset of more fluid and difficult times, which will test the robustness and viability of the 1998 act in the government of Scotland and of the United Kingdom.



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Roberto Luis Blanco Valdés, Raúl Canosa Usera, Francesc de Carreras Serra, Francisco Javier Corcuera Atienza, Marc Carrillo López

Encuesta: La STC 31/2010, sobre el Estatuto de Autonomía de Cataluña

in *Teoria y realidad constitucional*, n. 27 , 11-129

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Ortega Bernardo Julia

Entes locales intermedios en estados federales y descentralizados

in *Federalismi*, Anno IX - Nr 9

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Bartole Sergio

Esiste oggi una dottrina delle autonomie regionali e provinciali speciali?

in *Regioni (Le)*, n. 4 , 863-871

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Oversloot Hans

Federalism, Power, and the North: Governmental Reforms in Russia and Canada

in *Review of Central & East European Law*, vol. 36, n. 1 , 79-81

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Ilvo DIAMANTI

Federalismo all'italiana: una rivoluzione a parole



in *Limes*, n. 2, 2011

Agitato come una bandiera di lotta dalla Lega, che pure governa l'Italia da anni, del progetto federalista non si colgono ancora i termini concreti. Il paradossale declino del localismo e il presidenzialismo diffuso.

Section A) The theory and practise of the federal states and multi-level systems of government

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Kyriacou Andreas P, Roca-Sagalés Oriol

Fiscal and political decentralization and government quality

in *Environment and Planning C: Government and Policy*, Volume 29, Issue 2, April , 204-223

In this paper we apply both cross-section and panel analysis to the relationship between fiscal and political decentralization and government quality. We find that fiscal decentralization improves government quality but not if it is accompanied by political decentralization. The negative impact of political decentralization on the relationship between fiscal decentralization and government quality persists when controlling for the degree of democratic maturity across countries.

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Piperata Giuseppe

Gli organi di garanzia statutaria nel « nuovo » sistema regionale italiano

in *Rivista trimestrale di diritto pubblico*, n. 2 , 381 ff.

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Poggeschi Giovanni

I diritti linguistici nella sentenza sullo Statuto catalano n.31 del 28 giugno 2010 del Tribunal Constitucional

in *Diritto pubblico comparato ed europeo*, n.1 , 42 - 49

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Mastromarino Anna

Il Cosejo de Garantías Estatutarias catalano alla luce della sentenza n.31/2010 del Tribunal Constitucional spagnolo

in *Diritto pubblico comparato ed europeo*, n.1 , 50 - 53

No abstract available



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Ferraro Luigi

Il Tribunal Constitucional e lo Statuto catalano

in *Federalismi*, Anno IX - Nr 10

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Ibrido Renato

Il rebus dell'interpretazione conforme alla luce della recente sentenza sullo Statuto catalano

in *Diritto pubblico comparato ed europeo*, n.1 , 54 - 67

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Vandelli Luciano

Il regionalismo quarant'anni dopo: il caso dell'Emilia-Romagna

in *Istituzioni del federalismo*, n. 5-6 , 469 - 496

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Quentin Frère, Benoît Le Maux

Impact de la décentralisation sur la taille du secteur public : le cas de la France

in *Revue d'Economie Politique*, 3 (Vol. 120)

Impact of decentralization on the size of government: the case of France

This article makes an attempt to evaluate the impact of the French fiscal decentralization on total public expenditure level. We estimate the econometric model initiated by Oates [1972] on the 1960-2006 period, taking into account the various factors explaining government size (Wagner's law, weaker economic growth, etc.). Our estimations results highlight three phenomena : (1) expenditure decentralization is associated with a smaller public sector ; (2) the 80's transfer of responsibilities attenuated the negative effect of expenditure decentralization ; (3) tax revenue decentralization has a positive impact on government size.



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Capuno, J.J.

Incumbents and Innovations under Decentralization: An Empirical Exploration of Selected Local Governments in the Philippines

in *Asian Journal of Political Science*, Volume 19, Issue 1, 48 - 73

Like in other developing countries, many local governments in the Philippines have become innovative under decentralization. We investigate here the drivers of local innovations, with focus on quality of incumbent leaders, their political incentives and fiscal resources. We applied Poisson regressions on a survey data comprising 209 innovations introduced in 48 cities and municipalities during the period June 2004-June 2008. The statistically significant factors are the mayor's competence (age, educational attainment), re-election status and term in office. Innovations appear to increase with local fiscal resources but at decreasing rate. Access to information appears not to matter much. However, these factors, including poverty rates, vary in relative importance in explaining innovations in expenditure services, and in revenue and public administration services. Some policy inputs are suggested.

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Subsection 10. Processes of federalization and decentralization

Sheeran Scott P

International Law, Peace Agreements And Self-Determination: The Case Of The Sudan

in *International & Comparative Law Quarterly*, Volume 60 - Issue 02, 423 - 458

This article considers whether the 2005 Comprehensive Peace Agreement for the Sudan (the CPA) gives rise to binding obligations for the parties under international law. The legitimacy and effectiveness of the CPA, and the avoidance of a return to bloody civil war, depends significantly on the Agreement giving rise to legal obligations. While it has been held in arbitration that the CPA is not a treaty, this article suggests that it is a binding international agreement and further that there are obligations concerning the outstanding referendum for the people of the Abyei region. The legal issues of the CPA are more complex than they at first appear and they engage deeper and broader questions of the role of international law. The article will suggest among other things that the Sudan situation demonstrates it is difficult to draw immutable general rules in abstraction about the international law relating to peace agreements and to self-determination.

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Goldoni Marco

Istituzioni federali e partiti nella crisi del Belgio

in *Quaderni Costituzionali*, numero : 1, marzo, 144-146

No abstract available



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Subsection 10. Processes of federalization and decentralization

Le Mestre Renan

L'administration territoriale britannique du local government à la local governance

in *Revue du droit public et de la science politique en France et à l'étranger*, n. 1 , 221-244

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Francis DELPÉRÉE

La Belgique existe-t-elle ?

in *Pouvoirs*, n. 136 , 9-19

Belgium was created in 1830 and developed gradually as a nation state. Such a situation could have lasted if it were not for the growth of the Flemish movement, which remained restrained for some time but then was sanctioned in the institutional arrangements. The setting up of a federal state since 1970 has prolonged this evolution. In view of the emergence of a Flemish nation, the preservation of the Belgium state requires that its political leaders manage to draft a new "agreement of the Belgian people".

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Bowring Bill

La Federazione russa, i suoi obblighi internazionali e la protezione delle minoranze

in *Ragion Pratica*, numero 1, giugno 2011

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Blanco Valdes Roberto L.

La Sentencia del Tribunal Constitucional Español sobre el Estatuto catalán: un resumen de urgencia

in *Diritto pubblico comparato ed europeo*, n.1 , 4-12

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Vilalta Reixach Marc

La colaboración política del gobierno local con las instancias territoriales superiores

in *Federalismi*, Anno IX - Nr 10



Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Alonso de Antonio Angel Luis

La cuestión lingüística en la sentencia del tribunal Constitucional sobre el Estatuto de Autonomía de Cataluña in Teoría y realidad constitucional, n. 27 , 449-460

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Agudo Zamora Miguel Jesús

La efectiva constitucionalidad de la regulación de derechos estatutarios en la STC 31/2010 in Teoría y realidad constitucional, n. 27 , 461-480

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Alzaga Villaamil Oscar

La nación como poder constituyente en los preambulos de las leyes superiores: El Estatut de 2006 y la STC 31/2010 in Teoría y realidad constitucional, n. 27 , 131-175

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Kamel Wassim

La nouvelle organisation de l'Etat en région in Revue française d'administration publique, n. 136 , 1011-1022

The reform of the territorial administration of the State at regional level, which has just been completed, includes two major innovations. Firstly, this decentralised level of the State can now implement public policies under ordinary law. Within this framework, extensive changes have now been made to the organisation of the territorial level : for the implementation of government policy, only eight bodies – instead of about 20 – now come under the responsibility of regional prefects and their offices. The second innovation concerns the preeminent role of regional prefects, which has been greatly consolidated, in that they now have the power to give instructions to department prefects and the right to take up matters on their behalf.



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González Pascual Maribel

La posición de los Estatutos de Autonomía en el sistema constitucional: (Comentario a la STC 31/2010)
in *Teoría y realidad constitucional*, n. 27 , 503-517

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

López Aguilar Juan Fernando

La sentencia más larga: Repercusiones de la STC 31/2010: política y jurisprudencia
in *Teoría y realidad constitucional*, n. 27 , 221-237

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Iacometti Miryam

La sentenza n.31 del 2010 sullo Statuto catalano: dal blindaje competencial al blindaje del Tribunal Constitucional?

in *Diritto pubblico comparato ed europeo*, n.1 , 24 - 41

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Fortier Isabelle

La « réingénierie de l'Etat », réforme québécoise inspirée du managérialisme

in *Revue française d'administration publique*, n. 136

This article examines the modernisation of the State begun in 2003 by the Liberal Government of Jean Charest. A brief overview firstly looks at the historical development of managerialism in Quebec in order to identify elements of both continuity and change. A description of the reform then looks at the motives and approach adopted, the instruments used, the actors involved and monitoring mechanisms set up. Lastly, the reform is analysed and explained in the light of current challenges, in particular efforts to balance budgets to help tackle the economic crisis.



Section A) The theory and practise of the federal states and multi-level systems of government

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JOSÉ ANTONIO MONTILLA MARTOS

Las relaciones de colaboración en el nuevo marco estatutario: bilateralidad y participación.

in *Revista de Estudios Políticos* , n. 151 , 153-199

The purpose of this study is the analysis of the changes introduced by the Statutes of second generation partnerships of the Comunidades Autónomas with the state, other regions and the European Union, and the interpretation that the STC 31/2010, in relation to the Statute of Catalonia, has made these developments. First, it explains the statutory recognition of bilateralism, compatible with multilateralism. The other new feature has been the recognition of the participation of the Autonomous Communities in the State's decisions and the appointment of state organs. The Constitutional Court has considered a version of the principle of collaboration. It is shown that the STC 31/2010 in this area has remained almost untouched innovations in the new Statute of Autonomy.

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EDUARDO VÍRGALA FORURIA

Las relaciones de inordinación en el Estado autonómico español.

in *Revista de Estudios Políticos* , n. 151 , 109-152

This article takes the point of view of the irrelevance of the debate about whether or not Spain is a federal state. Spain is a regional State with peculiar characteristics, but share many traits with the federal states and one of them is to establish the participation of the Autonomous Communities within the central organs of the State. In this sense, the article analyses the participation of the Autonomous Communities in the Senate, the regional legislative initiative before the Cortes Generales and the proposal of the Parliaments of the Autonomous Communities in the Senate election of the judges of the Constitutional Court (unconstitutional for the author, although accepted by the Constitutional Court). It also criticizes of the regional Councils of the Judiciary, not constitutionally provided but established in some Statutes of autonomy.

Section A) The theory and practise of the federal states and multi-level systems of government

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Pegoraro Lucio

Le definizioni degli ordinamenti decentrati negli statuti delle Regioni italiane e delle Comunidades Autónomas

in *Diritto della regione (il)*, n. 5-6 , 299-324

Section A) The theory and practise of the federal states and multi-level systems of government

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Vandelli Luciano

Le problematiche prospettive del regionalismo italiano

in *Istituzioni del federalismo*, n. 1-2 , 201-212

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Canépa Daniel

Le renforcement de l'efficacité des administrations territoriales de l'Etat Le cas de l'Ile-de-France

in *Revue française d'administration publique*, n. 136

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Cabellos Espiérrez Miguel Angel

Los consejos de Justicia en el actual proceso de reformas estatutarias y sus perspectivas de futuro

in *Revista de derecho politico*, n. 80 , 89-116

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Gavara de Cara Juan Carlos

Los efectos de la STC 31/2010 del estatuto de Autonomía de Cataluña: Las implicaciones para su normativa de desarrollo y los estatutos de otras Comunidades Autónomas

in *Teoria y realidad constitucional*, n. 27 , 239-289

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government



Subsection 10. Processes of federalization and decentralization

Bezes Philippe ,Le Lidec Patrick

L'hybridation du modèle territorial français. RGPP et réorganisations de l'Etat territorial
in *Revue française d'administration publique*, n. 136 , 919-942

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Anthony Gordon

NORTHERN IRELAND – The Devolution of Policing and Criminal Justice
in *European public Law*, Volume 17 (2011) Issue 2 , 197–211

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Cosmelli Luca

Post fata, foederalis resurgo: Iraq e decentramento istituzionale nel mondo arabo
in *Diritto e società*, n. 1 , 201-205

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Cámara Villar Gregorio

Reformas estatutarias y consejos de justicia autonómicos a la luz de la doctrina del Tribunal Constitucional
in *Teoria y realidad constitucional*, n. 27 , 197-220

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Tafel Heather L.

Regime Change and the Federal Gamble: Negotiating Federal Institutions in Brazil, Russia, South Africa, and Spain
in *Publius: The Journal of Federalism*, vol. 41, n. 2, Spring , 257-285

This article proposes a theoretical framework to explain the negotiated federal outcomes in countries undergoing regime change and investigates its applicability to a diverse set of countries—Brazil, Russia, South Africa, and Spain. It considers the intersection of reform strategies, the normative and organizational preferences of constituencies enlisted



for regime negotiations, and the conflicts associated with regime change. Two key variables—the balance of power and violence predictions—translate actors' preferences into federal institutional outcomes. A comparative case study analysis evaluates the argument and demonstrates the conditions under which regime reform strategies have a more direct impact on intergovernmental bargaining venues and why some shifts in the balance of power have led to more substantive institutional concessions.

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Mangia Alessandro

Regioni, rappresentanza politica e rappresentanza di interessi

in *Regioni (Le)*, n. 4 , 753-774

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Syed Abbas Hashemi

Relevance of Federalism in Iran: An Exploration

in *Indian Journal of Federal Studies*, 23rd Issue, 1/2011 , 104-123

The relevance of federal idea in accommodating diversity and resolving conflicts in plural societies is now widely recognized. However, there is no unanimity on the federal form. Wide variety of options is being explored across the regions and cultures which could better harmonise state- society relations. Federalism stands out as one of the most important options in plural societies. However, there is no readymade model of federalism which could be applied universally. Appropriateness of particular form of political design depends much on the specificity of the context and the historical context of evolution of that society. Undoubtedly federalism has emerged as one of the options of accommodating minorities' aspiration and redressing their grievances especially during the last three decades, it cannot be accepted as given without applying the principle of critical assessment and scrutiny. The case of Iran is particularly important in this regard. It is in this context that the paper examines the relevance of federal idea in Iran.

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Busygina Irina, Filippov Mikhail, Shvetsova Olga

Risks and Constraints of Political Modernisation in Russia: The Federal Problem

in *Perspectives on European Politics and Society*, vol. 12, n. 1, April , 1-12

This article discusses the political risks and constraints associated with democratic reforms (currently labelled in Russia as political modernisation), which arise due to Russia's size, diversity of social, political and economic conditions and, most importantly, its federal constitutional structure. We argue that the two principles, democracy and federalism, are dissonant during the period of democratic transition and consolidation, and, therefore, we should expect transition to



democracy in Russia to be particularly protracted, difficult and volatile.

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Stahl Anna Katharina

Russia's Path to Federalism and Democracy under the Influence of the Council of Europe in Europe en formation (L¹), n. 359, spring, 2011 , 59-81

This article examines the role of the Council Europe in the development of Russian federalism, both at local and regional level. In particular, it draws on the work of the Congress of Local and Regional Authorities (CLRAE), the main guarantor for the European Charter of Local Self-Government (ECLSG). While providing an overview of the specificities of Russian asymmetrical federalism, a particular focus is given to recent challenges arising from territorial reforms initiated by President Putin in 2000. In general terms, this article draws on research relating the analysis of federalism to the study of democracy.

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Lago-Peñas Ignacio, Lago-Peñas Santiago, Martinez-Vazquez Jorge

The political and economic consequences of decentralization

in Environment and Planning C: Government and Policy, Volume 29, Issue 2, April , 197-203

No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

JESSE RUSSELL

Trading sovereignty for stability? The political economy of monetary integration

in Review of International Studies (The), Volume 37, Issue 02 , 673-690

How do states attempt to mitigate the pressures of financial globalisation? This article suggests that options can be understood in terms of monetary regime choice. These are best understood with their international component included – whether states integrate unilaterally, integrate multilaterally, or go it alone monetarily. But to understand the international side of monetary relations, one must look to domestic political structures, histories and politics. It is important that to understand that within the pressures of the international system, domestic politics is a fons et origo determining the health and stability of international economic relations.

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Terol Becerra Manuel José

Vademecum para juristas italianos de la sentencia del Tribunal Constitucional Español 31/2010, de 28 de junio in Diritto pubblico comparato ed europeo, n.1 , 13-23



No abstract available

Section A) The theory and practise of the federal states and multi-level systems of government

Subsection 10. Processes of federalization and decentralization

Duchenne Geneviève

«Qui peut le plus, peut le moins» ou l'Europe au secours de la Belgique

in Europe en formation (L'), n. 359, spring, 2011 , 47-58

At a time when Belgium just held the rotating presidency of the Council of the European Union and at the same time tries, once again, to define its own future, there is much for historians to ponder : today's Europe does not seem to be a mobilising theme anymore... except for Bart De Wever and his followers. The Flemish nationalist party N-VA continuously resorts to Europe to call for structural reforms aiming at giving more autonomy to Flanders by "evaporating" Belgium. According to the party, the challenges of the 21st century globalised world are best answered by Europe and Flanders, and not by Belgium. This would be a consequence of the European integration process... But this rhetoric is inherent to the Belgian political discourse and is much older than the recent communitarian tensions. This paper intends to show how Europe has always come to Belgium's assistance, sometimes in a very surprising way.

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JOSÉ TUDELA ARANDA

¿Reforma constitucional en clave federal? (Sistematización de problemas generados por las reformas y posibles soluciones).

in Revista de Estudios Políticos , n. 151 , 231-279

The process of statutory reform, commencing with the reform of the Catalanian Statute of Autonomy, has been the subject of numerous studies and reflexions. Although these reforms have yet to be finalised, it is true to say that the Constitutional Court's decision on the aforementioned Statute allows and obliges us to come to far reaching conclusions with respect to the future. Above and beyond the fact that the existing model has been approved by some new, second generation Statutes, while not by others, relations between Catalonia and the rest of Spain have been shown to be problematic, and the Constitutional Court has had to be brought in to respond to this. Constitutional reform would appear to be necessary both for an improved organisation of political decentralisation, and as a solution to problems arising from nationalist sensibilities.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Nouwen Sarah M.H., G. Werner Wouter

Doing Justice to the Political: The International Criminal Court in Uganda and Sudan

in European Journal of International Law, Vol. 21, issue 4 , 941-965

International criminal justice has become a weapon in political struggles in Uganda and Sudan. In this light, this article discusses the political meaning of the International Criminal Court's judicial interventions. It argues that the ICC,



presented by its advocates as a legal bastion immune from politics, is inherently political by making a distinction between the friends and enemies of the international community which it purports to represent. Using original empirical data, the article demonstrates how in both Uganda and Sudan warring parties have used the ICC's intervention to brand opponents as *hostis humani generis*, or enemies of mankind, and to present themselves as friends of the ICC, and thus friends of the international community. The ICC Prosecutor has at times encouraged this friend–enemy dichotomy. These observations do not result in a denunciation of the Court as a ‘political institution’. On the contrary: they underline that a sound normative evaluation of the Court's activities can be made only when its political dimensions are acknowledged and understood.

To show that justice has its practical and ideological limits is not to slight it. ...

The entire aim is rather to account for the difficulties which the morality of justice faces in a morally pluralistic world and to help it recognize its real place in it –not above the political world but in its very midst.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Anirban Dasgupta

A New Programme to Combat Poverty and Inequality?

in Development and change, Vol. 42, n°1 , 458-467

Critical assessment of the UN Research Institute for Social Development's Flagship Report "Combating Poverty and Inequality" (2010).

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Alan Grainger, Michael Obersteiner

A framework for structuring the global forest monitoring landscape in the REDD+ era

in Environmental Science & Policy , Vol. 14, n°2 , 127-139

The proposed launch of a Reduced Emissions from Deforestation and Degradation (REDD+) scheme by the UN Framework Convention on Climate Change provides a new incentive to improve global forest monitoring. By evaluating the state-of-the-art in government and scientific monitoring this paper shows that enhancements and new standards are needed for three key monitoring roles – measurement, reporting and verification – for governments at national scale and scientists at global scale. It outlines a new knowledge exchange matrix framework that can match different organizations to monitoring roles. Conversion of data into useful knowledge is represented by a knowledge exchange chain comprising a series of cycles, each divided into data collection, information production, reporting, verification and synthesis stages. Each stage potentially involves operational, facilitating and coordinating functions at local to global scales. Combining stages, functions and scales forms the knowledge exchange matrix. Organizations are matched to cells in the matrix by their competence and rules governing their operation. Applying the matrix to global forest monitoring shows that existing organizations can contribute complementary facilitating and coordinating functions to support REDD+. Yet none can harness satellite data operationally to produce information at the required spatial and temporal resolution. Two empty national and global operational niches could be filled by new national measurement, reporting and verification systems, operated by governments and facilitated by the Group on Earth Observations and other bodies; and an autonomous science-based World Forest Observatory whose information base could advance



global change science and help to verify national REDD+ reports.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Fischler Franz

A plan to banish starvation

in *Europe's World*, Issue 18, Summer

The global population explosion along with climate change is set to exacerbate the food crisis now hitting the world's poor. Franz Fischler, a former EU Farm Commissioner, sets out the steps needed to feed billions of people.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21839/language/en-US/Default.aspx

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Wilde Ralph

Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo

in *American journal of international law*, Vol. 105, n. 2 , 301-306

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Shepard Todd

Algeria, France, Mexico, UNESCO: a transnational history of anti-racism and decolonization, 1932–1962

in *Journal of Global History*, Volume 6, Issue 2, July , 273-297

Two crucial terms in discussions about racial or ethnic relations – ‘discrimination’ and ‘integration’ – first appeared in official French documents in the 1950s. They quickly became key references in the government's pioneering efforts, in response to the Algerian revolution, to recognize the importance and fight against the effects of French racism on ‘Muslim French citizens from Algeria’. This policy was named ‘integrationism’; its premises and measures had overseas inspirations and it was bureaucrats from an international organization who made such policy models available for French adoption. All of this was possible because of transnational networks of social scientists, which included some who helped author them as well as others who studied and wrote about them. More specifically, it was projects and claims from Mexico that provided the most direct references for French integrationist policies and it was through the efforts of UNESCO that French integrationists gained detailed knowledge about them.

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Subsection 1. The United Nations and its system



Irwin Ryan M.

Apartheid on Trial: South West Africa and the International Court of Justice, 1960–66
in *International History Review (The)*, vol. XXXII, n. 3

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Bummel Andreas

Auf dem Weg zu einem Weltparlament? Der Vorschlag zur Einrichtung einer parlamentarischen Versammlung bei den UN

in *Vereinte Nationen*, vol. 58, issue 5 , 216-221

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Solheim Erik

Beating global poverty means much more than development aid

in *Europe´s World*, Issue 17, Spring

It's the 15 years after the MDGs' 2015 deadline that will really count, says Norwegian minister Erik Solheim, whose portfolio unusually combines development aid and environmental policy.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21803/language/en-US/Default.aspx

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

McLay Jim

Breaking giant waves: New Zealand and the Security Council: Jim McLay puts the case for a New Zealand term on the world's most important security body

in *New Zealand International Review*, March 1, 2011

I do not criticise the 'post-war settlement' of 1945 that gave us the United Nations and the Bretton Woods institutions, even if it gave us less-than-perfect structures. It has generally served New Zealand well; and, if we just focused on our own interests, it could be surmised we might not do so well out of some of the suggested changes to the United Nations or the Bretton Woods institutions. Even so, we have generally supported Security Council structural reform; and we do that because there are now so many questions about the legitimacy of its anachronistic structure--and because, given the value we place on multilateral engagement, that is not in our broader interest. An opaque, insular and unrepresentative Security Council could lose credibility and the support of the wider membership; its international peace



and security role could diminish, perhaps even be usurped; and that would not be in our broader interest. Such a council might at best be viewed as irrelevant, at worst illegitimate; and, again, that would not be in our broader interest. [...]

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Marinella Davide and Chiara Rogate

Cancún Restores Hope and Europe Regains its Role

in Equilibri, anno XV, n. 1, aprile, 9-15

Despite negative expectations, the adoption of the Cancún Agreements represents a small but decisive step forward towards the building of future global action against climate change. Through the implementation of the key commitments of the Copenhagen Accord, the 16th Conference of the Parties paved the way for an agreement in COP 17 in Durban restoring the credibility in the UNFCCC's negotiation process. While Europe's leadership didn't suffer any additional loss, the next months will be crucial for its ability to bridge differences and contrasts between developed and developing countries.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Simon Joan Marc

Climate Change from Agony to Epiphany?

in Federalist Debate (The), Year XXIV, n. 1, March

<http://www.federalist-debate.org/fdb/current/detail.bfr>

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Lorrae van Kerkhoff, Imran Habib Ahmad, Jamie Pittock and Will Steffen

Designing the Green Climate Fund: How to Spend \$100 Billion Sensibly

in Environment: Science and Policy for Sustainable Development, May/June 2011

Confronting and responding to climate change is one of the foremost issues of our time, with the burden of response spread unequally around the globe. In general, climate impacts are hitting, and will continue to hit, both developed and developing worlds. However, developing and less developed countries will be affected more quickly and emphatically than the industrialized world. Although it is widely acknowledged and provisioned under the United Nations Framework Convention on Climate Change (UNFCCC) that industrialized countries must assume a large share of the global emission reduction target, adapting to the existing and future consequences of climate change will be a greater challenge for developing countries. In recognition of this, in 2009 developed countries proposed a fund of up to US\$100 billion per year to help developing countries mitigate and adapt to climate change. This funding target of \$100 billion was reaffirmed and agreed in Cancun at the 16th Conference of Parties meeting to the UNFCCC in December 2010. While the funding sources included under the Cancun agreement include public, private, bilateral, and multilateral (including alternative) sources, the agreement also specifies that a significant share of new funding for adaptation will flow through the proposed Green Climate Fund (the Fund). Yet proposing and agreeing to such a fund are only early steps in what is



now the difficult task of designing how such a major financing initiative might operate. The agreement poses that the institutional rules will need to meet the criteria of efficiency, equity, and equality. These rules will be critical to the success of the Fund, not only in meeting its administrative and fiduciary mandate, but in structuring the ways in which poor countries can govern for climate adaptation. In this article we focus on the question of how any such financing mechanism could be designed in ways that effectively support and enhance efforts to respond to climate change, particularly among the most vulnerable and poorly resourced countries across the globe. We do not dwell on questions of whether the amount is enough,¹ or the politics surrounding the development of the Fund, given the wide range of North–South views on both issues. We examine precedents that offer both positive lessons (what can we try to emulate?) and warning signs (mistakes to avoid), and draw from these some key recommendations for the development of the Green Climate Fund.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Webster Davi

Development advisors in a time of cold war and decolonization: the United Nations Technical Assistance Administration, 1950–59

in *Journal of Global History*, Volume 6, Issue 2, July , 249-272

The United Nations Technical Assistance Administration (TAA) was the world organization's main body for development advice throughout the 1950s. In technical assistance, the UN found a global mission at a time when its peace and security functions seemed ineffective. Technical assistance experts preached the need for less developed countries to plan and modernize. This process has been studied with regard to American modernization theory, but the important role of the UN as an autonomous diplomatic actor has been less visible. The UN was a relatively acceptable source of technical assistance for many governments. Among them was Indonesia, which welcomed UN help for its State Planning Bureau. TAA aid to the Planning Bureau advanced the interests of both organizations but both failed to institutionalize themselves enough to survive the decade. Both, however, left important legacies: the TAA for UN development thinking, and the Planning Bureau for the Indonesian developmentalist state.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Peters A.

Does Kosovo Lie in the Lotus-Land of Freedom?

in *Leiden Journal of International Law*, Volume 24 - Issue 01 , 95-108

This paper finds that the ICJ's Kosovo Advisory Opinion reached the right result, but in a methodologically not fully satisfactory way. It examines five aspects that underpin the opinion: the temporal (purely ex post) perspective; the Court's equation of legal conformity and non-prohibition and the idea of a deliberate silence of international law; the applicability of the Lotus principle that was evoked by numerous states in the proceedings; the structural analogies between international law and private, criminal, or public law; and the oscillation between legal positivist and jusnaturalist paradigms. Finally, the paper argues in favour of procedural requirements for the international lawfulness of secession, and claims that this approach is compatible with the findings of the Advisory Opinion.



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Subsection 1. The United Nations and its system

Yeh Stuart S.

Ending corruption in Africa through United Nations inspections

in International Affairs, vol. 87, issue 3, may, 629-650

ABSTRACT: Evidence suggests that a lack of effective checks and balances against corruption undermines the rule of law, the protection of human rights and economic growth in sub-Saharan Africa. This article suggests the need for an international treaty to establish an African commission against corruption, involving United Nations inspectors to investigate and prosecute corruption. A range of evidence is reviewed suggesting that pressure from constituents as well as international organizations may be effective in compelling African leaders to sign this type of protocol.

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Subsection 1. The United Nations and its system

Roberta Giaconi interviews Connie Hedegaard

Europe's Commitment

in Equilibri, anno XV, n. 1, aprile, 25-34

«People keep on asking me if I am optimistic...». It is Connie Hedegaard speaking, the Commissioner for Climate Action. During the interview she underlines the outcomes of Cancún and the challenges that world climate is still facing due to slow UN processes and many obstacles to be overcome. Moreover, even those who do not believe in climate change must realize that our economy is not sustainable any longer. To preserve the comforts given for granted in Europe, we have to create a low-carbon economy. There is a long journey ahead, but politics is the «art of possible»: it can create a different future step by step. Next step at the UN conference in Durban.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Vargiu Paolo

From Advisory Opinions to Binding Decisions: The new Appeal Mechanism of the Un system of Administration of Justice

in International Organizations Law Review, vol. 7, n. 2, 261-175

ABSTRACT: In 2009 the United Nations launched a new two-tier system of administration of justice. The system is composed of two standing bodies, the United Nations Dispute Tribunal (UNDT) and the United Nations Appeals Tribunal (UNApT), the latter acting as an appeals mechanism against decisions of the UNDT. The former system foresaw the United Nations Administrative Tribunal (UNAT) as the sole body of administration of justice within the UN, while the International Court of Justice (ICJ) acted as review mechanism on the decisions of the UNAT. However, this review system was abolished in 1995 and, since then, no option was available to unsuccessful (or partially successful) staff



members for having a UNAT judgment reviewed.

The lack of any option for review led to criticisms and instances for reform of the whole system, which eventually led to the establishment of a Redesign Panel, which suggested the establishment of a two-tier system of administration of justice, with the aim of meeting the 'basic standards of due process established in international human rights instruments'. The recently established Appeals Tribunal should fill the gap created by the abolition of the ICJ competence to review the judgments rendered by the UNAT.

This article evaluates the improvement to the system represented by the establishment of the United Nations Appeals Tribunal in three main steps. The first is the identification of the shortcomings of the previous review mechanism before the ICJ. The second is the overview of the problems of the former system of administration of justice within the UN. The third and final step is the analysis of the scope of jurisdiction of the new UNApT.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Murat Arsel

Fuelling Misconceptions: UNEP, Natural Resources, the Environment and Conflict in Development and change, Vol. 42, n°1 , 448-457

Critical assessment of the UN Environment Programme's policy paper 1 (2009).

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Lorna Johnstone Rachael

Ha ancora una rilevanza la Convenzione sull'eliminazione di ogni forma di discriminazione nei confronti delle donne? Per una sua (ri)considerazione nel tempo presente

in Ragion Pratica, numero 1, giugno 2011 , 151-184

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Smith Charles Anthony, Smith Heather M.

Human Trafficking: The Unintended Effects of United Nations Intervention in International Political Science Review , vol. 32, n. 2, march , 125-145

ABSTRACT: International relations literature is well developed on the effects of United Nations intervention on the duration of crises. The global human rights community has on a case-by-case basis addressed some of the unintended effects of UN intervention, namely, substantial increases in the human sex trafficking trade into crisis areas. We bridge these two literatures and evaluate the effects of UN involvement in Kosovo, Haiti and Sierra Leone. We look beyond the intended effects of UN intervention and consider the unintended effects in a systematic and generalizable way. We



argue that UN involvement has the unfortunate and unintended effect of increasing the rates of human trafficking in these crisis areas. Our work concludes that the UN should proceed with caution into crisis areas and have plans in place to avoid the potentially devastating externalities of otherwise well-intentioned efforts.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Hamuli Kabumba Yves

Incidence de la jurisprudence de la Cour Internationale de Justice sur les règles d'interprétation du statut de Rome, sur la qualification des faits et sur la preuve devant la Cour Pénale Internationale

in *Revue générale de droit international publique*, Vol. 114, n. 4 , 779-809

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Wade M. Cole

Individuals v. states: The correlates of Human Rights Committee rulings, 1979–2007

in *Social Science Research* , Vol. 40, n°3 , 985-1000

This paper examines the outcomes of individual abuse claims filed against states under the First Optional Protocol to the International Covenant on Civil and Political Rights, as decided by the Human Rights Committee (HRC). Results from selection models that account for a country's initial decision to join the Optional Protocol and an individual's subsequent decision to file a complaint under it show that the substantive nature of complaints were more determinative of HRC outcomes than were country-level characteristics. Claims relating to due process rights, civil liberties, and political freedoms most often resulted in violations, whereas claims pertaining to discrimination, suffrage rights, and the rights of women and children were much less successful. Only two country-level characteristics robustly affected HRC outcomes, net of rights claims: democratizing countries were found in violation at higher rates than were other countries, while violation rates declined as a function of aggregate wealth.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

McDermott Michael J.

International Environmental Disputes and the Need for Court-Commissioned Independent Experts

in *Boston College International and Comparative Law Review*, Vol.34, Electronic Supplement , 67-80

In complex environmental disputes the International Court of Justice should utilize its investigatory powers to identify long-term environmental impacts before reaching legal conclusions. *Pulp Mills on the River Uruguay* highlights the ICJ's current reluctance to utilize its investigatory powers—instead, the court relies on the parties' contentious scientific



submissions and fails to verify all potential environmental harms. In so doing, the court fails to conform to the international principle of sustainable development. This Comment identifies the Rules of Court and past cases that demonstrate that justices have the power to question expert witnesses and request independent investigation when evaluating questionable or incomplete scientific evidence. Additionally, this Comment argues that such ICJ-ordered independent investigations will bolster growing international support for the principle of sustainable development.

Full text available at:

http://www.bc.edu/content/dam/files/schools/law/lawreviews/journals/bcicl/34_esupp/06_mcdermott.pdf

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Capitant Sylvie

Introduction : Réponse judiciaire aux crimes contre l'humanité versus responsabilité de lutter contre leur commission ?

in *Revue Tiers Monde*, n. 205 , 7-28

http://www.armand-colin.com/download_pdf.php?idd=0&cr=21&idr=30&idart=7819

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Kuhli Milan, Günther Klaus

Judicial Lawmaking, Discourse Theory, and the ICTY on Belligerent Reprisals

in *German Law Journal*, Vol. 12, n. 5 , 1261-1278

Without presenting a full definition, it can be said that the notion of judicial lawmaking implies the idea that courts create normative expectations beyond the individual case. That is, our question is whether courts' normative declarations have an effect which is abstract and general. Our purpose here is to ask about judicial lawmaking in this sense with respect to international criminal courts and tribunals. In particular, we will focus on the International Criminal Tribunal for the Former Yugoslavia (ICTY). No other international criminal court or tribunal has issued so many judgments as the ICTY, so it seems a particularly useful focus for examining the creation of normative expectations.

Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No5/PDF_Vol_12_No_05_1261-1278_Beyond%20Disptue%20Special_Kuhli%20%20Gunther%20FINAL.pdf

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Guichaoua André

L'instrumentalisation politique de la justice internationale en Afrique centrale

in *Revue Tiers Monde*, n. 205 , 65-84



Malgré l'intensité des initiatives judiciaires portant sur l'Afrique centrale, la fièvre dénonciatrice des camps en conflit depuis le début des années 1990 n'est toujours pas apaisée. L'installation de rébellions au pouvoir a instauré des ordres autoritaires et transformé l'Est du Congo en terrain d'affrontement pour le pillage de ses ressources minérales. L'étude des processus judiciaires suscités par les crimes de masse commis au Rwanda et dans les pays limitrophes entre 1994 et 2003 et, tout particulièrement, l'analyse rétrospective du travail du Tribunal pénal international pour le Rwanda (TPIR) souligne le très important travail de vérité et de justice réalisé pour juger les auteurs du génocide de 1994. Mais le bilan met aussi en évidence les apories et renoncements de la justice pénale internationale qui, pour des raisons politiques et diplomatiques, n'a pas osé poursuivre les crimes du camp vainqueur, le Front patriotique rwandais (FPR), l'ex-rébellion actuellement au pouvoir à Kigali. Ce privilège d'impunité, en passe d'être étendu aux crimes de guerre, crimes contre l'humanité, voire de génocide, commis en RDC entre 1996 et 2003, affaiblit la crédibilité de la mission « éthique » de la communauté internationale et sa contribution au retour à une paix durable dans une région particulièrement instable.

Despite intense judicial initiatives regarding Central Africa, the feverish and incriminating debate between opposing camps has still not calmed down. The Rebels' takeover of power has led to the reinforcement of authoritarian regimes and has turned Eastern Congo into a place of intense confrontation in order to plunder its mineral resources. The study of judicial proceedings sparked off by mass crimes committed in Rwanda and in the territory of neighbouring states between 1994 and 2000 and a retrospective outlook on the work accomplished by the ICTR, leads one to acknowledge the great effort made to prosecute those responsible for the 1994 genocide and to establish the truth. However, this critical assessment also reveals the weaknesses of international criminal justice which, for political or diplomatic reasons, did not dare to prosecute alleged crimes by the victorious camp today in charge in Kigali. This special privilege of impunity is about to be widened to war crimes, crimes against humanity and alleged acts of genocide committed in RDC between 1996 and 2003. This will weaken the credibility of the "ethical mission" of the international community and probably mortgage its chance to contribute to building up a lasting peace in this unstable region.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Kerbrat Yann, Maljean-Dubois Sandrine

La Cour internationale de Justice face aux enjeux de protection de l'environnement: Réflexions critiques sur l'arrêt du 20 avril 2010, Usines de pâte à papier sur le fleuve Uruguay (Argentine c. Uruguay)

in *Revue générale de droit international public*, Vol. 115, n. 1 , 39-75

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Saada Julie

La justice pénale internationale, entre idéaux et justification

in *Revue Tiers Monde*, n. 205 , 47-64

Cette contribution retrace les idéaux de la justice pénale internationale comme étant des idéaux politiques libéraux issus de la philosophie de la paix par le droit et de l'utilitarisme. Elle montre comment leur mise en oeuvre les confronte, d'une part, à la politique comprise comme rapport de puissances, d'autre part, à la réactivation d'une critique de l'universalisme humaniste. Sont enfin examinées les justifications des commissions de vérité, aujourd'hui présentées



tantôt comme des palliatifs à l'absence de justice pénale, tantôt comme des dispositifs complémentaires de celle-ci. La promotion sans précédent de ces commissions est peut-être, bien plus que l'intrication du droit et de la politique, ce qui fait obstacle à la justice pénale internationale.

This piece retraces the genesis of the ideals of international criminal justice as stemming from liberal political ideals about the philosophy of peace through law and utilitarianism. It shows how their implementation is confronted, on the one hand, with politics understood as a balance of power, and on the other, with the reactivation of a critique of humanist universalism. In its final section, it examines the justifications for truth commissions, today sometimes presented as palliative measures in the absence of penal justice, while at other times considered as its ancillaries. It demands whether the unprecedented promotion of these commissions is perhaps – much more so than the intertwining of law and politics – the greatest obstacle to international criminal justice

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Petersen Niels

Lawmaking by the International Court of Justice—Factors of Success

in *German Law Journal*, Vol. 12, n. 5 , 1295-1316

The process of norm evolution and development in international law has been highly debated in recent international law and international relations scholarship. However, the debate focuses primarily on states or non-state actors as the agents responsible for shaping international law. In contrast, the role of the judiciary is often neglected in the debate. It is an open secret, though, that courts are not merely Montesquieu's *bouche de la loi*, impartial arbiters, who apply and interpret exogenous norms. Armin von Bogdandy and Ingo Venzke have already pointed out that decisions for concrete cases can hardly be derived from abstract legal concepts by the mere exercise of logical deduction. Instead, the application of legal provisions often involves the development of the applied norm itself. This not only applies in the domestic setting, but is also valid in the international arena. This contribution will deal specifically with lawmaking by the International Court of Justice (ICJ).

Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No5/PDF_Vol_12_No_05_1295-1316_Beyond%20Disptue%20Special_Petersen%20FINAL.pdf

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Gentelet Karine, Farget Doris, Campbell-Durufilé Christopher

Le Canada et la Déclaration des Nations Unies sur les droits des peuples autochtones : valeur et pertinence

in *Nouvelles pratiques sociales*, Volume 23, numéro 1, automne 2010 , 130-136

No abstract available

Section B) Global governance and international organizations



Subsection 1. The United Nations and its system

Ragolini Cesare Maria

Le Nazioni Unite e la riforma della governance mondiale

in **Comunità Internazionale (La)**, vol. LXV, n. 4, quarto trimestre

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Kahler Miles

Legitimacy, humanitarian intervention, and international institutions

in **Politics, Philosophy & Economics**, Vol. 10, n. 1, February , 20-45

The legitimacy of humanitarian intervention has been contested for more than a century, yet pressure for such intervention persists. Normative evolution and institutional design have been closely linked since the first debates over humanitarian intervention more than a century ago. Three norms have competed in shaping state practice and the normative discourse: human rights, peace preservation, and sovereignty. The rebalancing of these norms over time, most recently as the state's responsibility to protect, has reflected specific international institutional environments. The contemporary legitimacy of humanitarian intervention is based on UN Security Council authorization of the use of force. Although the Security Council is often viewed as representative of great-power influence, international acceptance of its role is based on the role of non-permanent members and their support for the sovereignty norm. The current rebalanced norms supporting humanitarian intervention, institutional bias that protects state sovereignty, and the changing character of mass violence may undermine the tenuous contemporary legitimacy of humanitarian intervention. Normative adjustments and new institutional designs are required to insure the legitimacy of international action that protects populations against mass violence.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

SOREL Jean-Marc

Les tribunaux pénaux internationaux : ombre et lumière d'une récente grande ambition

in **Revue Tiers Monde**, n. 205 , 29-46

International Criminal Tribunals are certainly the most outstanding among the resurgence of International Tribunals because they appeared just after serious humanitarian crises (ex- Yugoslavia and Rwanda) before leading to a permanent Tribunal (the International Criminal Court) which coexists with other types of Tribunals. For a long time, this heterogeneous whole has been looking for its own model of justice and this has led to some poor management. Furthermore, although the wish to punish the main criminals for humanitarian crimes exists, it has to be reconciled with international political necessities, and it is impossible to forget the first goal of the international community, which is to prevent the crimes the international criminal tribunals are in charge of judging.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Sorel Jean-Marc

Les tribunaux pénaux internationaux : ombre et lumière d'une récente grande ambition

in *Revue Tiers Monde*, n. 205 , 29-46

Les juridictions pénales internationales sont certainement les plus remarquées dans la résurgence de juridictions dans l'espace international car elles sont apparues à la suite de graves crises humanitaires (ex-Yougoslavie et Rwanda) avant d'aboutir à une juridiction permanente (la Cour pénale internationale) qui coexistent avec d'autres types de juridictions. Cet ensemble hétérogène a longtemps cherché son modèle de justice et cette quête a conduit à des dysfonctionnements. De plus, si la volonté de parvenir à punir les principaux responsables de violations du droit humanitaire existe, elle doit se concilier avec des impératifs politiques internationaux et on ne peut occulter la mission première de la communauté internationale qui est d'empêcher la commission de crimes que ces tribunaux se chargent de juger.

International Criminal Tribunals are certainly the most outstanding among the resurgence of International Tribunals because they appeared just after serious humanitarian crises (ex- Yugoslavia and Rwanda) before leading to a permanent Tribunal (the International Criminal Court) which coexists with other types of Tribunals. For a long time, this heterogeneous whole has been looking for its own model of justice and this has led to some poor management. Furthermore, although the wish to punish the main criminals for humanitarian crimes exists, it has to be reconciled with international political necessities, and it is impossible to forget the first goal of the international community, which is to prevent the crimes the international criminal tribunals are in charge of judging.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Pietro Batacchi

L'ONU in Africa

in *Rivista Italiana Difesa*, n. 1, anno 2011 , 41-47

Un esame approfondito delle attuali missioni di pacificazione in Africa condotte dalle Nazioni Unite con tutte le loro problematiche. L'articolo, che si sofferma in particolare sulla MONUC/MONUSCO che opera in Congo e la UNMIS e UNAMID in svolgimento in Sudan, si conclude con una serie di interessanti considerazioni e commenti.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Langer Maximo, Doherty Joseph W.

Managerial Judging Goes International, but Its Promise Remains Unfulfilled: An Empirical Assessment of the ICTY Reforms

in *Yale Journal of International Law (The)*, Volume 36, Issue 2



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Volger Helmut

Mehr Transparenz und mehr Beteiligung Die informelle Reform der Arbeitsmethoden des UN-Sicherheitsrats in Vereinte Nationen, vol. 58, issue 5 , 195-204

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Amiya Kumar Bagchi

Mobility: Internal and International

in Development and change, Vol. 42, n°1 , 419-436

Critical assessment of the UN's Human Development Report 2009, about human mobility and development.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Weller M.

Modesty Can Be a Virtue: Judicial Economy in the ICJ Kosovo Opinion?

in Leiden Journal of International Law, Volume 24 - Issue 01 , 127-147

The Kosovo Advisory Opinion reaches its conclusions in what is admittedly a very condensed and swift way of reasoning. The Court did not expand upon the question that was put to it. However, it is unfair to criticize the Court for failing to address the very issues the drafters of the question carefully and deliberately did not ask. Moreover, the Court did in fact clarify a number of important points that go beyond the narrow question of the lawfulness of Kosovo's declaration of independence. In particular, the Court confirmed that a state is a matter of fact in the first instance. It can come into being in consequence of unilateral secession when attempts to negotiate a separation have been frustrated by the central government. The doctrine of territorial integrity operates among states and furnishes no legal bar in such instances that applies to the seceding entity. Moreover, a decision on independence by such an entity cannot be evaluated according to the domestic legal order of the state from which it secedes. In this instance, Kosovo's secession was in any event not quite as unilateral as it may have seemed. Its declaration of independence and new constitution fully incorporate the entire package of measures proposed by the UN mediators in the final status talks. Hence, Kosovo has implemented what was in fact developed and proposed under the UN mandate for final status talks contained in Resolution 1244. Rather than overturning that resolution, it has acted in accordance with its terms.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Fry James D.



Non-Participation in the International Court of Justice Revisited: Change or Plus Ça Change?
in *Columbia Journal of Transnational Law*, Vol. 49, issue 1

This Article revisits the topic of non-participation of states in proceedings before the International Court of Justice and challenges the notion that the Nicaragua case from the mid-1980s was the last instance of non-participation in the ICJ. In particular, there have been at least three instances of non-participation in the ICJ since the Nicaragua case, each of which this Article analyzes. The Article concludes by explaining the significance of such cases of non-participation for the disputants, on the one hand, and the court and the international legal system as a whole, on the other.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Engle Karen

On Fragile Architecture: The UN Declaration on the Rights of Indigenous Peoples in the Context of Human Rights

in *European Journal of International Law*, Vol. 22, issue 1, 141-163

This article traces the development of the international human rights and international indigenous rights movements, with a particular eye towards their points of convergence and divergence and the extent to which each has influenced the other. Focusing on the United Nations Declaration on the Rights of Indigenous Peoples, it argues that the document, while apparently pushing the envelope in its articulation of self-determination and collective rights, also represents the continued power and persistence of an international human rights paradigm that eschews strong forms of indigenous self-determination and privileges individual civil and political rights. In this sense, it signifies the continued limitation of human rights, especially in terms of the recognition of collective rights, in a post-Cold War era in which a particular form of human rights has become the lingua franca of both state and non-state actors.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Valerio Bosco

Organizzazioni Internazionali Peace building e institution building

in *CeMiSS - Osservatorio Strategico e Quarterly*, XIII, n. 1, 79-85

Nel corso del mese di gennaio, la Bosnia Erzegovina ha esercitato, per la prima volta nella sua breve storia, le funzioni di presidenza del Consiglio di Sicurezza delle Nazioni Unite. Il 21 gennaio, dopo aver diretto le discussioni e le deliberazioni del Consiglio sui principali temi in agenda – Somalia, Sudan, Costa d’Avorio (cfr. sezione “Eventi”) - la presidenza bosniaca del CdS ha organizzato un dibattito piuttosto interessante sul tema della costruzione e del consolidamento delle istituzioni statali nei processi di ricostruzione postconflittuale, (“Post-Conflict Peacebuilding: Institution Building”).

Section B) Global governance and international organizations

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Valerio Bosco

Organizzazioni Internazionali. La conferma di Ban Ki-moon
in *CeMiSS - Osservatorio Strategico e Quarterly*, XIII, n. 2 , 83-89

Il mese di giugno, pur caratterizzato dalle ormai continue divergenze in seno al palazzo di vetro sulle modalità di interpretazione delle risoluzioni 1973 e 1970 sul conflitto in Libia, ha segnato la conferma di Ban Ki-Moon alla guida delle Nazioni Unite. Tale conferma, come anticipato su queste pagine diversi mesi fa, è parsa più il frutto di una fase di stallo della dialettica interna al sistema ONU – accompagnata dall'assenza di altri candidati credibili – che il risultato di un dibattito aperto e trasparente sulla performance dell'ex ministro degli esteri coreano alla guida delle Nazioni Unite. Già dalle prossime settimane una serie di scadenze delicate sono destinate ad accompagnare la fine del primo mandato di Ban Ki-Moon e inaugurare l'avvio del suo secondo quinquennio alla guida dell'Organizzazione.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Kott Sandrine

Par-delà la guerre froide Les organisations internationales et les circulations Est-Ouest (1947-1973)
in *Vingtième Siècle*, n. 109

L'article s'interroge sur la permanence ou l'émergence de la circulation des savoirs et d'experts entre les deux Europe durant la guerre froide (de 1947 à 1973) en utilisant les organisations internationales saisies comme des espaces de circulation, des espaces sociaux transnationaux. L'Organisation internationale du travail et, secondairement, la Commission économique pour l'Europe sont au centre de la démonstration. La cristallisation de l'opposition Est-Ouest encouragée par le fonctionnement officiel des organisations internationales n'empêche pas la circulation des savoirs et savoir-faire dont la sérénité apparaît souvent en décalage avec la rhétorique des déclarations publiques. La permanence voire l'intensification de ces échanges s'enracine d'abord dans la nécessité de faire face aux mêmes types de difficultés : reconstruction d'abord, modernisation de l'appareil productif ensuite. Elle est également l'héritage d'une acculturation croisée durant l'entre-deux-guerres dont les réseaux perdurent après la Seconde Guerre mondiale.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Fish Eric S.

Peace Through Complementarity: Solving the Ex Post Problem in International Criminal Court Prosecutions



in *Yale Law Journal (The)*, Vol. 120, n. 7, May , 1703-1715

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Buchanan Allen, Keohane Robert O.

Precommitment Regimes for Intervention: Supplementing the Security Council

in *Ethics and International Affairs*, vol. 25, n. 1, spring , 41-62

ABSTRACT: As global governance institutions proliferate and become more powerful, their legitimacy is subject to ever sharper scrutiny. Yet what legitimacy means in this context and how it is to be ascertained are often unclear. In a previous paper in this journal, we offered a general account of the legitimacy of such institutions and a set of standards for determining when they are legitimate. In this paper we focus on the legitimacy of the UN Security Council as an institution for making decisions concerning the use of military force across state borders. The context for this topic has changed over the last decade as a result of the ongoing development of the responsibility to protect (RtoP) doctrine and extensive discussions about it in the United Nations. Yet the mostly widely accepted proposals for RtoP still require Security Council authorization for forceful intervention, and strictly limit the conditions under which such intervention may take place.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Jeung Jonathan -Fork Meng

Pro-Choice: Achieving the Goals of the International Criminal Court Through the Prosecutor's Proprio Motu Power

in *Boston College International and Comparative Law Review*, Vol.34, Electronic Supplement , 53-65

This Comment examines the proprio motu power of the International Criminal Court's Prosecutor through the lens of a recent decision to permit the court's Prosecutor to investigate potential crimes against humanity in the Republic of Kenya. After a deeply contested election in 2007, violence exploded across the country leaving many civilians hurt or dead. The Prosecutor asked the court to permit him to open an investigation, a first in the ICC's history, where most investigations are initiated through a request from either a State Party or the Security Council. While the use of the proprio motu initiative is deeply controversial, this Comment proposes that this prosecutorial power is essential in achieving the goals of the ICC: to end impunity for crimes against humanity.

Full text available at:

http://www.bc.edu/content/dam/files/schools/law/lawreviews/journals/bcicl/34_esupp/05_fork.pdf

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Allan Kate



Prosecution and Peace: A Role for Amnesty Before the ICC?

in *Denver Journal of international law and policy*, Volume 39, No. 2

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Subedi Surya P.

Protection of Human Rights through the Mechanism of UN Special Rapporteurs

in *Human Rights Quarterly*, vol. 33, number 1, february , 201-228

ABSTRACT: The institution of UN special rapporteurs has been described as the “crown jewel” of the UN human rights system. Indeed, the appointment of such rapporteurs represents an attempt by the United Nations “to pierce the veil of the national sovereignty” of states to handle serious cases of violations of human rights worldwide. However, this institution has come under pressure from those states with a poor record of human rights in the recent past. The forthcoming review of the work and status of the Human Rights Council by the General Assembly should be of value to this institution and make it stronger.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Rosental Paul-André

Protéger et expulser les étrangers en Europe du XIXe siècle à nos jours

in *Annales: Histoire, Sciences Sociales*, année 66, n. 2, Avril

La fin du XIXe siècle marque moins l'apparition d'une gestion étatique de la migration que son changement de régime. La « protection du travail national » par le développement de l'identification et des barrières aux frontières vient se substituer à une régulation ex post fondée sur l'utilitarisme et la subsidiarité (sauf à bénéficier d'une protection sociale communale, les étrangers tombant dans l'indigence étaient menacés d'expulsion). À l'avènement de cette xénophobie institutionnelle, les réformateurs sociaux, bientôt relayés par le Bureau international du Travail, opposent la signature de traités bilatéraux et de conventions internationales rapprochant les droits sociaux des migrants – chômage, retraite, contrat de travail, etc. – de ceux des nationaux. Tout en ayant permis le développement des assurances sociales et de l'État-providence, ces engagements transnationaux interrogent l'exercice de la souveraineté étatique, selon des modalités perpétuées de nos jours par le recours au traité de Gotha de 1851 pour administrer les flux de réfugiés.

The late nineteenth century in Europe saw less the apparition of state management of migrations than a change of system. The “protection of national labor” through identification techniques and border control came to replace the older regime of ex post facto regulation based on the notions of usefulness and subsidiarity (foreigners could be expelled if destitute and ineligible for local welfare). In reaction to this new institutional xenophobia, social reformers, soon helped by the International Labour Office, pushed for bilateral treaties and international conventions guaranteeing migrants similar rights (for unemployment, old-age pensions, labour protections, and so on) as nationals. These transnational negotiations helped the emergence of the welfare state ; they also put in a new perspective the practice of state sovereignty in an area where the Treaty of Gotha of 1851 is still regularly invoked to manage refugee flows.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Tricot Roland, Sander Barrie

Recent Developments: The Broader Consequences of the International Court of Justice's Advisory Opinion on the Unilateral Declaration of Independence in Respect of Kosovo

in *Columbia Journal of Transnational Law*, Vol. 49, issue 2

On July 22, 2010, the International Court of Justice (the court or the ICJ) rendered an Advisory Opinion, *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo* (Kosovo Advisory Opinion or Opinion), considering whether the unilateral declaration of independence of Kosovo is in accordance with international law. This Paper contrasts the court's narrow interpretation of the question put to it by the General Assembly, and its subsequent narrow conclusions, with the broader consequences of its reasoning, in particular in relation to the questions of the legality of Kosovo's attempted secession and the legality of the recognition of Kosovo's independence by third States. By analyzing the court's reasoning in relation to the scope and meaning of the question as well as to whether the adoption of the declaration of independence was in violation of general international law, Security Council Resolution 1244 (1999) and the Constitutional Framework, this Paper reveals an Opinion far more damaging to Serbia's interests than its narrow conclusions might suggest. The Paper concludes that the court's ultimate message is that while secessionist movements are free to declare independence, achieving it in practice should be left to the international community to decide through political fora. In this light, this Paper urges Serbia and Kosovo to take up the European Union's (EU) offer to facilitate a dialogue and begin their journey on the path towards peace, security and stability in the region.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Shelton Dinah

Self-Determination in Regional Human Rights Law: From Kosovo to Cameroon

in *American journal of international law*, Vol. 105, n. 1 , 60-80

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Wilde R.

Self-Determination, Secession, and Dispute Settlement after the Kosovo Advisory Opinion

in *Leiden Journal of International Law*, Volume 24 - Issue 01 , 149-154

This piece provides critical analysis of some of the broader consequences of what is potentially suggested by certain findings in the 2010 Advisory Opinion of the International Court of Justice on 'Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo'. The focus is on consequences for disputes generally, and disputes relating to self-determination and secession in particular, in either case including disputes that have been made subject to a Security Council-imposed settlement process. In the first place, the piece considers the relatively



specific suggestion that sub-state groups are free to unilaterally terminate a Security Council-imposed process aimed at enabling the resolution of a dispute concerning their aspirations to external self-determination, without this termination having to comply with the principles of justice and international law. In the second place, the piece considers the relatively broad suggestion that the act of any sub-state group of declaring independence and seceding from the state within which it is located, without the consent of that state or any other international legal sanction, is likewise not regulated by international law.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Duedahl Poul

Selling Mankind: UNESCO and the Invention of Global History, 1945-1976

in *Journal of World History*, Volume 22, Number 1, March

In the wake of World War II, UNESCO promoted a new approach to the writing of world history in an attempt to support UN peacekeeping through "mental engineering" in the service of peace. The first task was to launch an authoritative world history without particular geographical orientations. This was intended to provide a profound understanding of the interdependence of various cultures and to accentuate their contributions to the common cultural heritage, thus disarming history by constructing a sense of international unity. This article focuses on the discussions leading up to the publication of the much-criticized History of Mankind volumes of 1963 to 1976 and demonstrates why it makes sense to characterize the project as the starting point of the genre of global history.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Poul Duedahl

Selling Mankind: UNESCO and the Invention of Global History, 1945-1976

in *Journal of World History*, Vol. 22, n°1 , 101-133

In the wake of World War II, UNESCO promoted a new approach to the writing of world history in an attempt to support UN peacekeeping through "mental engineering" in the service of peace. The first task was to launch an authoritative world history without particular geographical orientations. This was intended to provide a profound understanding of the interdependence of various cultures and to accentuate their contributions to the common cultural heritage, thus disarming history by constructing a sense of international unity. This article focuses on the discussions leading up to the publication of the much-criticized History of Mankind volumes of 1963 to 1976 and demonstrates why it makes sense to characterize the project as the starting point of the genre of global history.

Section B) Global governance and international organizations



Subsection 1. The United Nations and its system

Hosli Madeleine O., Moody Rebecca, O' Donovan Bryan, Kaniovski Sergei, Little Anna C.H.

Squaring the circle? Collective and distributive effects of United Nations Security Council reform
in *Review of International Organizations (The)*, vol. 6, n. 2, July, 163-187

ABSTRACT: Changing the composition and voting system of the Security Council, in an effort to increase the institution's global legitimacy, is proving to be one of the most difficult hurdles to overcome for the global community of states represented in the United Nations (UN). This paper demonstrates that due to institutional hurdles, it is considerably more difficult today than it was in the early years of the UN to reach a winning coalition in the General Assembly to secure Security Council reform. In addition, the paper analyzes the effects that adapted patterns of voting, as prescribed by recent reform proposals, would have on the distribution of power among UN member states in the Security Council and on the probability that this institution can form a winning coalition, i.e., reach decisions. Our power and decision capacity computations are based on (modified) Penrose-Banzhaf-Coleman measures.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Christakis T., Corten O.

Symposium: The ICJ Advisory Opinion on the Unilateral Declaration of Independence of Kosovo: Editors' Introduction

in *Leiden Journal of International Law*, Volume 24 - Issue 01, 71-72

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Corten O.

Territorial Integrity Narrowly Interpreted: Reasserting the Classical Inter-State Paradigm of International Law
in *Leiden Journal of International Law*, Volume 24 - Issue 01, 87-94

Paragraph 80 of the Kosovo AO reflects a very traditional conception of international law. By insisting on the inter-state character of the principle of territorial integrity, the Court refused to challenge the classical argument of the 'neutrality' of international law in regard to secession. The Court also refused any reinterpretation of Article 2(4) of the UN Charter. As already stated in the Wall Advisory Opinion, the prohibition of the use of force is only applicable between states. It does not apply between states and non-state actors, whether secessionist or not. Similarly, the Court refused the argument of 'remedial secession', at least as far as it would imply a right to violate the principle of territorial integrity of a state by a secessionist group. Indeed, if the latter principle is not applicable in such situations, it logically cannot be violated and there is therefore no right to infringe it. Finally, the Court refused to consider Kosovo as a 'special case' or a sui generis situation. According to the Court, this situation must be governed by the traditional rules of general international law. This implies that Kosovo did not violate international law by proclaiming independence. But this also implies that a declaration of independence by a secessionist group inside Kosovo would not be contrary to international law. Moreover, it can be pointed out that if Kosovo is not a state (a hypothesis perfectly compatible with the advisory opinion), then general international law would not preclude Serbia from invoking the argument of 'legal neutrality' to



support such a secessionist group.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Hannum H.

The Advisory Opinion on Kosovo: An Opportunity Lost, or a Poisoned Chalice Refused?
in *Leiden Journal of International Law*, Volume 24 - Issue 01 , 155-161

The ICJ's Advisory Opinion adopted a very narrow approach to the question posed by the General Assembly, but its basic response – that Kosovo's declaration of independence did not violate general international law – was correct. While it might have been preferable if the Court had given more guidance regarding the contemporary scope of self-determination, neither supporters nor opponents of Kosovo's independence gained much from the opinion. No definitive conclusion about Kosovo's status can be drawn without agreement between Pristina and Belgrade, and outsiders should avoid prejudging or interfering in that outcome.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Elisa Lanzi and Ramiro Parrado

The Commitments of Cancún, the Impacts on Sustainability
in *Equilibri*, anno XV, n. 1, aprile , 16-23

Recent developments in international negotiations, particularly given the outcome of the COP 16 in Cancún, have underlined the need to involve developing countries and to act not just at global but also at local level. In this context it is particularly important to consider the effects of climate negotiations not only on economic costs, but also more widely on sustainability, thus considering also social and environmental aspects. Based on the outcomes of the Cancún negotiations, this article proposes an evaluation of different policy scenarios, which take into consideration climate policies as well as ones targeted towards improving adaptive capacity. This is done through the canalization of mitigation policy revenues to sectors such as health, education and research and development. The analysis shows the importance of introducing additional policies to attenuate the costs of climate policy on society. Implementing climate and social policies together is more likely to lead to a sustainable development and therefore to achieve the participation of developing countries in international climate negotiations.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Coomans Fons

The Extraterritorial Scope of the International Covenant on Economic, Social and Cultural Rights in the Work of the United Nations Committee on Economic, Social and Cultural Rights

in *Human Rights Law Review*, Vol. 11, issue 1 , 1-35

Over the years, the United Nations Committee on Economic, Social and Cultural Rights has indicated that the International Covenant on Economic, Social and Cultural Rights (ICESCR) may have an effect beyond the borders of States Parties, meaning that states may be bound by their obligations under the treaty when acting extraterritorially. The present contribution aims at researching the use of the notion of the extraterritorial scope of the ICESCR in the documents adopted by the Committee, such as General Comments, Statements and Concluding Observations. The article concludes that, although the Committee did introduce some basic notions, it has never clarified at length, in-depth and systematically the notion of the extraterritorial scope of State Parties' obligations from a conceptual perspective. There is therefore a need for the Committee to further develop the notion of the international scope and application of the ICESCR, for example, by holding a day of general discussion and adopting a key document on this topic which should contain concrete guidance to States Parties. The present article provides examples of questions and issues that are relevant in order to gain a more coherent understanding of the extraterritorial scope of the ICESCR from a legal point of view.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Throntveit Trygve

The Fable of the Fourteen Points: Woodrow Wilson and National Self-Determination

in *Diplomatic History*, vol. 35, n. 3, June , 445-481

For decades, scholars have turned to Woodrow Wilson's Fourteen Points address of January 8, 1918, to explain his vision for a new international order after World War I. And for decades, one particular phrase has been closely linked to that vision: "self-determination." The phrase, however, appears nowhere in Wilson's address. Moreover, it is often shorthand for "national self-determination," connoting an ethno-nationalist political ideal Wilson never held. Rather, Wilson idealized self-government: the right of all to help direct their society's public affairs. By 1918, Wilson sought to promote both national and international self-government through a deliberative League of Nations, equipped to accommodate changes in an increasingly interdependent global society. Prejudiced though he was, Wilson envisioned an egalitarian League, with adequate sovereign powers to advance justice within and among nations. Though Wilson poorly communicated this radical yet pragmatic ideal, it was his late abandonment of pragmatic compromise that prevented U.S. League membership. That outcome, despite its contingency, has limited American views of the nation's global role ever since.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Christakis T.



The ICJ Advisory Opinion on Kosovo: Has International Law Something to Say about Secession?

in *Leiden Journal of International Law*, Volume 24 - Issue 01 , 73-76

The objective of this paper is to examine how the Court has dealt with existing general international law governing secession and to evaluate the effects that this opinion could have on future developments in this field. The narrow interpretation of the question submitted by the UN General Assembly permitted the Court to avoid many important questions. The Court made no statements concerning Kosovo's statehood and recognition by third states and made no mention of statehood requirements or the 'principle of effectiveness'. The Court also refused to examine whether Kosovo (or any other entity outside the colonial context) had a 'right' to secession, but gave no endorsement to attempts to apply external self-determination outside the colonial context or to the theory of 'remedial secession'. This paper explains why the Court did not apply the 'Lotus' freedom principle in the Kosovo case. It welcomes the indirect, but clear, position of the Court that a declaration of independence can, in some situations (and especially in the case of external aggression), be illegal – a position that contradicts the old theory, stemming from Jellinek, that the creation of a state is nothing but a 'simple fact'. While the Court correctly found that outside these exceptional circumstances, no general prohibition against unilateral declarations of independence exists in international law, it should have added that international law is not 'neutral' in this field, that it disfavors secession, and that it creates a presumption against the effectiveness of secession. The 'legal-neutrality' stance adopted by the Court is not without risks. Indeed, the Court should have been more cautious in its assertion that 'the scope of the principle of territorial integrity is confined to the sphere of relations between states', not only because recent practice clearly indicates the contrary, but also because its position could have an unwelcome effect in resolving future separatist conflicts by rendering countries extremely sceptical of solutions of autonomy or international administration.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Zyberi Gentian

The International Court of Justice and applied forms of reparation for international human rights and humanitarian law violations

in *Utrecht Law Review*, Vol. 7, issue 1 , 204-215

The International Court of Justice has contributed significantly to developing and interpreting different legal aspects concerning reparations which are due to states or individuals for internationally wrongful acts committed against them. This paper will analyze a number of decisions by this Court that provide for either state or individual reparations for violations of international human rights and humanitarian law. That analysis is structured according to the four types of reparations applied in the relevant decisions, notably restitution, compensation, satisfaction and guarantees of non-repetition. Although these decisions generally provide a limited discussion on the implementation or specific modalities of reparations, the fundamental rules and principles of the applicable types of reparations establish legal obligations vis-à-vis states, or natural and legal persons affected by such violations

Full text available at:

<http://www.utrechtlawreview.org/index.php/ulr/article/viewFile/URN%3ANBN%3ANL%3AUI%3A10-1-101169/154>



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Lahiri Dilip

The International Criminal Court Reaches A Milestone: Should India Continue to Stay Out?

in *Indian Journal of International Law*, volume 50, issue 3 , 444-451

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Croquet Nicolas A. J.

The International Criminal Court and the Treatment of Defence Rights: A Mirror of the European Court of Human Rights' Jurisprudence?

in *Human Rights Law Review*, Vol. 11, issue 1 , 91-131

The International Criminal Court (ICC) has been a mirror of the European Court of Human Rights when defining the scope of defence rights and limiting their exercise on public interest grounds. The ICC has been consistently deferential to the Strasbourg Court in the interpretation of the accused's rights to disclosure of evidence and to cross-examine prosecution witnesses, leaving the door open for a virtual theory of implied external limitations upon defence rights. The ICC has nevertheless failed to provide a rationale, besides its non-systematic reference to the ICC Statute's human rights enabling clause, when cross-fertilising with the Strasbourg Court. The latter has not only exerted influence over other international human rights monitoring bodies but also accounted for judicial developments within domestic and international fora when tailoring its own human rights standards. The ICC has overall proven to be a promising platform for extrapolating regional interpretations of fair trial rights to the international legal order.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Woodcock A.

The International Criminal Tribunal for the Former Yugoslavia: paving the way for modern international humanitarian law enforcement

in *Northern Ireland Legal Quarterly*, Vol. 62 - No. 1 , 119-136

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Vidmar J.

The Kosovo Advisory Opinion Scrutinized

in *Leiden Journal of International Law*, Volume 24 - Issue 02 , 355-383



In the Kosovo Advisory Opinion, the International Court of Justice took the position that Kosovo's unilateral declaration of independence did not violate any applicable rules of international law. This article does not dispute the final finding, but rather critically examines the Court's somewhat controversial reasoning and considers the added value of the opinion for the clarification of legal doctrine in relation to unilateral declarations of independence. An argument is made that the Court's interpretation of the question and the identification of the authors of the declaration had significant implications for the Court's final finding. Yet, the Court cannot be criticized for not answering the question of whether or not Kosovo is a state, whether Kosovo Albanians are beneficiaries of the right of self-determination, or even whether the 'right to remedial secession' is applicable. However, the Court may well have implicitly answered that recognition of Kosovo is not illegal.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Kohen MG, Del Mar K

The Kosovo Advisory Opinion and UNSCR 1244 (1999): A Declaration of 'Independence from International Law'?

in *Leiden Journal of International Law*, Volume 24 - Issue 01 , 109-126

This article focuses on the reasoning employed by the International Court of Justice in its Advisory Opinion rendered on 22 July 2010 with respect to the most formidable legal impasse of the accordance with international law of the unilateral declaration of independence: the *lex specialis* that applied at the critical date, and which the Court affirmed continues to apply to Kosovo, as established by the United Nations Security Council in its Resolution 1244 (1999). The Court's analysis of the applicable *lex specialis* is questionable. Its analysis was coloured by the narrow approach it took to answering the question it was asked to address. It queried an unambiguous factual qualification made by the General Assembly, and it disregarded factual qualifications made by the Secretary-General, his Special Representative, and indeed all relevant actors. It failed to uphold the legally binding provisions of Security Council Resolution 1244, and it did not qualify as unlawful or invalid an act of a subsidiary body of the Security Council that was undertaken in excess of authority and contrary to the fundamental provisions of that Resolution. The resolute conclusion of the majority of the Court that the unilateral declaration of independence did not violate international law seems to read as a declaration of 'independence from international law'.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Falk Richard

The Kosovo Advisory Opinion: Conflict Resolution and Precedent

in *American journal of international law*, Vol. 105, n. 1 , 50-59

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system



Divac Oberg Marko

The Legal Effects of United Nations Resolutions in the Kosovo Advisory Opinion
in *American journal of international law*, Vol. 105, n. 1 , 81-90

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Jan Vandemoortele

The MDG Story: Intention Denied

in *Development and change*, Vol. 42, n°1 , 1-21

This article gives an insider's view of the origin of the Millennium Development Goals (MDGs), the aim of which was two-fold: to rescue the Millennium Declaration from oblivion and to expand the development narrative beyond economic growth. The former has been successful, but not the latter. Since its establishment, the MDG agenda has been permeated with the idolatry of literalism and sanitized to fit the conventional development paradigm. Statistics have been abused to fabricate evidence of success. The great paradox is that poverty is increasingly regarded as a multi-dimensional phenomenon whilst its quantification remains essentially one-dimensional, which reinforces a money-metric perspective of the MDGs. The agenda has been cut back to a standard set of macroeconomic, sectoral or institutional reforms of a technical nature. However, the MDG agenda implies fundamental transformations in society, which are invariably driven by domestic politics and local actors. The world is off track, not because of insufficient economic growth but mostly because people in the bottom quintiles have benefited disproportionately little from national progress. As long as the world continues to turn a blind eye to the growing inequities within countries, the MDGs will be mission impossible. For the remaining period, their meaning is best described as 'Minding Development Gaps'.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Kittikhoun Anoulak, Weiss Thomas .

The Myth of Scholarly Irrelevance for the United Nations

in *International Studies Review*, vol. 13, issue 1, march , 18-23

ABSTRACT: In the case of the United Nations, scholars have had an impact in fostering ideas and policies, including human development, climate change, global compact, sovereignty as responsibility, and human security. Of the three-headed UN monster—the first UN of member states, the second UN of staff members, scholars constitute a key part of the third UN of those closely associated with the world body but independent from it. Scholars' roles include research, policy analysis, and idea mongering. They have been able to exert influence as consultants, commissioners, and temporary staffs.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

White Nigel D.



The Privatisation of Military and Security Functions and Human Rights: Comments on the UN Working Group's Draft Convention

in *Human Rights Law Review*, Vol. 11, issue 1 , 133-151

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Asada Masahiko

The Treaty on the Non-Proliferation of Nuclear Weapons and the Universalization of the Additional Protocol

in *Journal of Conflict and Security Law*, Volume 16 Issue 1 Spring , 3-34

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has been under serious strain for nearly two decades since the 'discovery' after the 1991 Gulf War of the clandestine development of nuclear weapons in Iraq. The International Atomic Energy Agency (IAEA) Board of Governors responded to the revelation by adopting the Model Additional Protocol in 1997, which would give the IAEA a much broader power than the comprehensive safeguards agreements (CSA) and would provide credible assurance of the absence of undeclared nuclear material and activities on the territories of its parties. However, the universalization of the Additional Protocol is still a distant goal. This article first considers whether one can argue that the conclusion and bringing into force of an additional protocol is an obligation under the NPT. It then discusses the ways and means to make the Additional Protocol universal. Such ways and means may take the form of a direct call for the conclusion of an additional protocol. Its universalization may also be pursued indirectly by requiring a State to conclude an additional protocol as a condition for benefiting in nuclear cooperation. Legal possibilities and limitations are explored for both of these (direct and indirect) approaches. In doing so, an analysis of the relevant discussions at the 2010 NPT Review Conference held in May 2010 in New York is also provided.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Ghimire Kléber

The United Nations world summits and civil society activism: Grasping the centrality of national dynamics

in *European Journal of International Relations* , vol. 17, n. 1, march , 75-95

ABSTRACT: Noting that UN summits are the most auspicious venue for non-state actors to popularize worldwide issues of concern, writings on international relations have emphasized the rise of a global civil society and its growing ability to use these events for influencing transnational politics. Based on findings of empirical research from six developing countries that hosted UN summits or important preparatory meetings (PrepComs), we suggest that national settings remain fundamental for civil society activism. We examine the outcome of UN summits on civil society in three dimensions: creation of political space, implementation of the summit's agenda and alliance building. This study suggests that in each of these countries, the national processes of democratization and liberal economic reforms heavily influenced the outcome of these international conferences. In particular, the results reveal the paramount centrality of the state in the organization of the summit and in setting up parameters for civil society engagement during the follow-up process. While heterogeneity was an important trait of civil society, the UN bodies organizing the summits remained nearly absent in the post-summit period. A main conclusion emerging from the research is that, in addition to



international connections, any major attempt on the part of civil society organizations (CSOs) to significantly participate in the political process, whether in the form of support or opposition, inescapably entails working with relation to the state in order to take advantage of the political opportunities available in the national context. Overall, the study results suggest that discussion on the rise of global civil society and international activism occurring in part thanks to UN summits needs to be supplemented by approaches that take into account national dynamics.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Forsythe David, Park Baekwan

The changing of the guard: from the UN Human Rights Commission to the Council
in *Human Rights Law Journal*, vol. 29, n. 1-5, october , 3-14

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Sluga Glenda

The transnational history of international institutions
in *Journal of Global History*, Volume 6, Issue 2, July , 219-222

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

McLay Jim

Tracing our UN footsteps: Jim McLay outlines New Zealand's association with the UN Security Council
in *New Zealand International Review*, January 1, 2011

The United Nations failed Rwanda in its time of need in 1994 m when Hutu extremists went on a rampage that cost 800,000 Tutsi lives. It left undone those things that it ought to have done, despite pleas for action from New Zealand and the Czech Republic. Our principled and independent stance added to our mana at the world body. New Zealand, a founder member, has an interest in multilateral engagement m and this underlies its desire once again to take a seat on the Security Council. Multilateralism is one of the few viable ways to address complex issues in a multi-polar world, and, whatever its flaws, the United Nations is still the fulcrum of that multilateralism.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Laqua Daniel

Transnational intellectual cooperation, the League of Nations, and the problem of order
in *Journal of Global History*, Volume 6, Issue 2, July , 223-247



This article examines the political and cultural contexts of the International Committee on Intellectual Cooperation and the International Institute of Intellectual Cooperation. These two League of Nations bodies were charged with fostering international understanding through the promotion of educational, scientific, and cultural exchange. Whereas previous studies have revealed the institutional and diplomatic processes that shaped these bodies, the present article considers their intellectual genealogies and trajectories. Adopting a transnational perspective, it argues that the multi-layered quest for order is central to understanding intellectual cooperation in the interwar years. This concern was reflected in the role of cultural relations within the post-war order, and in the aim of strengthening intellectuals' position in the social order (both through legal instruments and through new tools for 'intellectual labour').

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Chapman Chris, Ramsay Kathryn

Two Campaigns to Strengthen United Nations Mechanisms on Minority Rights

in *International Journal on Minority and Groups Rights*, Volume 18, Number 2 , 185-199

Over the last decade, the non-governmental organisation Minority Rights Group International ran two campaigns at the United Nations. The first sought to create a new special procedure of the Commission on Human Rights - a position of an expert with a mandate to investigate and make recommendations to remedy specific situations of violations of minority rights. The second responded to a situation in which the UN's only forum for representatives of minorities was threatened with closure, and aimed to keep it or have it replaced with a more effective body. In this article, the authors - who were both involved in these campaigns - will try to identify some lessons learnt from the strategies used, and draw some conclusions about the role of an international nongovernmental organisation in strengthening the international minority rights regime, and how, in so doing, it links with minority communities around the world.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

McAuliffe Pádraig

Un Peace-Building, Transitional Justice And The Rule Of Law In East Timor: The Limits Of Institutional Responses To Political Questions

in *Netherlands International Law Review*, Vol. 58, issue 1 , 103-135

A series of UN peace-building missions have taken the leading role in reconstructing the rule of law in East Timor, most notably through the hybridised Special Panels trials from 2000 to 2005 and ongoing hybridised participation in prosecution and judging in the years since then. While UN peace-building doctrine place great faith in transfusions of international expertise in the institutions of justice to secure their autonomy, the experience in East Timor has been one of consistent governmental interference to restrain politically sensitive prosecutions and systematic pardon of those convicted of committing crimes of political violence. Beginning with the thwarted prosecution of Indonesian generals accused of crimes against humanity before the Special Panels, and moving on to consider episodes of prosecutorial interference and systematic pardon in trials dealing with crimes committed during serious civil unrest in 2006 and attempted assassinations of the President and Prime Minister in 2008, this article examines the UN's ongoing failure to secure the autonomy of the judicial institutions it is mandated to assist. It cites a preoccupation on the part of the UN with the institutional aspects of the rule of law which has been emphasised at the expense of the more contentious cultural and behavioural aspects of the rule of law at a political level which are essential if the institutions of justice are to



operate independently.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Ramcharan Bertrand G.

United Nations Human Rights Leaders, Dr Kurt Herndl: A Pragmatic Idealist

in *Human Rights Law Review*, Vol. 11, issue 1 , 181-193

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Crowley-Buck David F.

Unreasonable Reasonableness: Standardizing Procedural Norms of the ICC Through Al Bashir

in *Boston College International and Comparative Law Review*, Vol.34, Electronic Supplement , 15-27

On March 4, 2009, the International Criminal Court issued its first ever arrest warrant against a sitting head of state, Omar Hassan Ahmad Al Bashir. The warrant, issued in relation to the situation in the Darfur region of Sudan, was notable both for its inclusion of charges of war crimes and crimes against humanity, and for its exclusion of charges of genocide. On appeal, the decision not to include the genocide charges in the warrant was unanimously overruled for an error in law regarding the standard of proof utilized to determine the sufficiency of mens rea. The International Criminal Court is the only permanent international adjudicatory body tasked with the criminal adjudication of individuals accused of the most serious crimes of international concern. In overruling this decision, therefore, the International Criminal Court not only standardized the evidentiary thresholds for the prosecution of genocide charges in its Chambers, but at the same time distinguished itself among the growing field of international adjudicatory bodies.

Full text available at:

http://www.bc.edu/content/dam/files/schools/law/lawreviews/journals/bcicl/34_esupp/02_crowley-buck.pdf

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Jacobs D., Radi Y.

Waiting for Godot: An Analysis of the Advisory Opinion on Kosovo

in *Leiden Journal of International Law*, Volume 24 - Issue 02 , 331-353

The Kosovo Advisory Opinion gave rise to responses that suggest that the Court went too far, or not far enough, depending on one's perspective. In this article, the authors argue that the Court should either have done nothing or gone all the way. By accepting an inadequately drafted question, the Court was necessarily going to give an inadequate answer. This article adopts a strict approach to the legal nature of the question and considers that the ICJ should have declined its competence, not as an exercise of its discretion, but as a preservation of its core judicial function, which does not include primarily the conduct of non-state entities. Going further, the authors suggest that the Court could have



rephrased the question and sought to establish the international responsibility of the United Nations, and, ultimately, of Kosovo, which, it is argued, is in fact implicitly recognized by the Court, both politically and legally.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

La Porte Pablo

'Rien à ajouter': The League of Nations and the Rif War (1921—1926)

in *European History Quarterly*, Volume 41, n. 1, January , 66-87

Despite the fact that the Rif War (Morocco, 1921—1926) and its international repercussions have been frequently explored by historians, not much attention has been devoted to the stance of the League of Nations during the conflict, probably because the League simply declared its lack of authority to intervene in the matter when its intervention was suggested. The aim of this article is to provide a more detailed analysis of the reasons given by the League of Nations to justify its role in the conflict. It will argue that the League of Nations acted in accordance with international legislation of the time when it declined to become involved in the Rif War without being explicitly requested to do so either by the Sultan of Morocco or by the protecting powers (France, Spain). However, it will also highlight the tenuousness of these arguments and the contradictory stances the League took at certain stages of the conflict, especially during the period when the Spanish army was publicly accused of using chemical warfare in Morocco. The article concludes by showing how the complex, multifaceted conflict in the Rif encapsulated many of the problems and difficulties of the post-war colonial system, and forced the League of Nations to deal with a series of dilemmas which foreshadowed the difficult circumstances which it would be faced with in the 1930s.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Ioannidis Michael

A Procedural Approach to the Legitimacy of International Adjudication: Developing Standards of Participation in WTO Law

in *German Law Journal*, Vol. 12, n. 5 , 1175-1202

Lawmaking by judicial institutions requires legitimation. As international courts gradually play an ever more significant part in the shaping of international law, they share with any other lawmaker the need for a convincing basis of legitimacy. In the case of international courts, however, this need has to be addressed by taking into account their special function: that is, to review decisions made by other lawmakers (mainly domestic). The question of the legitimacy of judicial institutions is thus crucially connected with the standard they apply in reviewing such decisions.

Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No5/PDF_Vol_12_No_05_1175-1202_Beyond%20Disptue%20%20Special_Ioannidis%20FINAL.pdf



Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Ossa Ralph

A “New Trade” Theory of GATT/WTO Negotiations

in *Journal of Political Economy* , Vol. 119, No. 1, February 2011 , 122-152

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Poulain Bruno, Raux Mathieu

Actualité du droit européen des investissements internationaux

in *Revue générale de droit international publique*, Vol. 115, n. 1 , 113-140

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Kelly Robert E.

Assessing the impact of NGOs on intergovernmental organizations: The case of the Bretton Woods Institutions

in *International Political Science Review* , vol. 32, n. 3, June , 323-344

ABSTRACT: The response of intergovernmental organizations (IGOs) to the pressure of nongovernmental organizations (NGOs) is undertheorized. Scholarship on NGOs around IGOs is frequently idiosyncratic and laudatory, and we lack cumulation for cross-IGO generalizations about NGO impact within the frame of established international relations (IR) theory. From the central three IR paradigms (realism, liberalism, and constructivism) I elaborate a null and three alternative hypotheses to explain why an IGO would respond to NGO pressures. I benchmark these hypotheses to empirical indicators of NGO impact on IGOs. I then ‘test drive’ this framework against the highly relevant, easily cross-comparable Bretton Woods Institutions. I find that the World Bank responds functionally to NGO pressure: NGO outreach serves its mission efficiency. The International Monetary Fund responds defensively: NGOs are an organizational threat to be managed.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Steta Annick

D'où vient la guerre des monnaies?

in *Revue des deux mondes*, février

No abstract available



Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Naylor Tristen

Deconstructing Development: The Use of Power and Pity in the International Development Discourse
in *International Studies Quarterly*, vol. 55, issue 1, march , 177-197

ABSTRACT: This study examines how power operates within international development discourse and investigates its effects on development organizations and on individuals—donors and recipients of aid alike. It analyzes the narratives pertaining to Afghanistan that are (re)produced by five different types of development actors: a donor state, a recipient state, an international financial institution, an international organization, and a non-governmental organization. I argue that the operation of multiple, interrelated types of power has both ideational and material effects which manifest in development policies, programs, and projects. I demonstrate how these types of power operate discursively through a Politics of Pity which (re)creates and perpetuates hierarchical, coconstituted relationships between and among these actors, and which (re)constitutes the identities and abilities of actors.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Rozanov Andrew

Definitional Challenges of Dealing with Sovereign Wealth Funds
in *Asian Journal of International Law*, Vol. 1, Issue 1

International policy-makers so far have successfully pre-empted any new major national legislation in the G7 countries aimed specifically at sovereign wealth funds by getting the International Monetary Fund to work with them on formulating a set of best practices commonly known as the Santiago Principles. However, some observers stress that this is just the beginning. How does one measure and evaluate compliance with these principles? Is voluntary self-regulation really sufficient? Or is there a need for new rules and regulations? As the discussion shifts from policy and economics to governance and regulation, we move firmly into the realm of law—legal norms, rules, and statutes. However, the required clarity and commonality of definitions and terms have been elusive. There does not seem to be universal agreement about the precise meanings of even the most fundamental terms in the SWF debate. This article hence focuses on the definitional challenges inherent in this debate

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Li Hong

Depoliticization and Regulation of Sovereign Wealth Funds: A Chinese Perspective
in *Asian Journal of International Law*, Vol. 1, Issue 1

The China Investment Corporation (CIC) has often been perceived as a threat by Western economies. Such fears, however, are unfounded as the severe losses incurred by CIC during the recent economic crisis reveals that the fund, just like other investment entities, is vulnerable to market conditions. Moreover, given their relative lack of expertise in international investment, the regulation and development of “young and inexperienced” sovereign wealth funds (SWFs)



within their home state is more pertinent than the defensive regulation structured by the host states in which SWFs invest. Positive financial returns should always be the fundamental goal of SWFs, rather than non-commercial considerations. This article proposes a three-step approach to regulating SWFs from a Chinese perspective: (1) home states should distinguish between their roles as shareholders and managers of state-owned capital-exporting institutions, and can use the Santiago Principles for that purpose; (2) host countries should not discriminate against SWFs but treat them as private institutional investors; and (3) there should be a clarification of the international investment regime regarding state investment. If these three steps are taken, SWFs would be depoliticized, and biased regulatory agencies and regulations would be a thing of the past. Under a broad regime, concerns between home and host states could then be addressed at bilateral or multilateral forums

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Väyrynen Paavo

Doha is dead, Europe must define its bi-lateral trade deals strategy
in *Europe's World*, Issue 18, Summer

It's 10 years since the WTO's ambitious Doha Development Round of international trade talks was launched. Paavo Väyrynen, Finland's trade minister, looks at the EU's interim policy of negotiating a plethora of bi-lateral free trade agreements.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21820/language/en-US/Default.aspx

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Patrick Leblond

EU, US and international accounting standards: a delicate balancing act in governing global finance
in *Journal of European Public Policy*, Volume 18, Issue 3 2011, 443-461

Although the European Union (EU) has been a key global actor in international trade governance since the 1960s, it held no such position in international financial governance until the new millennium. Accounting standards represent one important area of international finance where the EU has finally taken a leadership position alongside the United States, as a result of its adoption of International Financial Reporting Standards (IFRSs) and its corresponding delegation of standard setting to the International Accounting Standards Board (IASB). Surprisingly perhaps, neither the EU nor the US has been able to exercise much influence over the content of IFRSs. This is because the IASB has managed to maintain a delicate balance between American and European interests in devising its standards. Using the principal-agent framework, this contribution explains this dynamic between the IASB, the EU and the US in the period 2002-2010.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations



Esposito Carla

Fondo Monetario Internazionale e Paesi a Basso Reddito (LICs): le implicazioni della crisi finanziaria globale in Comunità Internazionale (La), vol. LXV, n. 2, secondo trimestre

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Desai Raj M., Vreeland James Raymond

Global Governance in a Multipolar World: The Case for Regional Monetary Funds

in *International Studies Review*, vol. 13, issue 1, march , 109-121

ABSTRACT: The reform of global financial governance is long overdue. Recent changes to the governance of the International Monetary Fund partially address the lack of representation of emerging market countries, but not their loss of confidence in the institution. In the meantime, alternative and perhaps better approaches to the problems of open economics are being proposed at a regional level. We describe these regional monetary funds and discuss their prospects. We conclude that because economic interdependence is strongest at the regional level, regional cooperation seems well-suited to a multipolar world.

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Subsection 2. The economic and financial international organizations

De Bellis Maurizia

Global Standards for Sovereign Wealth Funds: The Quest for Transparency

in *Asian Journal of International Law*, Vol. 1, Issue 1

Sovereign Wealth Funds (SWFs) are currently under increased scrutiny. This article aims at identifying the features and likely impact of the Generally Accepted Principles and Practices (GAPP), using two lenses, both well known to legal scholars, especially within global administrative law (GAL) studies: global standards and transparency. On the one hand, contrasting the GAPP with other types of global financial standards can help identify the most powerful incentives to foster compliance. On the other hand, even though the transparency provisions requesting SWFs to provide public information concerning their legal basis, structure, and financing decisions appear to be a step in the right direction, they need further clarification so that a proper balance between disclosure and the need to avoid unnecessary costs can be struck. Moreover, this article claims that the effectiveness of disclosure provisions in fostering the accountability of the funds depends also on the existence of structural elements

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Subsection 2. The economic and financial international organizations

Eskelinena Teppo

Global basic structure and institutions: The WTO as a practical example

in *Journal of Global Ethics*, Volume 7, Issue 1, April 2011 , 47-58

In this article, I discuss the location of the sources of global poverty and injustice. I take it as granted that the members



of the globally lowest income group live in unacceptable conditions and suffer from injustice. Yet the source of this injustice is a debatable question. Often the existing global institutions are seen as major causes behind this injustice. By taking the World Trade Organization (WTO) negotiations as a practical example, I aim to show that blaming the institutions as such can lead to misguided conclusions. The WTO, in fact, is quite just if one merely analyses its institutional structure. I argue that the major source of injustice are rather the prevailing power structures and the conduct of individual governments within this institutional framework, in other words the metaprocedural unfairness in the trade negotiations. I further argue that applications of Rawlsian theory of justice tend to be misleading at the global institutional level, as they focus disproportionately on the institutional structure, and tend to underestimate the relevance of the conduct of governments and the existing power structures, which allow powerful countries to use the institutional framework unjustly in their favour.

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Subsection 2. The economic and financial international organizations

Eicher Theo S., Henn Christian

In search of WTO trade effects: Preferential trade agreements promote trade strongly, but unevenly
in *Journal of International Economics*, Volume 83, Issue 2, March 2011 , 137-153

The literature measuring the effects of WTO membership on trade flows has produced remarkably diverse results. Rose (2004) reports a wide range of empirical specifications that produce no WTO effects. Tomz et al. (2007) use Rose's data but include de facto WTO membership, to find positive WTO trade effects. Rose (2005) also produced positive WTO trade effects after accounting for the diverse trade effects produced by individual preferential trade agreements (PTAs). When Subramanian and Wei (2007) emphasize general equilibrium trade effects by controlling for multilateral resistance, they find strong WTO trade effects only for industrialized countries. Subramanian and Wei (2007), however, account neither for unobserved heterogeneity among trading partners, nor for differences in trade effects across PTAs (which could inflate WTO estimates). We unify the Rose, Tomz et al., and Subramanian and Wei specifications in one comprehensive approach that minimizes omitted variable bias to show that all specifications produce one consistent result: WTO effects on trade flows are not statistically significant, while PTAs produce strong but uneven trade effects. Extending the gravity model to address specific avenues in which WTO may have affected trade flows, we find that WTO membership boosts trade prior to PTA formation and increases trade among proximate developing countries (at the expense of distant trade). An augmented gravity model that accounts for WTO terms-of-trade theory shows that countries with greater incentives to bargain for tariff reductions before WTO accession experience positive and significant subsequent WTO trade effects.

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Subsection 2. The economic and financial international organizations

Pratap Ravindra

India, WTO and Shrimp II: Yet Another Interpretational Loss to India
in *Indian Journal of International Law*, volume 50, issue 3 , 451-459



Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Kleinlein Thomas

Judicial Lawmaking by Judicial Restraint? The Potential of Balancing in International Economic Law
in *German Law Journal*, Vol. 12, n. 5 , 1141-1174

In the framework of this project, both the WTO dispute settlement system and international investment tribunals are portrayed as core actors in judicial lawmaking. By weaving international trade law and investment law on the roughly timbered looms of imperfect treaty law, they have proven to be successful creators of the fabrics of a world trade order and of investment protection standards, respectively. Such effective lawmaking, on the part of particular “regimes,” has the potential to increase the fragmentation of international law. Consequently, international judicial institutions are not only spotted as originators of fragmentation, but—as interpreters of international law—also as addressees of strategies in response presented in the 2006 Report of the ILC Study Group on Fragmentation. It is the Study Group’s comforting message that a considerable part of the difficulties arising from the diversification and expansion of international law can be overcome by recourse to a “coherent legal-professional technique.” The Fragmentation Report highlights that conflict resolution and interpretation cannot be distinguished: “[w]hether there is a conflict and what can be done with prima facie conflicts depends on the way the relevant rules are interpreted.” According to the Report, coherence can be established by interpreting legal norms with due regard to their normative environment.

Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No5/PDF_Vol_12_No_05_1141-1174_Beyond%20Disptue%20Special_Kleinlein%20FINAL.pdf

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Kazzi Habib

Le principe de transparence dans les accords de l'OMC
in *Revue générale de droit international public*, Vol. 113, n. 3 , 703-722

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Dubois Jean-Pierre

Les 50 ans de l'OCDE, le laboratoire de la mondialisation
in *Revue des deux mondes*, mai

No abstract available



Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Venzke Ingo

Making General Exceptions: The Spell of Precedents in Developing Article XXIV GATT into Standards for Domestic Regulatory Policy

in *German Law Journal*, Vol. 12, n. 5 , 1111-1140

Judicial lawmaking in the GATT/WTO context has for some time drawn considerable attention. Some are inclined to show a sense of existentialist anxiety in view of the fact that legal practice does not neatly live up to the orthodox doctrinal order of things. Others see judicial lawmaking as (theoretically or practically) inevitable and tend to readily embrace it as a way of overcoming defunct political processes. Whatever its normative appraisal, as a matter of fact adjudicatory practice has developed some of trade law's cardinal norms. The rise and increasing sophistication of adjudication in the GATT/WTO context has also gone hand in hand with a surge of authority on the part of adjudicators and a larger overall detachment of the law from politico-legislative politics.

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http://www.germanlawjournal.com/pdfs/Vol12-No5/PDF_Vol_12_No_05_1111-1140_Beyond%20Dispute%20Special_Venzke%20FINAL.pdf

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Broome André

Negotiating Crisis: The IMF and Disaster Capitalism in Small States

in *Round Table (The): the Commonwealth Journal of International Affairs*, Volume 100, Issue 413 , 155-167

How do small states use international organisations to manage the consequences of exogenous shocks? This article examines this question through exploring how small states negotiate with the International Monetary Fund (IMF) for crisis management support during a period of 'disaster capitalism'. Focusing on the case of Iceland, the article argues that while small states can potentially build scale economies in specialist sectors such as banking, the risks inherent in rapid financial expansion greatly increase their vulnerability to external shocks. In such circumstances, small states are likely to struggle to level the playing field in their attempts to negotiate the constraints and opportunities provided by engagement with the IMF during international crises, when they face higher stakes compared with larger economies and have a narrower policy choice set at their disposal.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Zappile Tina M.

Nonreciprocal Trade Agreements and Trade: Does the African Growth and Opportunity Act (AGOA) Increase Trade?

in *International Studies Perspectives* , vol. 12, issue 1, february , 46-67



ABSTRACT: The recent proliferation of preferential trade agreements, reaching almost 400 in number, has made it increasingly important to determine their effects on trade flows. This study advances our understanding of the effect of a particular type of trade agreement, a nonreciprocal agreement between a major economic power and less developed countries often used as a foreign policy/foreign aid tool by the major power and allowable under WTO Special and Differential Treatment. The study tests the effect of a recently implemented nonreciprocal agreement between the United States and sub-Saharan Africa, the 2000 African Growth and Opportunity Act (AGOA), on trade. A traditional gravity model is employed to test whether AGOA opens market access in the United States for eligible countries' exports. The results of this study suggest that AGOA membership and eligibility for AGOA textile benefits have no significant effect on trade, an explicit goal of this agreement. Uncertainty about the expiration of preferences, eroding preferential margins, and the inability of African producers to adequately exploit preferences are explanations for these results.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Bénassy-Quéré Agnès, Pisani-Ferry Jean, Yongding Yu

Reform of the International Monetary System: Some Concrete Steps

in *Lettre du CEPII*, n. 309, March

Reform of the international monetary system is under discussion after three decades of apathy. However, in the short term, there is little chance of a grand redesign of the international monetary system. Nevertheless, concrete steps should be taken. First, consensus is needed on exchange rates, capital flows and reserves. This consensus is closer than often assumed, and should be codified in some form of soft law, with provisions for surveillance agreed on. Second, financial safety nets must be improved so that countries do not have to self-insure by accumulating reserves. The least difficult route could be a new regime for deciding on Special Drawing Right allocations that would facilitate more frequent use of this instrument. Third, a change in the composition of the SDR should be planned for, to strengthen the multilateral framework by including the renminbi. These reforms would be a partial move, and would prepare the ground for further developments.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Sornarajah M.

Sovereign Wealth Funds and the Existing Structure of the Regulation of Investments

in *Asian Journal of International Law*, Vol. 1, Issue 1

The strategic investments made by SWFs in vital economic sectors of the developed states have caused national security concerns. The existing law on foreign investment, which was designed by the developed states to permit liberal flows of foreign investment and emphasize protection against government interference, sits uneasily with recent moves to control SWF investments. The developed states may have to dismantle to a significant extent the international law they had created to protect foreign investment and retreat into principles of sovereignty earlier advocated by the developing states. This will result in dramatic changes to customary law as well as treaty norms and significantly undermine the present structure of investment protection: a complete reversal of the neoliberal vision may occur. This phenomenon provides an opportunity for the examination of how events that lead to the quick making of legal rules in line with a legal theory favoured in a particular political context are, equally quickly, replaced by another set of rules to



suit rapid changes in the power balances

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Foster George K.

Striking a Balance Between Investor Protections and National Sovereignty: The Relevance of Local Remedies in Investment Treaty Arbitration

in *Columbia Journal of Transnational Law*, Vol. 49, issue 2

Investment treaty arbitration is a relatively recent innovation designed to allow foreign investors to bring claims against host States without having to seek redress in the host State's own courts. Yet a trend has emerged that some have characterized as inconsistent with this purpose: several tribunals have rejected treaty claims based on their impression that the claimants had not adequately pursued local remedies prior to initiating arbitration. Moreover, some of these tribunals have suggested that if an investor does pursue local remedies, it may be effectively prevented from later rearguing issues addressed by national courts. The combined effect of these holdings is to place investors in a Catch-22, encouraging them to pursue local remedies, while warning them that doing so may foreclose success at the international level. This Article highlights the tension between these distinct aspects of this line of authority and evaluates each by reference to treaty language, principles of international law, domestic analogs under U.S. constitutional law and policy considerations. This analysis reveals that there is a sound basis for treating local remedies as relevant to the merits of certain treaty claims, but that tribunals should give more limited deference to national court decisions. The modified approach outlined in this Article promises to strike a better balance between investor protections and national sovereignty, and thereby promote the long-term viability of investment treaty arbitration.

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Subsection 2. The economic and financial international organizations

Clark Gordon L, Knight Eric R.W.

Temptation and the Virtues of Long-Term Commitment: The Governance of Sovereign Wealth Fund Investment in Asian Journal of International Law, Vol. 1, Issue 1

In this article we look at the governance of SWFs from the perspective of the competing political interests embedded in the sponsor—the domestic political claims on funds and the principles and practice of governance used to discipline those interests in favour of a long-term perspective that emphasizes the conservation of wealth and the intergenerational transfer of benefits. Using the case-study of the Australian SWF known as the Future Fund, we argue that SWFs can be used as legal instruments to promote the interests of future generations. In this way, it puts into action the principle of intergenerational equity which has been hereto notoriously difficult to substantively apply in international law. By invoking the intergenerational principle, we argue that the Australian government not only responded to the legal challenges of implementing intergenerational equity but also contributed to its currency as a customary norm

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Gros Daniel

The Eurozone in the IMF



in **Federalist Debate (The)**, Year XXIV, n. 1, March

<http://www.federalist-debate.org/fdb/current/detail.bfr>

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Alam Shawkat, Mukhopadhaya Pundarik, Randle david

The General Agreement On Trade In Services (Gats), Water, And Human Rights From The Perspective Of Developing Countries

in **Netherlands International Law Review**, Vol. 58, issue 1 , 43 - 75

It is widely accepted that the provision of access to safe drinking water and sanitation services for the world's poor is one of the great developmental challenges of the modern era. There is a need to establish mechanisms that enable the human right to water to be satisfied in developing states. This article will discuss how the General Agreement on Trade in Services (GATS) can be used to facilitate the promotion of quality and affordable water services to developing states. Indeed, it is argued that the WTO and the GATS are the most appropriate mechanisms to successfully satisfy the human right to water in developing countries. The challenges of adopting a multilateral model will be explored, and the importance of adopting capacity-building issues and pricing challenges within an amended GATS framework will be addressed. The nexus between the GATS and the trend towards privatisation will also be considered. The aim of this article is to contribute towards a greater understanding of the role that international trade law in general, and the GATS in particular, can play as part of a holistic response to the immense problems (present and future) relating to water resources in LDCs.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

John M. Shandraa, Eric Shircliffa, Bruce London

The International Monetary Fund, World Bank, and structural adjustment: A cross-national analysis of forest loss

in **Social Science Research** , Vol. 40, n°1 , 210-225

We test competing hypotheses drawn from neo-liberal economic theory and dependency theory regarding the effects of International Monetary Fund and World Bank structural adjustment on deforestation. In doing so, we analyze cross-national data for a sample of sixty low and middle income nations from 1990 to 2005. We find substantial support for dependency theory that both International Monetary Fund and World Bank structural adjustment lending are associated with higher rates of forest loss. We also find that a number of factors linked to other theoretical perspectives help to explain deforestation. These include non-governmental organizations, gross domestic product per capita, economic growth, primary sector economic activity, democracy, total population growth, non-dependent population growth, rural population growth, urban population growth, tropical climate, and natural forest stocks. We conclude with a discussion of the findings, theoretical implications, methodological implications, policy implications, and possible directions for future research.

Section B) Global governance and international organizations



Subsection 2. The economic and financial international organizations

Krever Tor

The Legal Turn in Late Development Theory: The Rule of Law and the World Bank's Development Model
in *Harvard International Law Journal*, Volume 52, Issue 1

Long cherished by liberal political philosophers, today the rule of law is increasingly viewed as a necessary requirement, or even silver bullet, for economic development. The past decade has seen the rise of a veritable industry—multilateral development banks, government development agencies, and nongovernmental aid organizations—committed to promoting the rule of law through legal and judicial reform in developing countries. This Article considers the emergence of a new rule of law orthodoxy within contemporary development theory and, in particular, the World Bank's development model. It asks how and why the Bank has embraced the rule of law discourse, and offers a brief genealogy of the rule of law within the Bank's theorizing. It argues that the Bank's interest in law was primarily a response to the critique and failure of its neoliberal policies and identifies the new discourse's affinities with the rise of New Institutional Economics and "good governance" in the 1990s. Under the Bank's view, the law's value for economic development lies in its ability to provide a stable investment environment and the predictability necessary for markets to operate. The role of law is reduced to the facilitation of utility maximizing exchange and optimal market allocation, a view that informs many of the Bank's specific law reform projects. More a rhetorical shift than a fundamental break in development theorizing, the Bank's turn to law actually undergirds many continued neoliberal assumptions and masks a continuation of neoliberalism's core tenets. The new discourse is attractive precisely because it provides strong ideological support for the neoliberal agenda.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Bénassy-Quéré Agnès , Pisani-Ferry Jean

The Long March Towards a Multipolar Monetary Regime

in *Lettre du CEPII*, n. 308, February

International monetary reform is back on the agenda after two decades during which it has been hardly discussed. Controversies about the macroeconomic and monetary factors at the root of the financial crisis, China's exchange rate regime, the reasons why emerging countries accumulated about five trillion dollars of international reserves over the last ten years, and more recently the risk of currency wars all explain this renewed attention. Yet the key question is what monetary regime will best suit the world economy in the XXIst century. An evolution towards a multipolar system, with the dollar, the renminbi and the euro as its key likely pillars may mitigate some flaws of the present regime, such as the rigidity of key exchange rates, the asymmetry of balance-of-payments adjustments or what remains of the Triffin dilemma. However it may exacerbate other problems, such as short-run exchange rate volatility or the scope for 'currency wars', while leaving key questions unresolved, such as the response to global liquidity provision. Hence, in itself, a multipolar regime can be both the best and the worst of all regimes, depending on the degree of cooperation within a multilateral framework. In the short term, policymakers should concentrate on feasible reforms, while opening the way for more fundamental changes.



Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Richard Eccleston

The OECD and global economic governance

in *Australian Journal of International Affairs*, Volume 65, Issue 2 , 243-255

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Qingxin K. Wang

The Rise of Neoclassical Economics and China's WTO Agreement with the United States in 1999

in *Journal of Contemporary China*, Volume 20, Issue 70 , 449 - 465

Drawing on the historical institutionalists' emphasis on the effects of ideas on policy making, this paper focuses on the importance of economic ideas and ideologies on China's trade policy making with regard to the signing of the WTO agreement with the United States in 1999. The paper argues that trade liberalization in China was a result of top Chinese leaders' embrace of neoclassical economic ideas which conceive a small role for the state in the marketplace, mainly as the regulator of the macro-economic environment and as the enforcer of the rule of law, rather than as a major player in the marketplace. Top Chinese leaders' socialization with neoclassical economic ideas enabled them to forge a political consensus to link state-owned enterprise (SOE) reforms with speedy WTO accession and led to China's major concessions in WTO negotiations with the United States in 1999 which were inconceivable just a few years ago.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Maggi Giovanni, Staiger Robett W.

The Role of Dispute Settlement Procedures in International Trade Agreements

in *Quarterly Journal of Economics (The)*, Volume 126 Issue 1 February 2011 , 475-515

Although disputes are typically treated as synonymous with concerns about enforcement in economic models of trade agreements, in reality most WTO disputes seem to concern the interpretation of vague provisions, or instances where the agreement is silent. And some have suggested that the WTO's Dispute Settlement Body (DSB) could usefully grant exceptions to rigid contractual obligations. These activist DSB roles could help "complete" an incomplete contract. But how activist should the DSB be? Should DSB rulings set precedent? We address these questions by characterizing the optimal choice of contract form and DSB mandate under various contracting conditions.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Corrales Carmen Amalia

Toward a Cosmopolitan Ethic in Debt Restucturing

in *Law and contemporary problems*, Volume 73 Fall 2010 Number 4 , 93-109



No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Russel Jesse

Trading sovereignty for stability? The political economy of monetary integration

in *Review of International Studies (The)*, Vol. 37, Issue 2, April , 673-690

How do states attempt to mitigate the pressures of financial globalisation? This article suggests that options can be understood in terms of monetary regime choice. These are best understood with their international component included – whether states integrate unilaterally, integrate multilaterally, or go it alone monetarily. But to understand the international side of monetary relations, one must look to domestic political structures, histories and politics. It is important that to understand that within the pressures of the international system, domestic politics is a fons et origo determining the health and stability of international economic relations.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Ong David M.

Transnational Investment Law And Environmental Protection: Russian State Intervention In The Sakhalin II Project – The Empire Strikes Back?

in *Netherlands International Law Review*, Vol. 58, issue 1 , 1-42

The overall legal framework for transnational petroleum development projects is arguably a conjunction between international investment law and several other fields of international law, notably environmental law and human rights. However, the relationship between these applicable fields of international law is uncertain. In particular, prospects for the application of environmental law within such projects appear to depend on the balance in political and economic power between the host State and any multinational/transnational oil companies involved in the project. This balance is usually in favour of investment protection for the economic actors involved but the enduring role of the host State as the sovereign regulatory power within the relevant jurisdiction cannot be denied. The general issues raised in this debate will be examined within the specific context of the Sakhalin II project in the Russian Far East, where the host government has intervened on the ostensible basis of ensuring environmental protection but arguably at the expense of investment protection.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Aaronson Susan Ariel, Abouharb M. Rodwan

Unexpected Bedfellows: The GATT, the WTO and Some Democratic Rights

in *International Studies Quarterly*, vol. 55, issue 2, June , 379-408

ABSTRACT: The WTO system and democratic rights are unexpected bedfellows. The GATT/WTO requires governments to adopt policies that provide foreign products (read producers) with due process, political participation, and information rights related to trade policymaking. Because these nations also provide these rights to their citizens, a



growing number of people are learning how to influence trade-related policies. As trade today encompasses many areas of governance, these same citizens may gradually transfer the skills learned from influencing trade policies to other public issues. Thus, the WTO not only empowers foreign market actors, but also citizens in repressive states. We use both qualitative and quantitative analysis to examine whether membership in the WTO over time leads to improvements in these democratic rights. Our qualitative analysis shows that these issues are discussed during accessions and trade policy reviews. Quantitative analysis examines how members of the GATT/WTO perform on these democratic rights over time. We use a cross-national time series design of all countries, accounting for selection issues of why countries become members of the GATT/WTO regime. We find that longer GATT/WTO membership leads to stronger performance on our metrics for political participation, free and fair elections, and access to information.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Servaas Storm

WDR 2010: The World Bank's Micawberish Agenda for Development in a Climate-Constrained World in Development and change, Vol. 42, n°1 , 399-418

Critical assessment of the World's Bank "World Development Report 2010", addressing the theme "Development and Climate Change".

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Biswas Trineesh, Meléndez-Ortiz Ricardo

What Europe could do to save the Doha Round in Europe's World, Issue 17, Spring

The EU is often criticised for protecting its farmers at the expense of more far-sighted international trade liberalisations. But Ricardo Meléndez-Ortiz and Trineesh Biswas argue that Europe isn't to blame for the Doha Round's stalemate, and should move to unblock it.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21781/language/en-US/Default.aspx

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Arlo Poletti

World Trade Organization judicialization and preference convergence in EU trade policy: making the agent's life easier in Journal of European Public Policy , Volume 18, Issue 3 2011 , 361-382

Some feared that judicialization in the World Trade Organization (WTO) would decrease WTO members' propensity to support multilateral trade liberalization. Yet, in 2001 WTO members launched a new round of multilateral trade negotiations, fervently supported by the European Union (EU) despite the influence of domestic protectionist forces. This



contribution offers an explanation of why judicialization elicited increased convergence of policy preferences between a liberalizing agent (Commission) and multiple principals (economic interests). I identify three judicialization-led rationales for this: the empowerment of exporters relative to protectionist forces; the enhanced attractiveness of the WTO as an institutional location for international regulatory standards; and the strengthening of incentives to engage positively in negotiations to offset the likely costs of adverse panel rulings. I show the plausibility of this argument through an empirical analysis of EU politics in three negotiation areas in the Doha Round: services; agriculture; and the 'Singapore issues'.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Anders Åslund

¿Por qué está fracasando el G-20?

in *Política Exterior*, 141 - Mayo / Junio

El G-20 se ha autoproclamado 'gobierno económico mundial' pese a no contar con carta fundacional, ni reglamento consensuado ni valores comunes. Su falta de legitimidad y la escasez de resultados prácticos muestran la necesidad de traspasar su poder al FMI.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

MARIO MASDEA

60° ANNIVERSARIO DEL NATO DEFENCE COLLEGE

in *Informazioni della Difesa*, n. 2, 2011 , 28-35

I

I NATO Defense College compie sessant'anni di attività essendo stato fondato nel 1951.

La storia di questo College riflette, come forse nessun altro Istituto di formazione, lo stretto legame tra le vicende politiche che si sono succedute dalla fine del secondo conflitto mondiale e la stessa ragion d'essere dell'Alleanza Atlantica.

Le mutate condizioni geo-strategiche, conseguenza delle geo-politiche succedutesi negli anni, si sono riverberate in maniera diretta ed immediata sulla formazione della classe dirigente della NATO formatasi presso il College

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Weeks Donna

An East Asian security community: Japan, Australia and resources as 'security'



in **Australian Journal of International Affairs**, Vol. 65, n. 1 / January , 61-80

There is a growing concern that the Asia-Pacific region is institutionally and architecturally ill—equipped to cope with changing regional dynamics and global power shifts that are presently under way. The idea of building a regional 'community' has been floated—and criticised—among various policy makers and analysts. Critics argue that the degree of cultural, political and religious diversity of the region and the mixed success of existing institutions undermines the prospect of any European-style security community emerging in East Asia. This article challenges those assumptions. The development of close and multidimensional bilateral and multilateral relationships between different countries in the region based on areas of mutual interest is a positive indicator that a regionally unique security community can emerge in this part of the world. Managing resource distribution emerges as a key variable for shaping norms predicated on mutual security assurances and deepening cooperation throughout the region. This is demonstrated by the development of the Australia-Japan bilateral security relationship.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Rathbun Bryan C.

Before Hegemony: Generalized Trust and the Creation and Design of International Security Organizations in International Organization, vol. 65, issue 2 , 243-273

ABSTRACT: Rationalist accounts of international cooperation maintain that states create international institutions to solve problems of distrust. They rest on a particular notion of trust, a strategic variety in which states trust based on information about others' interests. I seek to overturn this conventional wisdom. Drawing on social psychology, I point to the importance of generalized trust, an ideological belief about the trustworthiness of others in general. Generalized trust precedes institution-building and serves as a form of anarchical social capital, facilitating diffuse reciprocity and allowing state leaders to commit to multilateralism even in cases that rationalists deem inhospitable to cooperation and without the institutional protections that rationalists expect. In case studies of U.S. policy on the creation of the League of Nations and the United Nations, I demonstrate that generalized trust is necessary for explaining the origins of American multilateralism and the design of these organizations.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Tanter, R.; Hayes, P.

Beyond the Nuclear Umbrella: Re-thinking the Theory and Practice of Nuclear Extended Deterrence in East Asia and the Pacific

in **Pacific Focus**, Volume 26, Issue 1, April

This paper provides an overview of the Nautilus Institute's exploration of two inter-linked but highly contested aspects of the strategic nuclear situation on the Korean peninsula: the complexity and uncertainty associated with US assurances of nuclear extended deterrence to South Korea (and Japan), and the potential contribution of a nuclear-weapon-free zone to shifting the current impasse concerning North Korean nuclear weapons. The theoretical inquiry into the current state of nuclear extended deterrence is followed by an examination of the necessity, viability and desirability of reformed versions of nuclear extended deterrence (such as collective deterrence), and of three conceivable generic alternatives to reliance upon nuclear extended deterrence: namely nuclear rejection, nuclear recession, and conventional deterrence



(possibly combined with existential nuclear deterrence). A bilateral nuclear-weapon-free zone, with the door held open to North Korea to join at a later stage, would act as a circuit-breaker in the stalemated nuclear confrontation; prefigure a US negative security guarantee to North Korea in a future rapprochement; and reduce ongoing regional anxieties by locking both South Korea and Japan into a legally binding non-nuclear security posture.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Spohr Readman Kristina

Conflict and Cooperation in Intra-Alliance Nuclear Politics: Western Europe, the United States, and the Genesis of NATO's Dual-Track Decision, 1977–1979

in *Journal of Cold War Studies*, Volume 13, Issue 2 - Spring , 39-89

On the basis of recently released archival sources from several member-states of the North Atlantic Treaty Organization (NATO), this article revisits the making of NATO's landmark 1979 dual-track decision. The article examines the intersecting processes of personal, bureaucratic, national, and alliance high politics in the broader Cold War context of increasingly adversarial East-West relations. The discussion sheds new light on how NATO tried to augment its deterrent capability via the deployment of long-range theater nuclear missiles and why ultimately an arms control proposal to the Soviet Union was included as an equal strand. The 1979 decision owed most to West German Chancellor Helmut Schmidt's political thought and initiative. Intra-alliance decision-making, marked by transatlantic conflict and cooperation, benefitted from the creativity and agency of West German, British, and Norwegian officials. Contrary to popular impressions, the United States did not truly lead the process.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Rühle Michael

Die NATO im Zeitalter der Globalisierung

in *Politische Studien*, 62. Jahrgang, Heft 435, Januar-Februar

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Niehus Gerlinde

Die NATO-Strategie nach dem Lissabon-Gipfel: Auf zu neuen Ufern?

in *Zeitschrift für Außen- und Sicherheitspolitik* , Vol. 4, n. 2, april , 227-240

ABSTRACT: Unter dem Leitmotiv „Active Engagement, Modern Defence“ hat die NATO auf dem Gipfeltreffen im November 2010 in Lissabon ein neues Strategisches Konzept, ihr „mission statement“ für die nächste Dekade, verabschiedet. Ist dies nun die Geburtsstunde von „New NATO“, alter Wein in neuen Schläuchen oder eher von beidem etwas? Die folgende Analyse bietet eine Zwischenbilanz. Nach der Darlegung der wesentlichen Merkmale der neuen Strategie und ihrer Entstehungsgeschichte werden zentrale Themen und Handlungsbereiche erörtert. Dabei soll auch



aufgezeigt werden, in welchen Bereichen besondere Anstrengungen unternommen werden müssen.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Larrabee F. Stephen

Die USA, die ESVP und das Verhältnis von NATO und EU

in *Politische Studien*, 62. Jahrgang, Heft 435, Januar-Februar

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Kupchan Charles A.

Die letzte Grenze der NATO

in *Europäische Rundschau*, Heft 3, 2010

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Simon John Smith

EU–NATO cooperation: a case of institutional fatigue?

in *European Security*, Volume 20, Issue 2, 243-264

Although EU–NATO institutional relations have been evolving since the Saint-Malo Declaration in 1998, efficient and coherent cooperation is still lacking. This article goes beyond the narrative of blockage caused purely at the political level in order to illustrate both formal and informal EU–NATO cooperation at both the centre (Brussels) and on the ground (missions). This article addresses cooperation in terms of the actors involved at three different levels: state actors, international staff, and military personnel. Although, much has been done to advance cooperation between international staffers in Brussels and between those on the ground in common mission areas, the lack of a political agreement – one that moves beyond the limited scope of Berlin Plus – is causing severe fatigue, most notably at the level of international staff. Furthermore, the informal and ad hoc cooperation that has been the underlying facilitator of synergy between the two organisations could start to atrophy if a grand or intermediary bargain is not achieved in the near future.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Ülgen Sinan

How Turkey wants to reshape NATO

in *Europe's World*, Issue 18, Summer



Turkey has in recent years gone from the Cold War cornerstone of NATO to being seen as a mixed blessing. Sinan Ülgen traces the changes in Turkey's circumstances and policy thinking, and explains how Ankara sees the alliance's future.

http://manager.federalism-bulletin.eu/Bollettino/index.php?PAGE=Bollettino/Bollettino2_Details&MODE=NW

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Spoltore Franco

Il disarmo e la difesa dell'Europa

in *Federalista (II)/Federalist (The)*, Anno LII, n. 3, 192-199

<http://www.thefederalist.eu/files/PDF/IT/2000/2010-3-IT.pdf>

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Kaim Markus

Internationale Sicherheitspolitik nach dem 11. September

in *Aus Politik und Zeitgeschichte*, Band 27, 2011

The full text is free:

www.bpb.de/publikationen/F347P7,3,0,Internationale_Sicherheitspolitik_nach_dem_11_September.html#art3

Inhalt:

Einleitung

Wandel des Sicherheitsbegriffs

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Gemeinsamkeiten und Unterschiede in der Terrorismusbekämpfung

Ein Risiko unter vielen

Section B) Global governance and international organizations



Subsection 3. Security communities and organizations

Liegis Imants

**It's time the EU, and NATO too, had an arms exports policy
in Europe's World**, Issue 17, Spring

Concerns over proposed arms sales to Russia prompt Latvia's former defence minister Imants Liegis to make the case for a more transparent and co-operative approach to defence equipment deals.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21788/language/en-US/Default.aspx

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Gianluca Cazzaniga

La NATO punta sulle Forze Speciali

in *Rivista Italiana Difesa*, n. 3, anno 2011 , 64-65

Il nostro corrispondente da Bruxelles fornisce un quadro dei programmi NATO riguardanti il coordinamento e l'impiego delle Forze Speciali tramite un nuovo quartier generale (NSHQ) in grado di fornire capacità di comando e controllo per rispondere rapidamente a situazioni di emergenza.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Andrea Nativi

La nuova NATO del dopo Lisbona

in *Rivista Italiana Difesa*, n. 2, anno 2011 , 36-40

La NATO rimane attuale e vitale e questa è forse la notizia più rassicurante e significativa emersa al termine del vertice dei capi di governo svoltasi a Lisbona. Già perché non sono pochi ad avere preconizzato un lento declino e una progressiva irrilevanza dell'Alleanza Atlantica, che potrebbe iniziare con la fine della missione in Afghanistan, tra un lustro o giù di lì.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Massie Justin

Le Canada, la France et la transformation de l'Alliance atlantique : des politiques de sécurité internationale convergentes

in *Etudes Internationales*, Volume 42, numéro 1 , 25-46

Canada has supported each of nato's major initiatives since its inception. The current transformation of the Alliance, including the reintegration of France into its integrated military command structures, will have an undeniable impact on



the future of Canada's international security policy. To assess this impact, the article first highlights the convergence of France's and Canada's Atlanticist policies, which its labels inclusive institutional balancing strategies. Faced with the dilemma of a global and expeditionary nato or a defensive alliance and European pillar, the article concludes that Canada can overcome the alleged dichotomy of its choice by putting forward a policy of national and regional ownership of conflict resolution processes.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Ischinger Wolfgang, Noetzel Timo

Libya could be a catalyst for Europe's security policy

in *Europe's World*, Issue 18, Summer

The Libya crisis is confronting European governments with uncomfortable truths about their military and strategic shortcomings. Wolfgang Ischinger and Timo Noetzel argue that it could mark a turning point in the EU's common foreign and security policy.

http://manager.federalism-bulletin.eu/Bollettino/index.php?PAGE=Bollettino/Bollettino2_Details&MODE=NW

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Bisogniero Claudio

NATO in a globalised world: Claudio Bisogniero outlines the alliance's efforts to adapt to the 21st century security environment

in *New Zealand International Review*, May 1, 2011

NATO has responded to recent challenges to international order by recognising the need for new thinking and new ways of addressing security. An integrated response is now demanded with much greater co-operation between states, international organisations, international financial organisations, the private sector and non-governmental organisations. Partnership is essential--a lesson demonstrated by NATO's activities in Afghanistan in support of the Afghan government and under a UN Security Council mandate. NATO controls an international force made up of 48 countries, 20 of which are not members of the alliance. NATO's modernisation of its partnerships is an on-going process and includes that with New Zealand. This rests on solid foundations of mutual respect and mutual benefit.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Webber Mark

NATO: Within and Between European International Society

in *Journal of European Integration*, Volume 33, Number 2 / March , 139-158

NATO's role in forging European order is undeniable, but the clarity and focus of Alliance purpose has changed considerably since the end of the Cold War. The ramifications of this change are considered via analysis of the trajectory



of enlargement and a conceptualisation of the enlarged Alliance based upon English School thinking. Four categories are put forward: these refer to geographic levels of operation, conditionality, legitimacy and great‐power management. The argument which emerges from this treatment is that NATO was and remains an essential component of European regional international society but its centrality has been modified both by developments consequent upon the end of the Cold War and the political fall‐out of the events of 9/11.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Gerardo Cervone

Prove di dialogo tra Nato e Russia

in **Informazioni della Difesa**, n. 2, 2011 , 24-27

G

Gli ex nemici della Guerra Fredda iniziano seriamente a collaborare tra loro e muovono i primi passi concreti verso un mondo più sicuro. I dettagli sono ancora da definire, ma è prevedibile che il summit Nato-Russia di Lisbona segnerà un nuovo inizio nei rapporti tra Mosca e l'Alleanza Atlantica.

L'incontro al vertice del Consiglio NATO-Russia (NRC) di Lisbona, del 19 novembre 2010, è stato descritto audacemente come 'storico' dal momento che entrambi hanno posto le premesse per avvicinarsi l'uno all'altro non come un antagonista, ma come un partner potenziale. In NATO Secretary General's words, NATO and Russia have agreed in writing that they "pose no threat to each other. In tale sede, hanno concordato per iscritto che essi "non costituiscono una minaccia per l'altro". That, alone, draws a clear line between the past and the future of NATO-Russia relations. "Una linea d'azione netta che abbandona il burrascoso passato e getta le basi per un futuro di collaborazione nelle relazioni reciproche

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Hickey, D.V.

Rapprochement between Taiwan and the Chinese Mainland: implications for American foreign policy

in **Journal of Contemporary China**, Volume 20, Issue 69 , 231 - 247

This article examines US policy toward the improving relations between the Republic of China on Taiwan and the People's Republic of China. It also analyzes several policy options that the Barack Obama administration may wish to



consider. In conclusion, the author suggests that, despite some arguments to the contrary, continuing the current policy supporting the growing rapprochement between Beijing and Taipei is in the best interest of the US.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Minuto-Rizzo Alessandro

The Crisis in Central Asia, NATO, and the International Community

in Mediterranean Quarterly, Volume 21, Number 4, Fall , 19-26

The author, former deputy secretary-general of the North Atlantic Treaty Organization, reviews the current status of the transatlantic alliance and the evolving role of NATO as an irreplaceable peacekeeping structure with extensive obligations in asymmetrical warfare. The author affirms a belief that NATO can and does play roles beyond its original intent and welcomes new applicants, provided they share its goals and principles.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Ulrichsen Kristian Coates

The Geopolitics of Insecurity in the Horn of Africa and the Arabian Peninsula

in Middle East Policy, Volume 18, Issue 2, Summer , 120-135

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Priest Andrew

The President, the 'Theologians' and the Europeans: The Johnson Administration and NATO Nuclear Sharing

in International History Review (The), Volume XXXIII, Issue 2 , 257-275

This article examines Lyndon Johnson's handling of the North Atlantic Treaty Organization (NATO) nuclear-sharing issue and specifically plans for a NATO Multilateral Force during the first three years of his presidency. The article argues that although Johnson did not confront the nuclear sharing/Multilateral Force issue directly for the first year of his presidency, he subsequently made sensible policy decisions in the face of a number of challenges. These included pressure for a speedy resolution of the nuclear-sharing issue from within his own State Department and from the government of the Federal Republic of Germany on the one side, and opposition to the Multilateral Force from the British and French governments on the other. The nuclear-sharing issue is discussed in the context of challenges to NATO, most notably French President Charles de Gaulle's rejection of US leadership and his withdrawal of French forces from NATO's integrated military structure in 1966 and broader debates about nuclear consultation within the alliance. The article concludes that by using the advisory process well and through some deft diplomacy, particularly refusing to demand a quick resolution to the nuclear-sharing problem, the Johnson administration had effectively resolved the nuclear-sharing issue by late 1966.



Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Jae Jeok Park

The US-led alliances in the Asia-Pacific: hedge against potential threats or an undesirable multilateral security order?

in *Pacific Review (The)* , Volume 24, Issue 2 , 137-158

The 'hub-and-spoke' alliance structure led by the United States was – and remains – a major feature of security politics in the Asia-Pacific. This article links its 'general interests' with the larger issue of the Asia-Pacific's evolving multilateral regional order. After reviewing the concept of 'hedging', the first section problematises the literature that treats the US-led alliances which constitute the hub-and-spoke system mainly as instruments for the competitive side of a hedging strategy. The second section observes that they go beyond being instruments of threat response to becoming a more complicated network of regional multilateral order-maintenance and order-building. The third section claims that the United States and its regional allies have been utilising the hub-and-spoke alliance structure as a hedge against an undesirable multilateral order emerging in the region. The fourth section examines those arguments with reference to the East Asia Summit (EAS) and the Six Party Talks. The article concludes with some thoughts about what these findings mean for the future direction of the hub-and-spoke alliance structure in the Asia-Pacific.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Dutheil de la Rochère Ghislain, Josselin Jean-Michel, Rocaboy Yvon

The role of aggregation technologies in the provision of supranational public goods: A reconsideration of NATO's strategies

in *Review of International Organizations (The)* , vol. 6, n. 1, march , 85-103

ABSTRACT: Voluntary contributions to the provision of public goods do not necessarily follow a summation aggregation technology. The article investigates the alternative best-shot aggregation process and provides the corresponding Nash equilibrium conditions for allies in the context of joint products in a supranational alliance. The application deals with NATO over the period 1955–2006 and evidences new breakpoints and aggregation technology assessments, which leads to a reconsideration of the alliance's strategy. We find that a best-shot technology prevails from 1955 to 1970. Afterwards, summation of contributions becomes the aggregation technology of the alliance, with increased strategic behavior after 1990.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Aydinli Ersel, Yon Hasan

Transgovernmentalism Meets Security: Police Liaison Officers, Terrorism, and Statist Transnationalism

in *Governance*, Vol. 24, n. 1, January , 55-84

Studies of transgovernmental activities have enhanced our understanding of changing global politics, but their claims



have not been fully investigated with respect to the security realm. Therefore, this article first acknowledges a gap between the practices and capacities of nonstate entities creating transnational threats and those of state-based agents of response. States' ability to respond to these threats has been questioned. Is this skepticism warranted or have states begun adapting and developing new responses to address nonstate security challenges? This article looks at transgovernmental responses to transnational terrorism and identifies an unconventional group of substate pioneers, police liaison officers (PLO), making moves into the transnational realm. Data collected through interviews with international PLOs reveal these activities to be characterized by increasing informality, depoliticization, and demonopolization of global security cooperation. This cooperation nevertheless maintains its strong ties with state legitimacy and capacity, and is therefore conceptualized here as statist transnationalism.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Hoon Geoff

Why their EU and NATO partners may look askance at the Franco-British defence pact in Europe's World, Issue 17, Spring

Strengthening the military outreach of Europe's two major defence forces has genuine attractions, says former UK Defence Secretary Geoff Hoon. But he warns that others in Europe may see it as a protectionist device favouring French and British defence giants.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21786/language/en-US/Default.aspx

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Tanter, R.

his paper examines the foundations and rationale for Australian reliance on US assurances of extended nuclear deterrence. The Australian model of extended nuclear deterrence is marked by its lack of public presence, a lack of certainty about its standing and character in US eyes, its lack of a direct nuclear threat, and its resurgence at a time when nuclear abolition possibilities are being embraced by the leader of the deterrence provider. Australian policy amounts to a claim that the nuclear guarantee is necessary “just in case”– though without any plausible specifics. The fundamental questions remain – for Australia as for other recipients of extended nuclear deterrence assurances – what threats, what probabilities, what alternatives?

in **Pacific Focus**, Volume 26, Issue 1, April , 113-136

This paper examines the foundations and rationale for Australian reliance on US assurances of extended nuclear deterrence. The Australian model of extended nuclear deterrence is marked by its lack of public presence, a lack of certainty about its standing and character in US eyes, its lack of a direct nuclear threat, and its resurgence at a time when nuclear abolition possibilities are being embraced by the leader of the deterrence provider. Australian policy amounts to a claim that the nuclear guarantee is necessary “just in case”– though without any plausible specifics. The



fundamental questions remain – for Australia as for other recipients of extended nuclear deterrence assurances – what threats, what probabilities, what alternatives?

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Cooper Andrew F., Helleiner Eric

Advances in Global Economic Governance amid the Obstacles at the Seoul G20 Summit

in **Social Europe Journal**, Volume 5, Issue 2, Winter/Spring

<http://www.social-europe.eu/2011/01/advances-in-global-economic-governance-amid-the-obstacles-at-the-seoul-g20-summit/>

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Dellas Eleni, Pattberg Philipp, Betsill Michele

Agency in earth system governance: refining a research agenda

in **International Environmental Agreements: Politics, Law and Economics**, Volume 11, Number 1, March , 85-98

In the face of global environmental change, a key question for the social sciences is how to organize the co-evolution of societies and their natural environment. In this context, a new long-term research program, the Earth System Governance Project, proposes several key issues to be examined: architecture, agency, adaptiveness, accountability, and allocation and access. The contributions to this special issue have focused on the analytical problem of agency. For example, they have examined newly emerging or understudied agents of global environmental governance, or offered a fresh assessment of agency in the context of existing governance mechanisms such as the Clean Development Mechanism. This concluding article outlines several insights provided by the contributions to this special issue regarding four key questions underlying the study of agency in global environmental governance. First, they call attention to the ingredients or processes that characterize agency in the first place and thus distinguish actors from agents. Secondly, the authors highlight the differences among agents and how they interact with each other. Thirdly, they point toward variation in the ways that agents may acquire authority. Finally, the contributions to this special issue suggest that there may be several approaches to evaluating agency, with different consequences. Thus, taken together, the contributions to this special issue provide a starting point for broadening our understanding of agency in earth system governance.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Parish Matthew

An essay on the Accountability of International Organizations

in **International Organizations Law Review**, vol. 7, n. 2 , 277-342

ABSTRACT: International organizations sometimes suffer from acute agency problems. Three exogenous methods of addressing those problems are considered: economic incentives, political accountability and legal accountability. For international organizations, the first is undesirable and the second inevitably weak. There is therefore an argument for heightened legal scrutiny of their actions. Yet international organizations have an unenviable track record of acting



without regard to the most fundamental international standards of rule of law, and this article offers an unsightly catalogue of their legal aberrations. Moreover, the internal legal mechanisms international organizations have created ostensibly to hold themselves to account prove wanting at best. There may also be structural reasons why international courts and tribunals will never be able to conduct an adequate review of the important decisions international organizations routinely take. This makes those organizations' assertions of blanket legal immunity from jurisdiction of domestic courts appear increasingly inexplicable, as it removes all possibility of legal accountability. The supposed rationales for legal immunities of international organizations are reviewed and proved wanting. The conclusion drawn is that international organizations should be subjected to radically improved regimes of international judicial oversight, or their immunities should be abrogated in certain areas so that they may be rendered subject to the jurisdiction of the domestic courts of the countries in which they operate, or both. Measures of this kind may dramatically improve the quality of decision-making and accountability of international organizations.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy
de la Rasilla del Moral Ignacio

At King Agramant's camp: Old debates, new constitutional times
in *International Journal of Constitutional Law*, Vol. 8, issue 3 , 580-610

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy
Simonelli Nicole M.

Bargaining over International Multilateral Agreements: The Duration of Negotiations
in *International Interactions*, vol. 37, issue 2 , 147-169

ABSTRACT: This article examines the duration of international multilateral agreement negotiations. Based on propositions in the literature concerning factors which may have an effect on the length of negotiations, I derive testable hypotheses concerning the involvement of intergovernmental and nongovernmental organizations in the negotiation process, the number of negotiating parties, and the duration of the agreement. These hypotheses are tested using new data collected from the negotiations of 168 multilateral agreements. I find that whether a nonstate actor makes the first proposal does have an effect on the duration of multilateral agreement negotiations, but this relationship is conditional on issue area. In particular, when an intergovernmental organization makes the first proposal for security-related agreements, negotiations are longer, but the opposite is true for non-security agreement.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy
Hobson Christopher, Smith Tony, Owen John M., Geis Anna, Ish-Shalom Piki

Between the Theory and Practice of Democratic Peace
in *International Relations*, vol. 25, n. 2, june , 147-184



No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

von Bogdandy Armin, Venzke Ingo

Beyond Dispute: International Judicial Institutions as Lawmakers

in *German Law Journal*, Vol. 12, n. 5 , 979-1004

The increasing number of international judicial institutions, producing an ever-growing stream of decisions, has been one of the dominant features of the international legal order of the past two decades. The shift in quantity has gone hand in hand with a transformation in quality. Today, it is no longer convincing to only think of international courts in their role of settling disputes. While this function is as relevant as ever, many international judicial institutions have developed a further role in what is often called global governance. Their decisions have effects beyond individual disputes. They exceed the confines of concrete cases and bear on the general legal structures. The practice of international adjudication creates and shifts actors' normative expectations and as such develops legal normativity. Many actors use international judicial decisions in similar ways as they do formal sources of international law. To us, this role of international adjudication beyond the individual dispute is beyond dispute.

Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No5/PDF_Vol_12_No_05_979-1004_Beyond%20Disptue%20Special_Bogdandy%20&%20Venzke%20FINAL.pdf

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Trondal Jarle

Bureaucratic Structure and Administrative Behaviour: Lessons from International Bureaucracies

in *West European Politics*, vol. 34, n. 4 , 795-818

ABSTRACT: This article contributes to a growing literature on international bureaucracy by exploring the relationship between bureaucratic structure and administrative behaviour. The ambition of this study is twofold: first, it explores the extent to which international bureaucracies combine two inherent behavioural logics: a logic of hierarchy and a logic of portfolio. Second, two key empirical lessons are used to modify four conventional claims in existing research. Drawing on a rich body of data from three international bureaucracies (the European Commission, the OECD Secretariat, and the WTO Secretariat), this study suggests that administrative behaviour among international civil servants is profoundly shaped by the bureaucratic structures of international bureaucracies. Variation in the abovementioned behavioural logics is conditioned by two aspects of bureaucratic structure: First, the accumulation of relevant organisational capacities at the executive centre of international bureaucracies, and second, the vertical and horizontal specialisation of international bureaucracies.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy



Acharya Amitav

Can Asia lead? Power ambitions and global governance in the twenty-first century

in *International Affairs* , vol. 87, issue 4, July , 851-869

ABSTRACT: Is the much hyped 'rise of Asia' translating into global public good? The leading Asian powers, China, India and Japan, demand a greater share of the decision-making and leadership of global institutions. Yet, they seem to have been more preoccupied with enhancing their national power and status than contributing to global governance, including the management of global challenges. This is partly explained by a realpolitik outlook and ideology, and the legacies of India's and China's historical identification with the 'Third World' bloc. Another key factor is the continuing regional legitimacy deficit of the Asian powers. This article suggests that the Asian powers should increase their participation in and contribution to regional cooperation as a stepping stone to a more meaningful contribution to global governance.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Mahubani Kishore

Can Asia re-legitimize global governance?

in *Review of International Political Economy*, Volume 18, Issue 1, 2011 , Pages 131 - 139

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Alessandra Gorla

Climate Finance, Resources and Tools for Global Policies

in *Equilibri*, anno XV, n. 1, aprile , 49-61

In Cancún participating Parties agreed on a very stringent climate target, that will require massive investments in low-carbon technologies, mitigation and adaptation. In the Cancún Agreement a fast-start and long term

finance target was set, based on the outcome of the Copenhagen Accord 178 EQUILIBRI 1/2011

and on the recent recommendations of the High Level Advisory Group on

Climate Financing. This article illustrates the state of play in climate finance, providing some critical insights of eminent experts from the business, institutional and scientific community, who gathered in Venice last

October to discuss key issues and challenges in climate finance.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Crocker Chester A., Hampson Fen Osler, Aall Pamela

Collective conflict management: a new formula for global peace and security cooperation?

in *International Affairs* , vol. 87, issue 1, January , 39-58

ABSTRACT: This article surveys current security challenges and identifies obstacles to effective global and regional



responses and cooperation in an era when security has become increasingly divisible. The new situation is partly explained by the complexity and variety of security challenges, both traditional and new, and by the linkages between them. It argues that a new pattern of improvised, ad hoc and often case-specific security mechanisms has developed, which it calls Collective Conflict Management (CCM). The argument is illustrated by reference to cases of CCM where a wide range of actors—multilateral institutions at the global and regional levels, individual states or ad hoc coalitions, professional and commercial bodies, and non-governmental organizations—collaborate in an effort to manage specific security threats and challenges, bringing together a variety of relationships, resources and skills. The urge for collective action, rather than unilateral or single actor-led, is motivated by a number of factors and ‘drivers’, not all of them necessarily positive or constructive. The article concludes that the success or failure of CCM will depend in part on the severity of the problems it faces and in part on the motives and incentives behind collective responses. This new pattern raises interesting and important questions for the future of international security. While CCM may be untidy and lack clear norms and standards, in many cases it may be the best available in an increasingly fractured world.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Frankenberg Günter

Constitutional transfer: The IKEA theory revisited

in *International Journal of Constitutional Law*, Vol. 8, issue 3 , 563-579

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Page Edward A.

Cosmopolitanism, climate change, and greenhouse emissions trading

in *International Theory*, Volume 3, Issue 01, March , 37-69

This article examines the question of whether international markets in allowances conferring the right to emit greenhouse gases are consistent with a cosmopolitan approach to global and intergenerational justice. After placing emissions trading within the context of both climate change policy and cosmopolitan political theory, three normative objections are examined to the use of emissions trading to mitigate the threat of dangerous climate change. Each objection arises from a different application of cosmopolitan thinking: (i) the potentially corrosive impact of greater use of emissions allowances markets on the environmental values of successive generations of atmospheric users; (ii) the awkward relationship between emissions markets and the norms of procedural justice endorsed by all prominent cosmopolitans; and (iii) the injustice expressed by policy instruments that commodify the atmosphere. It is argued that, while each objection should prompt some care in the construction and implementation of emissions trading schemes to guarantee their legitimacy among existing and future users of the atmosphere, they do not generate a decisive normative challenge to the use of markets, properly defined and regulated, to slow global warming.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Benhabib Seyla



Cosmopolitismo e democrazia. Da Kant a Habermas

in *Lettera Internazionale*, n. 106, 2010

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Vecchio Fausto

Costituzionalismo multilivello e unità interpretativa dell'ordinamento giuridico

in *Rassegna parlamentare*, n. 4

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Thistlethwaite Jason

Counting the Environment: The Environmental Implications of International Accounting Standards

in *Global Environmental Politics*, Volume 11, Issue 2, May , 75-97

Although rarely studied, international accounting standards shape what information regarding a firm's environmental performance is communicated to international financial markets. This article builds on scholarship describing the influence of international accounting standards on private financial markets to show that nominally technical choices regarding how to recognize and measure firms' environmental impacts hold the potential to reduce these impacts. Obscure accounting debates within the International Accounting Standards Board (IASB) mask important political choices about what a firm must disclose to investors about its environmental liabilities and risks. IASB decisions about how these appear on corporate balance sheets change the link between a firm's environmental performance and its economic value and, thereby, contribute to steering private financial markets toward rewarding sustainable behavior within the global economy. This analysis demonstrates the authority of the IASB as an overlooked source of global environmental governance.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Puglierin Jana, Schwarz Christoph

Das Ende der amerikanischen Supermacht nach '9/11'?

in *Aus Politik und Zeitgeschichte*, Band 27, 2011

The full text is free:

www.bpb.de/publikationen/9JCT8P,0,Das_Ende_der_amerikanischen_Supermacht_nach_911.html

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Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Somsen Geert J.

Der arabische Frühling und das Ende der 'Antithese des 11. September'

in Aus Politik und Zeitgeschichte, Band 27, 2011

The full text is free:

www.bpb.de/publikationen/AELMZW,3,0,Der_arabische_Fr%FChling_und_das_Ende_der_Antithese_des_11_Septemb er_Essay.html#art3

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Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Nachtwey Oliver



Die liberal-regressive Moderne

in **Blätter für deutsche & internationale Politik**, Juli, 2011 , 16-19

Niemand im Westen hat die arabischen Revolutionen kommen sehen, geschweige denn mit ihnen gerechnet – genauso wenig wie die Revolutionen in Osteuropa 1989/1990. Anthony Giddens, der wichtigste sozialdemokratische Theoretiker der letzten 30 Jahre, befand noch vor kurzem, dass Gaddafis Regime für ein Einparteiensystem „nicht besonders repressiv“ und der Diktator äußerst populär sei. Zufälligerweise studierte Gaddafis Sohn damals an der London School of Economics, deren Präsident Giddens bis 2003 war und die im Anschluss an das Studium eine beträchtliche Spende erhielt.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Ballie Smith Matt, Jenkins Katy

Disconnections and exclusions: professionalization, cosmopolitanism and (global?) civil society

in **Global Networks**, vol. 11, n. 2, april , 160-179

ABSTRACT: In this article, we address the ways in which theories and practices of cosmopolitanism and professionalization intersect in the sphere of global civil society. We emphasize the experiences of grassroots development activists, arguing that although they have so far been pivotal to the legitimacy of these spaces and discourses, such activists are increasingly absent from the practices of global civic spaces. We explore this process of change over time using the example of grassroots health promoters in Peru, explaining it in terms of the articulation of neoliberal processes of professionalization with a particularly neoliberal version of cosmopolitanism. We argue that the two are mutually reinforcing and produce a particularly narrow, and arguably less cosmopolitan, rendition of global civil society, with implications for the possibility of building critical and transformative encounters across difference as a foundation for more equitable ideas and practices of development and democracy.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Johnstone Ian

Do International Organizations have Reputations?

in **International Organizations Law Review**, vol. 7, n. 2 , 235-239

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Huth Paul K., Croco Sarah E., Appel Benjamin J.

Does International Law Promote the Peaceful Settlement of International Disputes? Evidence from the Study of Territorial Conflicts since 1945

in **American Political Science Review**, vol. 105, issue 2, may , 415-436



ABSTRACT: In this article, we explain the role of international law in the resolution of territorial disputes from 1945 to 2000. In doing so, we focus on three outcomes of interest. First, when do states choose to revise the territorial status quo through negotiations instead of force? Second, when are states able to reach a final settlement? Third, when do states prefer a process of legal dispute resolution (i.e., adjudication or arbitration) to bilateral negotiations? To answer these questions, we argue that when the legal principles relevant to the dispute are unambiguous and clearly favor one side, a law-based focal point will emerge. This focal point, in turn, facilitates the settlement process by helping leaders overcome distribution problems, a central obstacle in reaching a final agreement. We find strong and consistent empirical support for our hypotheses regarding international law and peaceful dispute resolution.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Rodrik Dani

Don't Count on Global Governance

in **Social Europe Journal**, Volume 5, Issue 2, Winter/Spring

<http://www.social-europe.eu/2010/11/don%e2%80%99t-count-on-global-governance/>

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Urpelainen Johannes

Early birds: Special interests and the strategic logic of international cooperation

in **Review of International Organizations (The)**, vol. 6, n. 2, July, 113-140

ABSTRACT: I propose that special interests are particularly influential in international cooperation because they are able to enact pressure on the government already during the negotiations while the issue is not yet salient for the general public. In my formal model, special interests can offer political support to the government in exchange for a discriminatory implementation commitment that benefits them. The government colludes with the special interests if the value of political support exceeds the cost. However, if the government colludes with special interests in country A, the payoff to the government and special interests in country B also decreases because the probability of successful international cooperation decreases. In equilibrium, special interests create a collective-action problem that complicates international cooperation. In addition to providing a new explanation for the power of special interests in international cooperation, the article illuminates how international negotiations and domestic treaty implementation interact. The analysis also reveals a new dimension of flexibility in international cooperation.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bar-Tura, Asaf

Economic Policy and World Organization

in **Perspectives on Global Development and Technology**, Vol. 10, n°1, 194-212

The global economic crisis and the responses to it have brought to the fore questions of sovereignty and cosmopolitanism. In a world so interlinked, what is the proper way to order the global arena, politically and



economically? This essay examines Habermas' multilayered approach to world organization, as well as Pogge and others. Focusing on the question of trade policies, I argue (contra Habermas) for robust global economic governance policies, but (contra Pogge) that these policies should uphold fair trade instead of free trade. This approach has the advantage of alleviating world poverty while at the same time strengthening local communities in developing countries. To this effect, I show why borders should matter more when it comes to capital, and less when it comes to people.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Tänzler Dennis

Ein sicheres Klima? Perspektiven nach den Klima verhandlungen con Cancun

in *Politische Studien*, 62. Jahrgang, Heft 436, März-April

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Larsen Katarina, Gunnarsson-Östling Ulrika, Westholm Erik

Environmental scenarios and local-global level of community engagement: Environmental justice, jams, institutions and innovation

in *Futures*, Volume 43, Issue 4, May , 413-423

National climate change policy currently operates on a continuum from the local community to the supra-national level. These initiatives include local deliberative processes of low-carbon futures as well as local-global interactions in 'eco-innovation jam' dialogues carried out in a virtual space, but founded on communicating with local stakeholder groups. Experiences from national processes and international examples of these structured dialogues of community engagement raise important questions of environmental justice and deliberative processes that facilitate participation by some groups, but perhaps also neglect others. This is particularly relevant since the environmental justice discourse traditionally frames environmental concerns in a place-bound manner that includes local responses to environmental questions. In this paper we argue the importance of local and global forums and deliberative processes for community engagement in order to incorporate stakeholders' perceptions of future options for low-carbon living, travelling and consuming services and products. Important policy transformations in planning for low-carbon societies are outlined and results from cases are discussed. We conclude with three remarks about the importance of citizen participation for understanding local conditions for change, processes of localized internationalization, and new roles for nation states facing the climate change challenge. We also recognise the importance of the local and global level of deliberative processes targeting sustainable urban futures.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Takenaka Heizo

Europe's vital role will be to defuse U.S.-China tensions

in *Europe's World*, Issue 17, Spring



China's rise heralds a major shift in the balance of geopolitical power that may lead to confrontation with the U.S. Heizo Takenaka, a former Japanese economics minister, charts the coming changes and explains why Europe's role will be to mediate between them.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21783/language/en-US/Default.aspx

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Oellers-Frahm Karin

Expanding the Competence to Issue Provisional Measures—Strengthening the International Judicial Function in German Law Journal, Vol. 12, n. 5 , 1279-1294

In international law, jurisdiction serves the same principal aim as in national law, namely the settlement of disputes in order to maintain (legal) peace and security. In international law, as in national law, judicial procedures take time, sometimes a lot of time, during which the rights at stake may be negatively affected by acts of one of the parties potentially resulting in an ineffective judgment. A remedy against such an occurrence has been developed through an instrument of interim protection by which the court directs the parties to leave the rights as they stand and not to interfere with the situation. Such an instrument appears indispensable in order to ensure that a court or tribunal is able to effectively exercise its function. At the national level, interim protection is usually unproblematic since the competence of the tribunals is mostly comprehensive. In international law, in contrast, the competence of judicial organs is one of the most discussed problems because it depends on the consent of states. Any expansion of competence without an explicit agreement of the states concerned is therefore of utmost significance for the role and the acceptance of international courts and reflects the organizational status of international society. Thus, in the context of the project "Beyond Dispute: Lawmaking by International Judicial Institutions," the subject-matter of this contribution mostly relates to the role and self-understanding of international judicial organs; it is less concerned with the creation of substantive normative expectations between international subjects. Yet, the expansion of judicial competences fits into the conceptual apparatus of this research as it innovates the legal order and reaches beyond the case at hand.

Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No5/PDF_Vol_12_No_05_1279-1294_Beyond%20Disptue%20Special_Oellers-Frahm%20FINAL.pdf

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bouteligier Sofie

Exploring the agency of global environmental consultancy firms in earth system governance in International Environmental Agreements: Politics, Law and Economics, Volume 11, Number 1, March , 43-61

In contemporary global environmental governance, private companies are both recipients of as well as contributors to the development and spread of environmental practices, norms, standards, and legislation. One sector that seems to be



of particular significance is the environmental consultancy industry. It assists public and private actors in developing environmental solutions and ensuring implementation and compliance by providing particular knowledge, management, and assessment skills. However, little attention has been paid to the environmental authority and agency of companies active in this field. This exploratory study on global environmental consultancy firms is guided by the basic research questions on agency in earth system governance: What is agency? How do actors acquire authority and become agents? How can we evaluate the effects these agents generate?

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

MacLeod Michael, Park Jacob

Financial Activism and Global Climate Change: The Rise of Investor-Driven Governance Networks in Global Environmental Politics, Volume 11, Issue 2, May , 54-74

This article examines the nexus between financial activism and global environmental governance, analyzing the emergence of what we call “investor-driven governance networks” (IGNs). Our paper seeks to probe the significance of IGNs as a particular manifestation of responsible investor activism and more generally as a financial instrument of environmental governance and sustain-ability. We argue that IGNs, many of which are concerned with climate change governance, have become important actors in the global economy and deserve more analysis by scholars concerned with new forms of authority in global environmental politics. As an example of emerging transnational private governance, IGNs utilize the power of the financial sector to shape the discourse on climate change within the business community and to link the long-term viability of environmental sustainability to the core strategic interests of corporations and investors.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Mukherjee Rohan, Malone David M.

From High Ground to High Table: The Evolution of Indian Multilateralism in Global Governance, vol. 17, n. 3, july-september , 311-330

ABSTRACT: Independent India’s multilateral strategy was designed defensively as a means to provide the country with some leeway in an intensely competitive bipolar world. Today, India casts itself as an emerging power intent on exerting the bilateral and multilateral influence that the country’s founding leaders had long aspired to. Obsolete frameworks such as nonalignment and developing world leadership have mostly been jettisoned in the process. However, questions remain about India’s willingness and capacity to take on global responsibilities to match its global aspirations. This article traces the evolution of India’s multilateral approach and examines its multilateral stance through several prisms: the UN Security Council, the World Trade Organization, global climate change negotiations, and some emerging international groupings of states in which India plays a role. Among our conclusions is that, in India’s diplomacy, much depends on domestic factors.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy



Van Mulligen JG

Global Constitutionalism and the Objective Purport of the International Legal Order
in *Leiden Journal of International Law*, Volume 24 - Issue 02 , 277-304

Global constitutionalists argue that the international legal order can only be meaningfully construed as having an objective, value-based purport. There is, however, something hybrid about the constitutionalist argument, as constitutionalists espouse a normative agenda whilst at the same time setting out to ground their approach in positive international law. It is contended that to avoid both this foundational problem and the charge of utopianism, and as a rejoinder to positivistic arguments for the denial of objective purport, constitutionalists are forced to reason along indirect, transcendental lines. Thus, constitutionalists are to be construed as avouching global values as necessary conditions for making sense of existing international legal practice, rather than merely invoking direct, positivistic evidence and/or mere normative arguments to ground their position. Moreover, it is submitted, first, that global constitutionalists would do better by adopting a less objectivist stance as regards global values, as on the ideal-agent theory of value. Second, it is argued that even though there might be room for so-called constitutionalist 'mindsets', these fall short of establishing the objective purport of the international legal order. Third, d'Aspremont's positivistic argument contra objective purport is construed as (also) an argument to the effect that the rules and architecture of the international legal order only warrant the existence of Hobbesian interests as necessary conditions for making sense of it. The constitutionalist case for objective purport, then, hinges on the issue of whether constitutionalism is necessitated by considerations as regards the intelligibility of international legal argument, by explanatory desiderata regarding trends in international law-making, and as a viable response to the problems posed by fragmentation, deformalization, and international legal scepticism.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Dryzek John S.

Global Democratization: Soup, Society, or System?

in *Ethics and International Affairs*, vol. 25, n. 2, summer , 211-234

ABSTRACT: Ideas about the presence, absence, and growth of democracy in global politics take different forms. After surveying the basic justifications for global democracy, three frames for making sense of the significance of particular developments and proposals are canvassed. "Soup" involves the proliferation of democratic practices, though the consequences of this proliferation for the overall shape of international politics remain open. "Society" stresses the democratization of processes that affect constitutive norms and discourses. "System" identifies differentiated yet ordered parts, geared to the production of collective outcomes. The soup framing is undemanding yet limited. System provides a way to pinpoint democratic deficiencies and possibilities, but its requirements can be highly demanding, and it leaves open the question of normative integration. Understanding global democratization requires both society and system framings.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Benner Thorsten

Global Governance



in *Internationale Politik* , 66. Jahrgang, n. 5-6, Mai-Juni

ABSTRACT: Von atomarer Weiterverbreitung bis Zerstörung der Umwelt: Lösen lassen sich viele Probleme nur noch auf globaler Ebene. Doch sind die G-8 oder die G-20 dafür die richtigen Foren? Und was für eine neue Weltordnung zeichnet sich ab? Fünf verbreitete Annahmen auf dem Prüfstand.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Kustermans Jorg

Global Governance: Parsimony and the Strictures of Complexity

in *European Review*, Volume 19 - Issue 01 , 19-29

The central contribution of the discipline of International Relations to the debate on globalization is its engagement with the process of global governance. This article seeks to map the substance of this engagement through a systematic comparison of three main theoretical approaches to global governance: James Rosenau's account of the sui generis and complex nature of global governance, Political Realism's reductive reading of global governance as fragile international cooperation, and the so-called English School's 'middle-way' analysis of global governance as (a historically evolved form of) ordered international interaction.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Prantl Juchen, Nakano Ryoko

Global Norm Diffusion in East Asia. How China and Japan Implement the Responsibility to Protect

in *International Relations*, vol. 25, n. 2, june , 204-223

ABSTRACT: This article addresses the problem of global norm diffusion in international relations with particular reference to the implementation of 'the responsibility to protect' (R2P) in East Asia. Exposing the limits of previous work on norm localization, we develop the framework of the norm diffusion loop. Rather than understanding norm diffusion as a linear top-down process, we demonstrate that the reception of R2P has evolved in a far more dynamic way that can best be described as a feedback loop. We first look into the processes and causal mechanisms that helped to construct R2P as an emerging transnational soft norm; then we analyse the challenges of diffusing R2P from the global to the regional and domestic levels; and, finally, we examine the variation of norm effects within the same region across states, investigating in particular how R2P has shaped Chinese and Japanese policy responses respectively.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Lane Scheppele

Global Security Law and the Challenge to Constitutionalism after 9/11

in *Public law*, April , 353-377



No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Keohane Robert O.

Global governance and legitimacy

in *Review of International Political Economy*, Volume 18, Issue 1, 2011 , Pages 99 – 109

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Myint Tun

Globalization and the Institutional Dynamics of Global Environmental Governance

in *Indiana Journal for Global Legal Studies*, vol. 18, issue 1, winter , 395-420

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Machida Satoshi

Globalization and the Legitimacy of Intergovernmental Organizations

in *International Studies*, vol. 46, n. 4, october , 371-400

ABSTRACT: Focusing on 'democratic deficit', this article examines how globalization affects the legitimacy of intergovernmental organizations (IGOs). Two contextual factors are considered: (i) democracy at the domestic level and (ii) global inequality. Since these two factors determine the severity of democratic deficit in each country, the impact of globalization on citizens' support for IGOs significantly varies across states. Globalization does not undermine the legitimacy of IGOs in democratically well-attuned rich states. The Pew Global Attitudes Project 2002 lends support to this primary argument.

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Subsection 4. Global governance, supranational federalism and democracy

Ip Eric C.

Globalization and the future of the law of the sovereign state

in *International Journal of Constitutional Law*, Vol. 8, issue 3 , 636-655

No abstract available

Section B) Global governance and international organizations



Subsection 4. Global governance, supranational federalism and democracy

Vanderheiden Steve

Globalizing Responsibility for Climate Change

in *Ethics and International Affairs*, vol. 25, n. 1, spring , 65-84

ABSTRACT: Who should pay the costs associated with anthropogenic climate change, how much should they pay, and why? This burden-distribution problem has become the central question of climate justice among scholars and activists, and it remains the primary obstacle to the development of an effective climate regime. The costs are expected to be significant and varied, but can generally be categorized in terms of mitigation—that is, those costs associated with reducing further human contributions toward the increasing atmospheric concentrations of heat-trapping greenhouse gases (GHGs) that cause climate change; and adaptation—that is, those costs that result from attempting to insulate humans from the harms associated with the anthropogenic environmental damage of climate change. Since mitigation actions undertaken by developed countries under the auspices of the Kyoto Protocol are self-financed and mitigation targets accepted by developing countries are widely viewed as contingent upon financing from developed countries, imperatives to reduce GHGs are fundamentally matters of allocating mitigation costs. Adaptation intervenes in the causal chain between climate change and human harm, allowing the former but preventing the latter, but when this is not possible, a third category of compensation costs must be assigned in order to remedy failed mitigation and adaptation efforts. Because the formulas for assessing liability for adaptation and for compensation are identical, and since climate justice requires adaptation efforts that render compensation unnecessary, for the purposes of this essay the category of adaptation shall be understood to include prevention of harm as well as ex post compensation for it. As expected, the “Copenhagen Accord” that emerged from the Fifteenth session of the Conference of the Parties (COP15) to the 1992 UN Framework Convention on Climate Change (UNFCCC) in December 2009 failed to satisfactorily address this core burden-allocation issue, making its resolution the primary problem to be addressed at the COP16 in Cancún, Mexico, at the end of 2010.

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Scotti Vincenzo

Governance globale – G8/G20 e Consiglio di Sicurezza delle Nazioni Unite: come affrontare in modo efficace le nuove sfide politiche e di sicurezza?

in *Comunità Internazionale (La)*, vol. LXV, n. 3, terzo trimestre

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Johnson Tana

Guilt by association: The link between states' influence and the legitimacy of intergovernmental organizations

in *Review of International Organizations (The)* , vol. 6, n. 1, march , 57-84

ABSTRACT: Unfavorable views toward a particular state will result in skepticism about the legitimacy of IGOs in which that state possesses influence. The more extensive the avenues of influence, the stronger this “guilt by association.” The rationale is two-fold. First, a state that possesses institutionalized influence (e.g., a veto) within an intergovernmental



organization faces substantial difficulties in credibly committing to non-interference with organizational activities. Second, even if a state somehow could commit to abstention from overt interference, it may exert covert ideational influence if it already has embedded its values into an IGO. Elites and laypeople alike recognize the avenues of influence that fuel guilt-by-association. With statistical analyses of public opinion data from 35,397 people in 23 countries, I provide the first systematic evidence that guilt-by-association exists: for the United States, Russia, Japan, and Pakistan, vis-à-vis the United Nations, World Bank, and International Monetary Fund. The evidence is robust to numerous alternative specifications. The findings contribute to international relations scholarship by enhancing our understanding of threats to IGO legitimacy and by providing concrete evidence for a mechanism by which antipathy toward powerful states matters in the international realm.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Benton Lauren

Historical Perspectives on Legal Pluralism

in Hague Journal on the Rule of Law, Vol. 3, issue 1 , 57-69

Historical research represents our richest vein of information about the workings of legal pluralism. Before the long nineteenth century, all legal orders featured jurisdictional tensions without strong claims of legal hegemony by states. In a world in which plural legal orders were the norm, multicentric jurisdictional orders created continuities across diverse regions and polities. What can we learn from the history of legal pluralism in considering its relation to economic development today? To begin, legal history can provide an analytic guide to grasping the complexities of current legal patterns and behavior. A particularly helpful rubric emerges out of studies of the legal history of empires. A second relevant finding confirmed by historical studies of plural legal orders, including and especially empires, consists in the observation that legal actors – again, at all levels – tended to show a preference over time for adjudication in forums that seemed to provide a greater possibility of enforcement of rulings. This paper examines these phenomena in early modern societies in order to lay the groundwork for analyzing legal pluralism in the nineteenth and twentieth centuries. By keeping in view the jurisdictional jockeying of imperial legal orders, we gain new perspective on the role of legal pluralism at major turning points in the development of international law. In particular, it becomes possible to understand nineteenth century prohibition regimes as forming through jurisdictional restructuring within and across global empires – a view that contrasts with traditional narratives of the rise of international law. Similarly, understanding the pervasiveness and persistence of strategies of appealing to imperial legal authority allows us to appreciate the effects on legal behavior of robust claims to the dominance of state law over subordinate jurisdictions in the twentieth century.

Section B) Global governance and international organizations

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Gambier Didier J.

ITER : entre géopolitique et gouvernance internationale

in Revue du droit de l'Union Européenne, n. 4 , 729-757



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Walzer Michael

Il governo mondiale è un sogno?

in **Quaderni Costituzionali**, numero : 1, marzo , 187-198

Section B) Global governance and international organizations

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Palombella Gianluigi

Il senso dei limiti (giuridici). Dagli Stati alla governance globale

in **Sociologia del diritto** , n. 3

Dopo aver definito significato e conseguenze del più consolidato ideale di 'limitazione del potere', il Rule of law, entro i confini politici degli Stati nazionali, quest'articolo affronta le modificazioni del ruolo del diritto nelle relazioni tra Stati e nell'ordinamento internazionale, e lo sviluppo della global governance, che sovrasta sia il diritto inter-gentes sia il diritto nazionale. Ne valuta le pretese ad autonoma fonte di legalità, prevalente rispetto al multiverso degli ordini giuridici sub-globali. Qui, la costruzione di procedure di confronto tra 'legalità' diverse diviene cruciale: il Rule of law funziona se diviene (meta-) principio delle relazioni tra ordini giuridici: tra regimi globali, specializzati ed auto-referenziali da un lato e le diverse pretese di validità giuridica nonché le ragioni sostanziali degli ordini nazionali e regionali. Il principio di cui il Rule of law è portatore reclama, anche in questo caso, un presidio giuridico di equilibrio, contro la riduzione unilaterale e arbitraria della legalità, come mero strumento del potere.

Section B) Global governance and international organizations

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Flemes Daniel

India-Brazil-South Africa (IBSA) in the New Global Order. Interests, Strategies and Values of the Emerging Coalition

in **International Studies**, vol. 46, n. 4, october , 401-421

ABSTRACT: A question of interest to scholars of International Politics concerns the manner in which weaker states attempt to influence stronger ones. This article offers a case study of one recent exercise in coalition-building among southern powers as a vehicle for change in international relations. It analyzes the global interests, strategies and values of India-Brazil-South Africa (IBSA) and the impact of the IBSA Dialogue Forum on the global order. Five major points are outlined. First, common ideas and values shape the global discourse of the emerging coalition. Second, soft balancing based on a value-driven middle power discourse is a suitable concept to explain IBSA's strategy in global institutions. Third, institutional foreign policy instruments such as agenda-setting and coalition-building are pivotal elements of IBSA's soft balancing approach. Fourth, the trilateral coalition suffers from considerable divergence of interest in global governance issues and limited potential gains of its sectoral cooperation, particularly in trade, due to a lack of complementarities of the participating economies. Finally, despite these obstacles the IBSA Forum has impacted the global order in recent years as a powerful driver for change. India, Brazil and South Africa have contributed to an



incremental global power shift in their favour. The southern coalition also induced a change in the character of multilateralism and, in particular, its procedural values.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Doyle Michael W.

International Ethics and the Responsibility to Protect

in *International Studies Review*, vol. 13, issue 1, march , 72-84

ABSTRACT: I examine the roots of “Responsibility to Protect” in international ethics. International responsibility to protect is as a whole at odds with international law, but deeply familiar to Liberal international ethics. But, controversially, I argue that even the Realist and Marxist traditions include commitments to human respect that make humanitarian concerns far from foreign. I then explore how it evolved out of the crisis in Kosovo and the question of its policy significance today in cases in which it has been invoked, ranging from Myanmar to Kenya and Guinea – sometimes explicitly, sometimes implicitly, successfully and not. My conclusion is that R2P has contributed to the increasing pluralism, contested and contestable, of the normative architecture of world politics, and thus has produced confusion. But, this confusion may reduce as RtoP norms are accumulated in customary law and reshape the discourse of international ethics. In any case, where the alternative to pluralism is clarity that either abandons vulnerable populations or imposes unrealistic expectations of enforced human rights, confusion is a step forward, a resource for responsible policy and the best we are likely to get if we continue to care about both vulnerable populations and national sovereignty.

Section B) Global governance and international organizations

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Linderfalk Ulf

International Legal Hierarchy Revisited - The Status of Obligations Erga Omnes

in *Nordic Journal of International Law*, vol. 80, issue 1 , 1-24

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Songyng Fang, Ower Erica

International institutions and credible commitment of non-democracies

in *Review of International Organizations (The)* , vol. 6, n. 2, july , 141-162

ABSTRACT: How do non-democratic countries credibly commit to policies in front of domestic and international audiences? Unlike democracies, non-democracies do not have functioning electoral systems and free presses to make their commitments costly thus credible. Yet, the need to credibly commit to a policy arises for non-democracies as well. In particular, when non-democratic leaders push for economic reforms, they need to coordinate the beliefs of domestic groups and attract international resources. How do non-democracies solve the commitment problem and succeed in achieving their policy goals? In this study, we argue that international institutions provide an important mechanism



through which non-democratic countries could credibly signal their commitment to open economic policies. We test the argument with the involvement of IMF programs by post-communist countries from 1989 to 2005. We find that while IMF status is used as a credible commitment device for all countries, the effect is more significant for non-democracies.

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Tonn Bruce E.

Intervention in countries with unsustainable energy policies: Is it ever justifiable?

in Futures, Volume 43, Issue 3, April , 348-355

This paper explores whether it is ever justifiable for the international community to forcibly intervene in countries that have unsustainable energy policies. The literature on obligations to future generations suggests, philosophically, that intervention might be justified under certain circumstances. Additionally, the world community has intervened in the affairs of other countries for humanitarian reasons, such as in Kosovo, Somalia, and Haiti. However, intervention to deal with serious energy problems is a qualitatively different and more difficult problem. A simple risk analysis framework is used to organize the discussion about possible conditions for justifiable intervention. If the probability of deaths resulting from unsustainable energy policies is very large, if the energy problem can be attributed to a relatively small number of countries, and if the risk of intervention is acceptable (i.e., the number of deaths due to intervention is relatively small), then intervention may be justifiable. Without further analysis and successful solution of several vexing theoretical questions, it cannot be stated whether unsustainable energy policies being pursued by countries at the beginning of the 21st century meet the criteria for forcible intervention by the international community.

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Subsection 4. Global governance, supranational federalism and democracy

Carbonnier Gilles

Introduction: The Global and Local Governance of of Extractive Resources

in Global Governance, vol. 17, n. 2, april-june , 135-148

ABSTRACT: The global governance of extractive resources has largely been shaped by the energy-security agenda of industrialized countries. It is patchy and does not properly address the specific concerns of producer, consumer, and transit countries. Rising demand coincides with a looming peak of oil production and climate change. This requires urgent and resolute collective action, which is hampered by a disconnect between geological and political temporality and realities. Extractive industries, investors, civil society, international organizations, and consumer countries can jointly provide significant political and market incentives to avert the resource curse in resource-rich, but weak states. This calls for an appropriate institutionalization of voluntary multistakeholder initiatives with greater engagement on the part of emerging economies.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Langlois Anthony J.



Is global justice a mirage?

in *European Journal of International Relations* , vol. 17, n. 1, march , 145-157

ABSTRACT: Chandran Kukathas has argued that 'the political pursuit of global justice is not a worthy goal, and that our aims in establishing international legal and political institutions should be more modest'. In this article I will examine Kukathas's argument, and argue in turn that he is mistaken to decry the efforts of those who press for global justice. Despite Kukathas's professed support for international law and cosmopolitanism, and his concern about global inequality and other injustices, he argues that we should forswear the use of political power and political reform to secure the former or address the latter. Instead, Kukathas points us towards the possibility of a future global convergence on moral standards, which, despite being belied by his focus on human diversity, he seems to view as a prerequisite for political activity towards global justice. Kukathas is mistaken in his arguments about the relationship between power and justice, and this leads him to false conclusions about the role that political reform and political institutions should play in consideration of global injustice.

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Il Federalista

La crisi in Nord Africa, la catastrofe in Giappone e l'Europa

in *Federalista (Il)/Federalist (The)*, Anno LIII, n. 1 , 3-6

<http://www.thefederalist.eu/files/PDF/IT/2000/2011-1-IT.pdf>

Section B) Global governance and international organizations

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Dieter Senghaas

La gobernanza mundial y el derecho mundial en un mundo fragmentado

in *Estudios internacionales : revista del Instituto de Estudios Internacionales de la Universidad de Chile*, Vol. 43,

No. 168 , 151-162

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Einaudi Luca

La governance globale nel 2012

in *ItalianiEuropei*, n. 3

No abstract available

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Frigessi di Rattalma Marco

La riforma della governance mondiale nel tempo della crisi

in *Comunità Internazionale (La)*, vol. LXVI, n. 2, secondo trimestre

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Clune William H.

Legal Disintegration and a Theory of the State

in *German Law Journal*, Vol. 12, n. 1 , 186-205

This paper describes a topology of legal thought and the social conditions (the larger social construction of reality) of which that topology, that thought, is a component. Part I is a description of the structure of legal thought; Part II of the social conditions (a theory of the state, or political economy). The Conclusion considers the place of traditional legal practice on a new landscape.

I experience legal thought, roughly speaking, as a progression from the first year of law school, with its emphasis on common law and legal method, through the second and third year courses on statutory law and regulation of the economy, to later experiences of sociology of law, policy analysis, and critical thought. Consequently, in its entirety, legal thought could be represented by the curriculum and scholarship of any large, sophisticated modern law school, like my own. But legal thought is both larger than the academy (drawing on countless authoritative legal acts: cases, statutes, debates, etc.) and different than legal practice (whose relationship to legal thought is unclear).

In general, I propose that legal thought is composed of a core and periphery and that the whole structure roughly corresponds to the dichotomous and fragmented political economy of the modern democratic welfare state. Thus, the movement of this paper is from legal phenomenology (the experience of legal thought) to a corresponding kind of cultural organization, called political economy.

Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No1/PDF_Vol_12_No_01_186-205_Articles_Clune.pdf

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bernstein Steven

Legitimacy in intergovernmental and non-state global governance

in *Review of International Political Economy*, Volume 18, Issue 1, 2011 , Pages 17 – 51

Do requirements for legitimate global governance vary across intergovernmental and non-state governance institutions? The author introduces a framework to address this question that draws attention to the social forces and power dynamics at play in determining what standards of legitimacy apply. Rather than beginning with a focus on democratic legitimacy, which pre-judges what legitimacy requires, the framework posits that what constitutes legitimacy results from an interaction of communities who must accept the authority of the institution with broader legitimating norms and discourses - or social structure - that prevail in the relevant issue area. To illustrate its plausibility, the framework is



applied to a comparison of intergovernmental and non-state institutions in the social and environmental issue area: the intergovernmental Kyoto Protocol on climate change and members of the non-state International Social and Environmental Accreditation and Labeling Alliance, an umbrella organization created to develop agreement on 'best practices' for its members. Implications of the findings for legitimacy of global economic governance are also explored.

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Take Ingo

Legitimes Regieren jenseits des Nationalstaates im Vergleich. Die globalen Bemühungen zur Beseitigung der Kinderarbeit

in *Zeitschrift für Politik*, Jahrgang 58, Heft 2, 2011

Summary

This article focuses on the search for (normatively) legitimate and (empirically) acceptable structures and mechanisms of governance beyond the nation-state. To that effect international forms of governance will be differentiated from transnational and private forms. The paper provides a coherent theoretical framework for an adequate evaluation of the legitimacy of different forms of global governance by applying a catalogue of normative and empirical indices. On the basis of this catalogue it will first be outlined to which extent the observable forms of organization and procedures in arrangements of governance in the social sector cope with the normative standards of input- and throughput-legitimacy. In a second step the acceptance of these forms of governance by their stakeholders will be investigated. The aim of the paper is to generate empirically sound statements on the legitimacy of systematically selected global governance arrangements in order to draw conclusions about the conditions, options and limits of legitimate governance beyond the nation-state.

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Mügge Daniel

Limits of legitimacy and the primacy of politics in financial governance

in *Review of International Political Economy*, Volume 18, Issue 1, 2011 , Pages 52 – 74

What makes institutions that govern global finance legitimate? Contemporary debates, fuelled by the recent crisis, commonly draw on the concepts of input and output legitimacy to answer this question. As this article argues, however, this distinction is as difficult to apply in practice as it may be sensible in theory. Limitations in input legitimacy, which covers the inclusiveness and fairness of policy goal definition, cannot be compensated by higher output legitimacy, for example through supranational or global institutions. Whether such institutions are appropriate venues for producing policy hinges on the specific goals that they are charged to realize. And if these goals do not emerge from a deliberation process that can itself be considered legitimate, such institutions will do little to make policy outcomes more legitimate per se. After all, a supranational body might excel in the pursuit of one particular policy goal, but be wholly unsuitable to another. In short, this article argues that rather than seeking legitimacy of financial governance in the institutions through which it is made, we should focus on the desirability of specific policy outcomes and distribution of their costs and benefits when deciding how and by whom policy should be made. This argument is demonstrated using the case of



capital market policy in the European Union, a case for which this article exposes serious legitimacy deficits, largely owing to an excessive influence of the financial industry compared to other societal stakeholders.

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Ashutosh Ishan, Mountz Alison

Migration management for the benefit of whom? Interrogating the work of the International Organization for Migration

in **Citizenship Studies**, vol. 15, issue 1 , 21-38

ABSTRACT: This paper examines the relationship between the nation-state and migration through the activities of the International Organization for Migration (IOM). The IOM operates at the intersection of nation-states, international human rights regimes, and neo-liberal governance. We find that the IOM enforces the exclusions of asylum seekers and maintains the central role of nation-states in ordering global flows of migration. In addition, we argue that the IOM acts on behalf of nation-states by using the language of international human rights, as though working in the interests of migrants and refugees. In providing a geographic appraisal of the IOM alongside its image and presentation with an analysis of its activities on voluntary returns, we address the new spaces of 'networked' governance that control and order migratory flows in the interests of nation-states.

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Subsection 4. Global governance, supranational federalism and democracy

Dowell-Jones Mary, Kinley David

Minding the Gap: Global Finance and Human Rights

in **Ethics and International Affairs**, vol. 25, n. 2, summer , 183-210

ABSTRACT: The workings of global finance are like that part of the iceberg beneath the waterline – vast, unseen and, for many, unknown. The interaction of global finance with human rights is especially opaque. The globalization of each phenomenon has occurred very largely independently of the other. Even the recent surge in interest in the global economy and human rights has been heavily focused on the real economy and on what (non-banking) corporations do and how they behave. The particular dimension of interactions between finance and human rights has, by and large, been a blank space. In this article we seek to bridge the gap in understanding, perspective, and practice between the two fields by investigating actual and potential linkages in respect of four specific features of global finance – two financial products: bonds and derivatives; and two financial processes: risk management and procyclicality. These have been chosen as an illustrative sample of the complex and diverse ways in which the global financial system interacts with human rights. Although these products and processes played an important role in the recent global financial crisis, and although the interface between global finance and human rights is extensive, they have not so far featured on the human rights agenda or been the subject of detailed human rights critique. As such they provide an overview of the types of human rights issues in the financial sector that have so far been hidden from view. The paper therefore constructs an argument as to why the bridging of the gap is important and provides pointers as to how it can be done.

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Pouliot Vincent

Multilateralism as an End in Itself

in *International Studies Perspectives*, vol. 12, issue 1, february, 18-26

ABSTRACT: Students and practitioners of world politics need to assess the value of multilateralism not only as a means to an end, but also as an end in and of itself. The functional view, according to which multilateral channels are worth pursuing only insofar as they allow actors to gain influence on the global stage or produce tangible and immediate results in fighting global harms, is incomplete. As a global governance practice characterized by an inclusive, institutionalized, and principled form of dialog, the multilateral procedure generates a number of processual benefits—mutually recognizable patterns of action, typically moderate solutions, and legitimate policies whose large ownership eases their effective implementation—which, taken together, strengthen the political impetus for global cooperation, regardless of the policies adopted. Routinized, nondiscriminatory, and comprehensive political dialog is a pragmatic template for enhancing global governance that can be implemented here and now, as recent developments at the United Nations indicate.

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Subsection 4. Global governance, supranational federalism and democracy

Makarychev Andrei, Morozov Viatcheslav

Multilateralism, Multipolarity, and Beyond: A Menu of Russia's Policy Strategies

in *Global Governance*, vol. 17, n. 3, july-september, 353-374

ABSTRACT: The article examines the main approaches to multilateralism that coexist in Russian foreign policy thinking. It argues that these approaches must be put in the context of the debate on multipolarity, which comes out as a direct opposition to the Western "collective unilateralism." Both as an abstract model and as a concrete practice, multipolarity is not synonymous with multilateralism; certain visions of a multipolar world, such as greatpower management, are hardly compatible with multilateralism if the latter is grounded in the idea of equality of all participants in the international system. It is also crucial to take into account the origins of the Russian doctrine of multipolarity in the particular context of Russia's uneasy relationship with the West. Against this background, it is clear that some traditional foreign policy strategies, such as balance of power, can result in both unilateralist and multilateralist outcomes. The article's main conclusion is that the contradictory dynamics of identity and security, in Russia and in the West, seem to produce a trend in favor of great-power management as the model of future international order. If this is true, it means that there is a move toward a type of international society where egalitarian multilateralism is replaced by a more hierarchical structure.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Blanke H.-J.

Multilevel Governance - A legal perspective

in *Teoria del diritto e dello stato*, n. 1, 1-31

No abstract available



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bleischwitz Raimund

Neue Governance-Mechanismen für ein global nachhaltiges Ressourcenmanagement

in *Zeitschrift für Außen- und Sicherheitspolitik*, vol. 4, n. 3, july, 399-410

ABSTRACT: Die globalen Rohstoffmärkte weisen Defizite mit erheblichem Konfliktpotenzial auf. Die Bewältigung von Umweltbelastungen, Ressourcenkonflikten, illegalem Handel und Preissprüngen bedürfen einer institutionellen Ordnung. Eine global nachhaltige Ressourcennutzung erfordert verbesserte und neue Governance-Mechanismen, die sowohl privatwirtschaftliche als auch staatliche Akteure einbeziehen. Mögliche neue Governance-Ansätze wären die Gründung einer International Resource Management Agency, die Schaffung eines internationalen Metall-Covenants und eines Abkommens zum nachhaltigen Ressourcenmanagement.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Fonseca Jr. Gelson

Notes on the Evolution of Brazilian Multilateral Diplomacy

in *Global Governance*, vol. 17, n. 3, july-september, 375

ABSTRACT: The article describes the evolution of Brazilian multilateralism since the First Pan American Conference in 1889. The impact of the domestic and international spheres are examined to understand the continuities and changes in Brazil multilateral attitudes. In our days, the increasing influence of Brazil international presence, specially in multilateral forums, is evident.

The open question is how the emerging countries will influence the new international order.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

von Bogdandy Armin

On the Democratic Legitimation of International Judicial Lawmaking

in *German Law Journal*, Vol. 12, n. 5, 1341-1370

While the introductory contribution addressed the questions and definitions of our research into judicial lawmaking, this concluding chapter discusses strategies regarding the justification of international judicial lawmaking that our introduction sought to capture and that the volume set out to present. How can one square such lawmaking with the principle of democracy? A first response could be to negate the phenomenon. If there were no such thing as judicial lawmaking, there would evidently be no need for its justification. This response, though unconvincing, merits attention all the same because, according to the traditional and still widespread view of international dispute settlement, international decisions flow from the consent of the state parties to the dispute, both from the consensual basis of the applicable law and from consent-based jurisdiction. If state parties are democratic, then the presence of their consent should solve any legitimate question as long as the courts only fulfill their task of dispute settlement properly. This explains the emphasis that traditional schools of thought place on the cognitive paradigm and on the principle that judges are limited to applying



the law to the dispute at hand.

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Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Jackson Vicki C.

Paradigms of public law: transnational constitutional values and democratic challenges
in *International Journal of Constitutional Law*, Vol. 8, issue 3 , 517-562

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Reinbold Jenna

Political Myth and the Sacred Center of Human Rights: The Universal Declaration and the Narrative of “Inherent Human Dignity”

in *Human Rights Review*, Volume 12, Number 2 / June , 147-171

ABSTRACT: This paper will explore the 1948 Universal Declaration of Human Rights as an exemplar of political mythmaking, a genre of narrative designed to channel and thereby to quell social anxiety and to orient select groups toward desirable beliefs and practices. One of the Declaration’s most fundamental and forceful elements is its enshrinement of the “inherent dignity” of each member of the human family. Drawing upon contemporary theorizations of mythmaking and sacralization, this article will elucidate the manner in which inherent dignity functions as the central item of sacredness within what we might call the “secular morality” of universal human rights.

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Subsection 4. Global governance, supranational federalism and democracy

Bernal Angélica

Power, Powerlessness and Petroleum: Indigenous Environmental Claims and the Limits of Transnational Law
in *New Political Science*, vol. 33, n. 2 , 143-167

ABSTRACT: Environmental disasters, particularly oil spills, increasingly involve a complex intermingling of the national, international and often the transnational. Traditional responses to seeking remediation have pursued the legal path of class action suits against multinational corporations. This article examines one such historic case, *Aguinda v. Texaco, Inc.*, in which residents of Ecuador's Amazonian rainforest brought suit against Texaco in US federal courts through the legal opening provided by the Alien Tort Claims Act of 1789. Dominant analyses of this case have centered on the failed promise of this law to serve as a human rights tool and view this failure in terms of the sovereigntist limitations on an



emerging cosmopolitan order. Against these analyses, this article offers an alternative approach that shifts the focus from the limitations of the law towards a perspective on power. Bringing to bear political science's power debate to develop this perspective on power, the article highlights what analytical tools from this debate are translatable or which are not for understanding the power relations of the Aguinda case. Through this exercise, this article aims to prod a reconsideration of dominant theories of power, developed in a frame of the nation-state, and to provoke their redevelopment to better engage with the complex and dynamic flows of power in cases of environmental justice and politics across borders.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Jacob Marc

Precedents: Lawmaking Through International Adjudication

in *German Law Journal*, Vol. 12, n. 5 , 1005-1032

This paper deals with the role of judicial decisions in international adjudication. It is impossible to fail to notice the abundance of prior cases invoked in decisions of international tribunals and that, in order to find out what the law actually is, reference to previous cases is all but inevitable in practice. In some areas of international law, judicial or arbitral decisions have even been said to be the centre of progressive development. Nevertheless, there is an undeniable and deeply-rooted professional trepidation in many parts of the world regarding this enduring phenomenon. Even absent a fully articulated theory of adjudication or legal reasoning, the very idea of "judicial lawmaking" tends to arouse instinctive suspicion, especially when coupled with a denial of any restraining force of prior cases. Be that as it may, observations to the extent that judicial decisions are not veritable sources of international law or only binding between the parties in a particular dispute are only the beginning, and far from the end, of the present inquiry. Several interrelated and intricate questions need to be disentangled and dealt with in order to get a better grasp on what is commonly, and often rather unhelpfully, lumped together loosely under the vague label of "judicial precedent." The paper is hence partly descriptive and partly revisionary. I do not however intend to rehash general criticisms or defences of precedent. Instead, I aim to present precedent as a general and omnipresent jurisprudential concept that enables and constrains judicial decision-making even in seemingly ordinary cases and to then showcase the specificities of one particular legal system in this respect, namely public international law. Hopefully this provides some of the methodological groundwork for other questions central to the present project, not least concerning the legitimacy of judicial lawmaking.

Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No5/PDF_Vol_12_No_05_1005-1032_Beyond%20Disptue%20Special_Jacob%20FINAL.pdf

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Cohen Moshe -Stopler Eliya & Gila

Probability Thresholds as Deontological Constraints in Global Constitutionalism

in *Columbia Journal of Transnational Law*, Vol. 49, issue 1



This Article calls for the re-introduction of probability tests—such as the abandoned American “clear and present danger” or the Israeli “near certainty” test—and for their integration into contemporary models of rights adjudication in global constitutionalism. This stance is supported, inter alia, by psychological research on the cognitive bias of “probability neglect.” Both the American strict scrutiny test, which focuses on a rigorous means-ends analysis, and the highly influential German proportionality test, which centers on the balancing of rights and interests, fail to properly ensure the priority of rights. The Article contends that it is important to integrate a probability requirement into what is commonly termed “generic constitutional law.” Thus, after engaging in means-ends analysis and prior to conducting balancing, courts should require that the government meet a certain pre-defined probability threshold.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Schaber Peter

Property Rights and the Resource Curse

in **Global Governance**, vol. 17, n. 2, april-june , 185-196

ABSTRACT: The so-called resource curse raises moral issues. Who, if anyone, is morally responsible for it? This article argues that this question amounts to: who is blameworthy for the violations of people’s property rights? The international oil companies are blameworthy for the violations of property rights only in the case of complicity, not in the normal purchase case. Yet the international community has to take action against massive violations of property rights. The article discusses different measures, and criticizes voluntary initiatives such as the Extractive Industries Transparency Initiative for not making the states accountable to their people. In this line of thought, it argues for an extension of the mandate of the International Criminal Court: massive violations of property rights should be prosecuted at the international level.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Benvenisti Eyal, Downs George W.

Prospects for the Increased Independence of International Tribunals

in **German Law Journal**, Vol. 12, n. 5 , 1057-1082

There appears to be a widespread perception, particularly among developing states, that international institutions continue to be disproportionately influenced by a small group of powerful states that played a dominant role in their creation and design. In recent years this has led to a growing acceptance among international legal scholars that the future legitimacy and credibility of international tribunals will be critically tied to the extent to which they are viewed as independent. To date, most of the literature on the independence of international tribunals, like most of the literature dealing with judicial independence at the domestic level, has focused on the rules connected with the ways that judges are nominated, selected, and tenured. While it is true that these formal structural features have an important role to play in determining judicial independence, they are not sufficient in and of themselves. The effectiveness of international tribunals and their freedom to interpret and develop the law in the way that they deem appropriate is also a function of attributes of the broader political context in which they are embedded.

Full text available at:



http://www.germanlawjournal.com/pdfs/Vol12-No5/PDF_Vol_12_No_05_1057-1082_Beyond%20Disptue%20Special_Benvenisti%20%20Downs%20FINAL.pdf

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Levy Daniel, Heinlein Michael, Breuer Lars

Reflexive particularism and cosmopolitanization: the reconfiguration of the national in Global Networks, vol. 11, n. 2, april , 139-159

ABSTRACT: In this article we examine the cosmopolitanization of national memory cultures as a matter of reflexive particularism, referring to negotiations over 'the national' driven by the endogenization of European norms and discourses. Reflexive particularism emerges from a historically specific memory imperative that issues two demands – first, that national polities reckon with the Other, and second, that they engage with, critique and challenge exclusionary or heroic modes of nationalism. Our findings, based on the analysis of official discourse and 60 open group discussions conducted in Austria, Germany and Poland, suggest that reflexive particularism is manifested in an ongoing negotiation between variable modes of national belonging and cosmopolitan orientations toward the supranational or pan-European. More specifically, reflexive particularism is expressed in co-evolving articulations of Europeanness and shared European memory practices that include: affirmative and ambivalent perspectives; sceptical narratives about nationhood (for example those that emphasize legacies of perpetratorship); and a disposition to (ex)change perspectives and recognize the claims of Others.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Florini Ann

Rising Asian Powers and Changing Global Governance in International Studies Review, vol. 13, issue 1, march , 24-33

ABSTRACT: International Relations (IR) scholarship is directly in the path of two simultaneous tidal waves. The first is the rise of China and India in the traditional IR terms of military and economic power. The second is the expanding nature of what IR scholarship needs to address, as global integration transforms the nature of the issues to be addressed and numerous trends expand the number and types of relevant actors. Neither theory nor practice is yet coping well with the profound implications of these fundamental changes. Investigating what kind of a world order might emerge from these two simultaneous tsunamis will require an enormous research agenda that explores the roles of ideas, structural factors, and path dependencies across regions and issue areas. This article aims to illuminate a subset focused around the connection between theory and practice as related to two emerging powers. It briefly maps developments in Western IR theory and explores how those connect—or fail to connect—with intellectual and policy currents in the rising Asian giants. It draws on a number of interviews and workshops held in Asia in the past two years that explore how Asian scholars and policymakers are dealing with, and perhaps beginning to shape, the rapidly changing conceptual landscape.



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Mingjiang Li

Rising from Within: China's Search for a Multilateral World and Its Implications for Sino-US Relations in Global Governance, vol. 17, n. 3, july-september , 331-352

ABSTRACT: What impact will the rise of China have on the existing international system? This article attempts to provide some clues for a better understanding of this issue by examining China's views on and policy toward international multilateralism in general and some of the newly emerging multilateral mechanisms in particular, including the Group of 20 and the BRICS. The article concludes that while China will become more proactive in its multilateral diplomacy, in many cases selectively, and increase its influence in global multilateral settings, various concerns and constraints will make it unlikely for China to completely overhaul or even dramatically reshape the multilateral architecture at the global level. China is likely to repeat its pattern of the past decade in East Asian regional multilateralism:

participation, engagement, pushing for cooperation in areas that would serve Chinese interests, avoiding excessive responsibilities, blocking initiatives that would harm its interests, and refraining from making grand proposals. In addition, China is stuck in defining its identity, and caught up between posturing as a leader of the developing world on some issues and siding with the developed countries on other policy issues. Given all of these constraints, China's involvement in global multilateralism is likely to be guided by pragmatism rather than grand visions. The article also argues

that China will most likely strive to rise from within the existing international order. Washington should be prepared to plan its China policy on this basis and Sino-US relations will be shaped largely by the dynamics of contentions for power and interest as well as cooperation and coordination between China and the United States in various multilateral institutions.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Samans Richard, Schwab Klaus, Malloch-Brown Mark

Running the World, After the Crash

in **Foreign Policy**, Issue 186, January

Has the era of global cooperation ended before it began?

http://www.foreignpolicy.com/articles/2010/1/02/running_the_world_after_the_crash

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Oschlies Wolf

Russischer Winter im arabischen Frühling

in **Blätter für deutsche & internationale Politik**, Juli, 2011 , 27-30



Während die NATO Krieg gegen Gaddafi führt, eskaliert Syriens Diktator Assad den Krieg gegen die eigene Bevölkerung. Als dem UN-Sicherheitsrat Mitte Juni endlich eine Resolution vorgelegt wurde, welche die Gewaltanwendung verurteilte, sprach sich eine Vetomacht entschieden gegen deren Annahme aus, nämlich Russland.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Samaan Jean-Loup

Security governance in the maritime commons: The case for a transatlantic partnership

in Orbis: a Journal of World Affairs, vol. 55, n. 2, spring , 314-324

ABSTRACT: Power distribution in the maritime commons is changing. The inevitable relative decline of U.S. sea power provides an opening not only for China as a rising challenger but also for the European Union as a cooperative security provider. Although such a claim may have seemed farfetched a few years ago, the performance of the European Union in the counter-piracy Operation Atalanta off the coast of Somalia and in the Gulf of Aden, illustrates the possibility that the European Union will prove to be an unexpected player in the maritime commons in the twenty-first century. This possibility suggests a renewed transatlantic dialog over the governance of the maritime commons.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Rennkamp Britta, Naidoo Dhesingen

Shifting governance in STI: an analysis of the global governance institutions and their impact on South African policy

in South African Journal of International Affairs , vol. 18, issue 1 , 63-85

ABSTRACT: Science, technology and innovation (STI) policy is increasingly part of global politics. This article develops the argument that the governance of STI policy shifted with South Africa's transition to democracy and its re-integration into the international system. The traditionally inward oriented policy field has undergone a shift in governance towards internationalisation. This paper assesses these changes and their impact on South Africa's policymaking processes. The discussion seeks to span two disciplines, international relations and economic research on innovation, recognising the role of intergovernmental organisations (IGOs) in domestic STI policymaking. We argue that the relationship between IGOs and national governments is two-sided and changes over time. The case of the South African government shows how it changed from the receiving end of the policy advice from IGOs towards an active force in shaping the international system with regard to STI, and pursuit of its own interests through spreading and setting up international norms. We hypothesise that these changes result from increasing governance capability and policy learning. These relationships between national and international actors and the role of international organisations in domestic STI policy formulation will be disentangled in this paper presenting two main findings. Firstly, the analysis of the global governance architecture in STI shows that international legalisation in STI has changed towards soft law mechanisms. In the early days of STI, international organisations focused mainly on regulating intellectual property rights (IPR), while today various UN agencies, OECD committees and Bretton Woods institutions seek to influence governments through rankings, reviews, policy advice, performance measurement, data collection and periodical surveillance. Secondly, during its process of reintegration into the international political system, the South African government demonstrated an



evolution from exclusively receiving IGO's policy advice to increasingly becoming an initiator of international policy platforms in STI.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Schwöbel Christine E. J.

Situating the debate on global constitutionalism

in *International Journal of Constitutional Law*, Vol. 8, issue 3 , 611-635

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Gelpern Anna

Sovereignty, Accountability, and the Wealth Fund Governance Conundrum

in *Asian Journal of International Law*, Vol. 1, Issue 1 , 1-32

Sovereign wealth funds—state-controlled transnational portfolio investment vehicles—began as an externally imposed category in search of a definition. SWFs from different countries had little in common and no desire to collaborate. This article elaborates the implications of diverse public, private, domestic, and external demands on SWFs, and describes how their apparently artificial grouping became a site for innovation in international law-making

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Reus-Smit Christian

Struggles for Individual Rights and the Expansion of the International System

in *International Organization*, vol. 65, issue 2 , 207-242

ABSTRACT: We live today in the world's first universal, multicultural, and multiregional system of sovereign states. Five centuries ago, emergent sovereign states were confined to Europe and contained within the bounds of Latin Christendom. Through five great waves of expansion this nascent European system globalized. The Westphalian settlement, the independence of Latin America, the Versailles settlement, post-1945 decolonization, and the collapse of the Soviet Union each brought a host of new states into the system. How can we explain these great waves of expansion, each of which saw imperial systems of rule displaced by the now universal form of the sovereign state? After detailing the limits of existing explanations, this article presents a new account of the principal waves of systemic expansion that stresses the importance of subject peoples' struggles for the recognition of individual rights. Empires are hierarchies, the legitimacy of which has been sustained historically by traditional regimes of unequal entitlements—institutional frameworks that allocate individuals of different social status different social powers and entitlements. In the Westphalian, Latin American, and post-1945 waves of expansion, which together produced most of today's sovereign states and gave the system its principal regions, subject peoples embraced local interpretations of new, distinctly modern ideas about individual rights and challenged the traditional distribution of entitlements that undergirded imperial hierarchy. Each wave differed, not the least because different rights were at work: liberty of



religious conscience, the right to equal political representation, and after 1945, a compendium of civil and political rights. But in each case a “tipping point” was reached when the imperial system in question proved incapable of accommodating the new rights claims and subject peoples turned from “voice” to “exit,” and each time the sovereign state was seen as the institutional alternative to empire.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Dahn Daniela

Störfaktor Gaddafi

in **Blätter für deutsche & internationale Politik**, Juli, 2011 , 35-39

The full text is free:

<http://www.blaetter.de/archiv/jahrgaenge/2011/juli/stoerfaktor-gaddafi>

Es hat in jüngster Zeit keinen NATO-Krieg gegeben, der von so wenigen Protesten begleitet war, wie der in Libyen. Und das, obwohl der Krieg nicht zum Schutz der Zivilbevölkerung geführt wird – wie vom UN-Sicherheitsrat legitimiert –, sondern die Beseitigung des Diktators zum Ziel hat, wie von Frankreich, Großbritannien und den USA einseitig und ohne jede rechtliche Grundlage erklärt.[1] Doch wer will schon einen Despoten noch tolerieren, von dem plötzlich bekannt wird, er habe einen Genozid am eigenen Volk begonnen? Der dieses Volk derart ausbeutet, dass seine Familie Auslandskonten in Milliardenhöhe unterhält? Und der unter den Top-Terroristen einschlägig bekannt ist? ...

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Glenn Patrick H.

Sustainable Diversity in Law

in **Hague Journal on the Rule of Law**, Vol. 3, issue 1 , 39-56

The field of law and development has been a recognizable one for approximately a half-century. However, evaluations of the success of the law and development endeavor appear overwhelmingly negative. Failure of previous efforts of law and development do not appear to be due to a lack of either talent or money. Some of the world's best legal talent has been brought to bear on the problems, and very large sums of money have been spent. The failure appears rather to have been conceptual, as suggested by the need for an alternative theory. So some critical consideration appears necessary of the main underlying concepts which have driven law and development projects. Subsequent attention will be given to an alternative theory, that of sustainable diversity in law. The rule of law has historically been a useful concept in some parts of the world; it could well be replaced by the rule of laws.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Schill Stephan W.

System-Building in Investment Treaty Arbitration and Lawmaking



in **German Law Journal**, Vol. 12, n. 5 , 1083-1110

Since the late 1990s investment treaty arbitration has developed into one of the most vibrant fields of international dispute settlement with now almost 400 known cases. It involves claims by foreign investors against host States for breach of obligations assumed under one of the more than 2700 bilateral investment treaties (BITs), under the numerous investment chapters in bilateral or regional free trade agreements, including the North American Free Trade Agreement, or under sectoral treaties such as the Energy Charter Treaty. All of these instruments offer comprehensive protection to foreign investors by setting down principles of substantive investment protection, including national and most-favored-nation treatment, fair and equitable treatment, full protection and security, protection against expropriation without compensation, and free capital transfer. They also allow investors to enforce these standards in arbitral proceedings directly against the host State, most commonly under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention). Investment treaty arbitration thereby not only empowers foreign investors under international law, but also introduces investment treaty tribunals as novel actors into the arena of international investment law. Although arbitration has been a classic form of dispute settlement on the State-to-State level, including for the settlement of investment-related disputes, modern investment treaty tribunals have wider jurisdiction and are more removed from State control than any of their predecessors.

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Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Miklós András

The Basic Structure and the Principles of Justice

in **Utilitas**, Volume 23, Issue 02, June 2011 , 161-182

Abstract

This article develops an account of how economic and political institutions can limit the applicability of principles of justice even in non-relational cosmopolitan conceptions. It shows that fundamental principles of justice underdetermine fair distributive shares as well as justice-based requirements. It argues that institutions partially constitute the content of justice by determining distributive shares and by resolving indeterminacies about justice-based requirements resulting from strategic interaction and disagreement. In the absence of existing institutions principles of justice might not be applicable for assessing distributions or guiding individual action and institutional design. Hence, accepting a specific cosmopolitan conception of justice is insufficient to settle global distributive questions.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Helleiner Eric, Pagliari Stefano

The End of an Era in International Financial Regulation? A Postcrisis Research Agenda



in *International Organization*, vol. 65, issue 1 , 169-200

ABSTRACT: The global financial crisis that erupted in summer 2007 has made the reform of international prudential financial regulation one of the top priorities of global public policy. Past scholarship has usefully explained the creation and strengthening of international financial standards with reference to three policy arenas: interstate, domestic, and transnational. Despite the accomplishments of this specialist literature, the recent crisis has revealed a number of limitations in the ways scholars have understood interstate power relations, the influence of domestic politics, and the significance of transnational actors within international financial regulatory politics. Taken together, developments in each of these three arenas suggest that researchers may also need to be prepared to shift from explaining the strengthening of official international standards to analyzing their weakening in the postcrisis world. The latter task will require scholars to devote more analytical attention to a wider set of international regulatory outcomes, including “informal regulatory convergence,” “regulatory fragmentation,” and especially “cooperative regulatory decentralization.”

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Berggruen Nicolas, Gardels Nathan

The Future of Democracy

in *New Perspectives Quarterly*, Vol. 28, Issue 1, Winter , 55-69

<http://onlinelibrary.wiley.com/doi/10.1111/j.1540-5842.2011.01229.x/abstract>

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Gupta Joyeet, Ahlers Rhodante, Ahmed Lawal

The Human Right to Water: Moving Towards Consensus in a Fragmented World

in *Review of European Community & International Environmental Law*, Volume 19, Issue 3, November , 294-305

The problem of unmet water and sanitation service needs of one-sixth to one-third of humanity has been recognized by the UN General Assembly's 2010 Resolution on the human right to water and sanitation. However, this raises a number of questions. First, does the consensus within the General Assembly imply that all governance actors accept the right and the accompanying responsibilities and does it override other governance discourses dominant in the global arena? Second, why is a human rights discourse superior to other discourses used to address the above problem? Third, what are the challenges in implementing such a discourse and what are the potential solutions? This article argues that although there is growing consensus on the human right to water, the fragmentation of water governance implies that the impact of the consensus is limited. It argues further that there is a real and pressing need to discuss access issues in terms of human rights; but that given the implementation challenges, there is a more active need to move from public-private partnerships to public-non-governmental organization partnerships.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Knorr Michelle

The International Crime of Genocide: Obligations Jus Cogens and Erga Omnes, and their Impact on Universal



Jurisdiction

in *Essex Human Rights Review*, vol. 7, n. 2, april

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Sivakumaran Sandesh

The International Law of Internal Armed Conflict

in *Journal of International Criminal Justice*, Volume 9, Issue 1, March , 281-295

International law has traditionally focused on the regulation of international armed conflicts to the neglect of internal armed conflicts. This was due to the idea that intra-state violence was a matter for the state concerned and was not of relevance to the international community. State sovereignty was used as a shield from external regulation and any attempts to intervene were deemed unwarranted interference.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Carrillo Nicolás

The Links between the Responsibility of International Organizations and the Quest towards a More Reasonable and Humane International Legal system

in *International Organizations Law Review*, vol. 7, n. 2 , 441-453

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

De Wilde Jaap

The Mirage of Global Democracy

in *European Review*, Volume 19 - Issue 01 , 5-18

The literature about global democracy deals with two different types of democratization: Type 1 is about spreading democracy across sovereign states as the basis for good governance. It focuses on the quality of the state/society-nexus: the balance between coercion, reward and identity. Type 2 is about democratizing world politics as such. In its most concrete expressions it focuses on the relationship between international society (a community of states) and world society (a community of people). The contemporary structure of multilevel governance provides the rationale behind this: national democracies are ineffective in controlling essential centres of power. This implies a need to scale up democracy to global proportions. However, in Type 1 considerations the term democracy often is an empty shell. This blinds observers for checks and balances and types of pluralism in non-democratic states. It also blinds them for misuse of democratic claims in democratic states. Aspiring global democracy in terms of Type 2 ignores that the presence of a central authority is a precondition inherent to the concept of democracy. Democratic theory cannot escape and is consequently caught up in its preconditions of a people (demos) and a government (cratos).



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Christopher Chase-Dunn, Kirk S. Lawrence

The Next Three Futures, Part One: Looming Crises of Global Inequality, Ecological Degradation, and a Failed System of Global Governance

in *Global Society*, Volume 25, Issue 2, 137-153

This two-part article discusses developments in the first decade of the 21st century and uses the comparative world-systems perspective to consider possible scenarios for the next several decades. In Part One that follows, we consider the likely trends of the 21st century and the major challenges that humanity will face, noting some disturbing similarities, but also some important differences, between what happened during the late 19th century and the first half of the 20th century and what seems to be happening in the early 21st century. There are three major crises looming: 1) Massive global inequalities; 2) Ecological degradation; and, 3) A failed system of global governance in the wake of US hegemonic decline. The timing and strength of these challenges and their interactions will greatly influence their severity and the possible solutions; however, as in the past, large challenges are also opportunities for innovation and for reorganising human institutions. In Part Two, published in the next issue, we discuss the major structural alternatives for the trajectory of the world-system during the 21st century, positing three basic scenarios: 1) Another round of US economic and political hegemony; 2) Collapse; and, 3) Capable, democratic, multilateral, and legitimate global governance.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Tamanaha Brian Z.

The Rule of Law and Legal Pluralism in Development

in *Hague Journal on the Rule of Law*, Vol. 3, issue 1, 1-17

After decades of disappointing progress in building the rule of law in societies that suffer from poorly functioning legal systems, the development community has turned its attention to legal pluralism. Legal pluralism is a prominent feature in many development contexts, with both negative and positive implications for the rule of law. The negative questions revolve around whether or to what extent the presence of multiple coexisting legal forms hampers or detracts from efforts to build the rule of law. The positive questions revolve around whether alternative legal forms in situations of legal pluralism might satisfy rule of law functions that failing state legal systems are unable to provide. This essay explores these questions.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Hurrell Andrew

The Theory and Practice of Global Governance: The Worst of All Possible Worlds?

in *International Studies Review*, vol. 13, issue 1, march, 144-154

ABSTRACT: This article takes the example of global governance in order to reflect on the problematic relationship



between theory and practice and on the gap that exists between the academic and policy worlds. That there is a gap between the two worlds is clear. Some insist on the benefits to be gained from trying to bridge the gap, highlighting the contribution that theoretical inquiry can make to the policy world and the responsibility of academics to contribute towards resolving policy challenges. Others argue for the continued importance of a division of labour, stressing that the logic of theoretical enquiry demands analytical and critical distance from power and politics. This article does not examine either of these extreme positions but instead explores the dangers of the middle road. For academics, insufficient awareness of the problematic ways in which theory and practice are inextricably interwoven makes it more likely that they will fall hostage to the politics and parochial prejudices of both time and place. For policymakers and for those who teach public policy, the danger lies in seeking the authority and legitimacy of academic work that purportedly embodies objectivity and detachment but that in fact merely translates the prejudices and preoccupations of the policy world back into a different idiom. An unreflective and uncritical attitude to the relationship between theory and practice can leave the academic study of International Relations in the worst of all possible worlds.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Levi Lucio

**The Transition from Power Politics to the Rule of Law
in Federalist Debate (The)**, Year XXIV, n. 1, March

<http://www.federalist-debate.org/fdb/current/detail.bfr>

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Glanville Luke

The antecedents of 'sovereignty as responsibility'

in European Journal of International Relations , vol. 17, n. 2, June , 233-255

ABSTRACT: Notions of 'sovereignty as responsibility' and 'the responsibility to protect' are often framed as radical departures from the 'traditional' conception of sovereignty. Many assume that sovereignty has, until recently, entailed only rights and not responsibilities. In contrast, this article argues that sovereign authority has been understood to involve varied and evolving responsibilities since it was first articulated in the 16th and 17th centuries. It then traces the historical emergence of the tension between the right of sovereign states to be self-governing and free from outside interference and their responsibility to secure the safety of their populations. It cautions against a simplified story of 'traditional' sovereignty which reifies supposedly concrete and ahistorical rights of sovereigns while casting sovereign responsibilities as a morally abstract and late-arriving challenge.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Cerutti Furio

The deeper roots of legitimacy and its future

in Review of International Political Economy, Volume 18, Issue 1, 2011 , Pages 121 – 130



No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Buduru Bogdan, Pal Leslie A.

The globalized state: Measuring and monitoring governance

in *European Journal of Cultural Studies*, Volume 13, No. 4, November 2010 , 511-530

Abstract

In the last 20 years, there has been an explosion of 'governance indicators' purporting to measure and track the quality of governance (especially public administration) among states. These indicators are sponsored by international agencies such as the World Bank, NGOs such as Transparency International and Freedom House, and private sector risk assessors. We argue that this web of standards marks a distinctive feature of globalized, if loose, coordination among states and an increase in monitoring and auditing functions. The article reviews the major governance indicators, their characteristics and limitations. We conclude that these indicators are a little noticed, but supremely powerful mechanism of discordant control and discipline on state systems around the world.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bloodgood Elizabeth A.

The interest group analogy: international non-governmental advocacy organisations in international politics

in *Review of International Studies (The)*, Vol. 37, Issue 1, January , 93-120

What can models of interest group behaviour from American politics tell us about the existence, activities, and influence of international non-governmental advocacy organisations (advocacy INGOs) in International Relations? In this article I detail an analogy between traditional American interest groups and advocacy INGOs in order to suggest a new approach to theorising INGOs. American politics theories of interest groups provide insights to questions which International Relations has been unable to answer satisfactorily, including where INGOs are likely to be found; how INGOs will grow in the future; the organisational structure of INGOs; the impact of competing groups on the quality and content of foreign policy and international agreements; and the roles of INGOs in different stages of the policy process. Viewing INGOs as interest groups provides a curative to the tendency to view them as self-sacrificing knights in shining armour. Competing INGOs representing narrow interests can nevertheless contribute to the common good in the form of effective, efficient policy.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bellamy Alex J., Williams Paul D.

The new politics of protection? Côte d'Ivoire, Libya and the responsibility to protect

in *International Affairs* , vol. 87, issue 4, july , 825-850



ABSTRACT: In March 2011, the UN Security Council authorized the use of force to protect civilians in Libya. This was the first time that the Council has ever authorized the invasion of a functioning state for such purposes. International society's relatively decisive responses to recent crises in Côte d'Ivoire and Libya has provoked significant commentary, suggesting that something has changed about the way the world responds to violence against civilians. Focusing on these two cases, this article examines the changing practice of the UN Security Council. It argues that we are seeing the emergence of a new politics of protection, but that this new politics has been developing over the past decade. Four things are new about this politics of protection: protecting civilians from harm has become a focus for international engagement; the UN Security Council has proved itself willing to authorize the use of force for protection purposes; regional organizations have begun to play the role of 'gatekeeper'; and major powers have exhibited a determination to work through the Security Council where possible. However, the cases of Côte d'Ivoire and Libya also help to highlight some key challenges that might halt or reverse progress. Notably, states differ in the way they interpret mandates; questions are being asked about the UN's authority to act independently of specific Security Council authorizations; the overlap of regional organizations sometimes sends conflicting messages to the Security Council; and there remains a range of difficult operational questions about how to implement protection mandates. With these in mind, this article concludes with some suggestions about how the future challenges might be navigated in order to maintain the progress that has been made in the past decade.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Brassett James, Tsingou Eleni

The politics of legitimate global governance

in **Review of International Political Economy**, Volume 18, Issue 1, 2011 , Pages 1 – 16

Legitimacy is an important question to ask of the theory and practice of global governance. In this introduction, we make two propositions that are used to push thinking about these issues forward. Firstly, in analytical terms we outline a spectrum between legitimacy and legitimization which is aimed to capture the diverse set of approaches to this subject and to develop an engaged and reformist attitude that refuses the either-or distinction in favour of a methodologically pluralist logic of 'both and'. Secondly, in political terms, we argue that discussions of legitimate global governance in both policy and academic circles can carry a 'Trojan horse' quality whereby the ambiguity of the term might allow a point of intervention for more ambitious ethical objectives.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Hampson Fen Osler, Heinbecker Paul

The "New" Multilateralism of the Twenty-First Century

in **Global Governance**, vol. 17, n. 3, july-september , 299-310

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Scholte Jan Aart



Towards greater legitimacy in global governance

in *Review of International Political Economy*, Volume 18, Issue 1, 2011 , Pages 110 – 120

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Pinelli Cesare

Trapianti, innesti, dialoghi. Modalità di trasmissione e circolazione del diritto straniero

in *Rivista trimestrale di diritto pubblico*, n. 2 , 495 ff.

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Schneider Christina J.

Weak States and Institutionalized Bargaining Power in International Organizations

in *International Studies Quarterly*, vol. 55, issue 2, june , 331-355

ABSTRACT: When and how can weak states increase their bargaining leverage in international organizations? I argue that during phases of routine bargaining, distributional outcomes depend on the states' political and economic leverage and less on the formal allocation rules, so they are unfavorable to weak states. This changes in phases of extraordinary bargaining, which are occasioned by significant reform such as enlargement. States that expect distributional conflict from enlargement can threaten to block accession negotiations and increase their membership benefits even if they are politically weak. Statistical and qualitative analyses of distributional bargaining in the European Union support the theoretical claims.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Jean Gong Gloria

What China wants: China's climate change priorities in a post-Copenhagen world

in *Global Change, Peace & Security*, vol. 23, n. 2 , 159-175

ABSTRACT: China's rapid economic growth has given rise to equally sharp increases in greenhouse gas emissions. China has already ratified the Kyoto Protocol, yet as the world looks beyond Kyoto, China's willingness to agree to a binding carbon emissions treaty remains a critical question for the international community. This article examines historical adjustments to and recent actions on China's climate change policy, as well as its potential future trajectory, to determine the factors that most shape China's ideal post-Kyoto accord. It analyzes different perspectives on China's involvement in the Copenhagen Summit, the rise of BASIC, and UNFCCC meetings in Tianjin. This article concludes that China, while taking actions to combat climate change domestically, retains much of its historic stance on climate change, which precludes agreeing to external oversight and externally binding emissions cuts.



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Hutchings Kimberly

What is Orientation in Thinking? On the Question of Time and Timeliness in Cosmopolitical Thought in Constellations, Vol. 18, Issue 2, June , 190-204

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-8675.2011.00633.x/abstract>

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Ndiaye Bacre

Where are we now? Developments in the International Protection of Human Rights in Essex Human Rights Review, vol. 7, n. 2, april

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Rethel Lena

Whose legitimacy? Islamic finance and the global financial order in Review of International Political Economy, Volume 18, Issue 1, 2011 , Pages 75 – 98

Islamic finance is a fast growing segment of international financial markets. Deriving its core principles from the Quran and the Sharia, the objective of Islamic finance is to install a more equitable financial and economic order that at the same time is transaction-friendly. Thus, Islam could be seen as a foundation for the inclusion of the ethical and moral dimensions of economics and markets. This coincides with rising demand for Islamic financial products. Indeed, recent years have witnessed increasing efforts to develop and to institutionalise Islamic capital markets and above all, to make Islamic finance acceptable (and thus investable) to the mainstream. In this article, I use the question of legitimacy to explore whether Islamic finance offers an alternative to the existing international financial order. To this end, I take a closer look at the knowledge base from which Islamic financial products are constructed and assessed as well as the emerging international regulatory framework for Islamic financial markets. I conclude that efforts to expand the social constituency of Islamic finance to the transnational sphere of global finance are overly focused on its epistemic legitimation as normal financial activity. As a consequence, the currently emerging power, knowledge and governance structures for Islamic finance tend to emulate, and therefore largely reproduce, the existing global financial order.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Rother Stefan

'Inseln der Überzeugung' nicht in Sicht: Der Nationalstaat, NGOs und die globale Governance von Migration in Zeitschrift für Politikwissenschaft , 20. Jahrgang (2010), Heft 3-4



'Islands of persuasion' not in sight: The nation-state, NGOs and the global governance of migration

While labour migration can be regarded as a major phenomenon of globalization, there is very little evidence that points towards the existence of genuine global governance in this field. Nation-states consider migration control as one of the last strongholds of their sovereignty. Civil society organizations may try to act as norm entrepreneurs and call for a rights-based approach instead of merely attempting to “manage migration”. But their strategies of blaming and shaming which aim at influencing the behavior of states have been countered by the framing of migration as a security risk. Building on the literature dealing with communicative action, persuasion in international negotiations and Deitelhoff’s concept of “islands of persuasion”, this article analyzes global processes dealing with migration, especially the recently established “Global Forum on Migration and Development (GFMD)”. It is argued that this ongoing process does have potential but is far from providing the “missing migration regime”.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Urpelainen Johannes

A California Effect for International Environmental Externalities?

in *International Interactions*, vol. 37, issue 2 , 170-189

ABSTRACT: An influential conventional wisdom holds that globalization could induce upward convergence in environmental regulations. Wealthy countries impose environmental regulations that prompt exporters in other countries to adopt sustainable production techniques, so the cost of environmental regulation in these countries decreases. However, previous research has only examined this California Effect for environmental regulations to address domestic externalities. I formally investigate the case of international externalities, such as global warming or ozone depletion. I find that a country can exercise leadership by enacting environmental regulations to strategically induce other countries to regulate in the future, but only if the incentive to free ride is not too strong. Surprisingly, under deep economic integration, environmental regulations are strategic complements with positive spillovers, so that international coordination is necessary to capitalize on the California Effect. In addition to showing that the California Effect is a powerful instrument of environmental statecraft, the results suggest new reasons why liberal trade and investment policies might improve environmental protection. They can also inform a strategy to promote efforts to mitigate global warming.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

O'Brien Terence

Adjusting to new realities: Terence O'Brien comments on the first decade of the new millennium and suggests lessons for the future.

in *New Zealand International Review*, January 1, 2011

Certain trends and events that shaped the first decade of the 21st century point to real need for serious adjustment to new realities. Inter-dependence between peoples and nations will continue to deepen under the influence of globalisation. There will be opportunities and challenges. A greater diffusion of power and authority is now underway



within the international community. The United States remains a formidable power but its economic dominance is now being diluted by the forces of globalisation and by self-inflicted wounds. A more plural international economic order is now in prospect. Effective, relevant and equitable international rules will be needed to manage this profound change.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Iheduru Okechukwu C.

African states, global migration, and transformations in citizenship politics
in *Citizenship Studies*, vol. 15, issue 2, 181-203

ABSTRACT: Over the past three decades, relations between African emigrants and their home-states have been changing from antagonism to attempts to embrace and structure emigrant behaviors. This transformation in the conception of emigration and citizenship has hardly been interrogated by the growing scholarship on African and global migrations. Three of the most contentious strategies to extend the frontiers of loyalty of otherwise weak African states, namely dual citizenship or dual nationality, the right to vote from overseas, and the right to run for public office by emigrants from foreign locations are explored. Evidence from a wide range of African emigration states suggests that these strategies are neither an embrace of the global trend toward extra-territorialized states and shared citizenship between those at 'home' and others outside the state boundaries, nor are they about national development or diaspora welfare. Instead, they seem to be strategies to tap into emigrant resources to enhance weakened state power. The study interrogates the viability and advisability of emigrant voting and political participation from foreign locations, stressing their tendency to destabilize homeland political power structures, undermine the nurturing of effective diaspora mobilization platforms in both home and host states, and export homeland political practices to diaspora locations.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Stiglitz Joseph

Alternatives to Austerity

in *Social Europe Journal*, Volume 5, Issue 2, Winter/Spring

<http://www.social-europe.eu/2010/12/alternatives-to-austerity/>

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Saito Hiro

An Actor-Network Theory of Cosmopolitanism

in *Sociological Theory*, Volume 29, Issue 2, June 2011, 124-149

A major problem with the emerging sociological literature on cosmopolitanism is that it has not adequately theorized mechanisms that mediate the presumed causal relationship between globalization and the development of cosmopolitan orientations. To solve this problem, I draw on Bruno Latour's actor-network theory (ANT) to theorize the development of three key elements of cosmopolitanism: cultural omnivorousness, ethnic tolerance, and cosmopolitics. ANT illuminates how humans and nonhumans of multiple nationalities develop attachments with one another to create network



structures that sustain cosmopolitanism. ANT also helps the sociology of cosmopolitanism become more reflexive and critical of its implicit normative claims.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Chalamish Efraim

An Oasis in the Desert: The Emergence of Israeli Investment Treaties in the Global Economy
in *International and Comparative Law Review Loyola of Los Angeles*, Vol. 32, issue 2 , 123-208

full text available at:

<http://ilr.lls.edu/documents/1Chalamish.ETE.Final.pdf>

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Krahmann Elke

Beck and beyond: selling security in the world risk society
in *Review of International Studies (The)*, Vol. 37, Issue 1, January , 349-372

Expanding on the works of Beck and others on the growing business of risk, this article examines the role of the private security industry in the creation, management and perpetuation of the world risk society. It observes that the replacement of the concept of security with risk over the past decades has permitted private firms to identify a growing range of unknown and unknown-unknown dangers which cannot be eliminated, but require permanent risk management. Using the discourse of risk and its strategies of commercialised, individualised and reactive risk management, the private risk industry thus has contributed to the rise of a world risk society in which the demand for security can never be satisfied and guarantees continuous profits.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Xin Li; Verner Worm

Building China's Soft Power for a Peaceful Rise
in *Journal of Chinese Political Science*, Volume 16, Number 1 / March , 69-89

With its rapid economic growth and deepening integration into the global system, Chinese leaders see the first 20 years of the 21st century as an 'important period of strategic opportunity' for China. China under Hu Jintao's leadership has chosen a new path of peaceful rise. To facilitate such a peaceful rise, Chinese Communist Party has gradually adopted a soft power strategy. We see building soft power as a means as well as the end of China's peaceful rise. We argue China has a genuine desire for peace in her rise and China's peaceful rise may not be impossible. Based on existing literature, we expand the sources of soft power to six pillars: cultural attractiveness, political values, development model, international institutions, international image, and economic temptation. We also identify three channels for wielding soft



power: formal, economic, and cultural diplomacies. Putting all the basics together, we have proposed an integrative model of soft power. Accordingly, we analyze the sources and limits of China's soft power and suggest how to improve it in these six areas.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Breslin Shaun

China and the crisis: global power, domestic caution and local initiative
in *Contemporary Politics*, Vol. 17, n. 2, June , 185-200

Even though the global crisis had a quick and dramatic impact on Chinese exports, the Chinese government responded with a range of policy responses that have helped maintain high rates of growth. This success has helped propel China to the centre of global politics, accelerating what many perceive to be a power shift from the West to China. But these gains were achieved by reversing policy in previous years designed to make a fundamental shift in China's mode of development and have highlighted the problems associated with making such a transition. At the moment that many are looking at the Chinese 'model' as a potential alternative to the Washington Consensus, one of the consequences of the crisis is to further question the long-term efficacy of this 'model' in China itself.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Iqbal Badar

Climate change: from Copenhagen to Cancun: Badar Iqbal reviews the outcome of the latest climate change summit and calls for a rethink at the forthcoming meeting in Durban
in *New Zealand International Review*, May 1, 2011

Climate change has become the most challenging problem and task for every one living on Earth. Unfortunately neither developed countries nor developing economies are serious about this task. As a result, no concrete solution is in sight. There has been more myth than reality. With time fast running out, it is becoming imperative for the economies that are major players on the issue of climate change to come forward with proposed solutions. Otherwise, the globe faces irrecoverable damage, and everyone will bear unimaginable loss of humanity and materials. How far have the decisions taken at Copenhagen been implemented? What was done at Cancun and since?

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Gamino Doris K., De los Reyes García Márkina Manuel, Suliman Aktham, Pörzgen Gemma

Der 11. September als globale Zäsur? Wahrnehmungen aus Lateinamerika, Nahost, Russland und Indonesien
in *Aus Politik und Zeitgeschichte*, Band 27, 2011

The full text is free:

www.bpb.de/publikationen/8CJGZ8,0,Der_11_September_als_globale_Z%E4sur_Wahrnehmungen_aus_Lateinamerika



[_Nahost_Russland_und_Indonesien.html](#)

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Section B) Global governance and international organizations

Subsection 5. The Globalization process

Benhabib Seyla

Der arabische Frühling

in **Blätter für deutsche & internationale Politik**, Mai, 2011, 90-94



The full text is free:

www.blaetter.de/archiv/jahrgaenge/2011/mai/der-arabische-fruehling

Die Massen mutiger Menschen in der arabischen Welt, von Tunis bis zum Tahrir-Platz, von Jemen und Bahrain bis nach Bengasi und Tripolis, haben unsere Herzen erobert. In den Vereinigten Staaten und in Europa ist der Winter der Unzufriedenheit jedoch nicht vorbei: Weder hat der arabische Frühling den unbarmherzigen Angriffen konservativer Politiker auf die materiell Schwächsten in den USA Einhalt geboten, noch hat der Aufstieg eines politisch verbrämten Neonationalismus in Deutschland und Frankreich ein Ende gefunden, die beide versuchen, ihre nationalen Sparmaßnahmen allen Lohnempfängern in der Europäischen Union aufzuzwingen. Dennoch sprießen selbst in einigen amerikanischen Bundesstaaten frische Schösslinge aus dem gefrorenen Boden: Wochenlang kämpften die Beschäftigten im öffentlichen Dienst in Wisconsin gegen den Verlust ihres Rechts auf Tarifverhandlungen, und ähnliche Aktionen sind für Indiana, Ohio und andere Bundesstaaten angekündigt. Im Internet macht das Foto eines Plakats, das ein ägyptischer Demonstrant hochhält, die Runde. Auf dem Plakat steht: „Ägypten unterstützt die Arbeiter in Wisconsin: Eine Welt, ein Leid“. Ein Einwohner von Wisconsin antwortete: „Wir lieben Euch. Danke für die Unterstützung und Glückwunsch zu Eurem Sieg!“...

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Tusset Gianfranco

Disputing over international economic policy coordination: The ‘first generation’ of models in History of Economic Thought and Policy, 2010, Fascicolo 2

Although international economic coordination was one of the major questions arising in international economics after World War I, when the British hegemonic stability broke down, it mainly attracted the interest of economists from the 1960s onwards, as economic interdependence revealed itself to be a significant phenomenon, with an expansion of research during a period that began in the mid-1970s and ended in the late 1980s. During those fifteen years, a major theoretical effort yielded a significant body of literature which may be analyzed as an outcome per se, independently of its practical application. In fact, international economic policy coordination remained a speculative matter which, it seems, did not adequately support or persuade policy-makers to implement concrete economic coordination among countries. Far from explaining why this happened, a detailed investigation of the assumptions and logical aspects on which theories were grounded may provide insights into their practical workability.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Helbling Thomas, Huidrom Raju, Kose M. Ayhan, Otrok Christopher

Do credit shocks matter? A global perspective in European Economic Review, Volume 55, Issue 3, April 2011, 340-353

This paper examines the importance of credit market shocks in driving global business cycles over the period 1988:1–2009:4. We first estimate common components in various macroeconomic and financial variables of the G-7 countries. We then evaluate the role played by credit market shocks using a series of VAR models. Our findings suggest



that these shocks have been influential in driving global activity during the latest global recession. Credit shocks originating in the United States also have a significant impact on the evolution of world growth during global recessions.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Croce Mariano

Does legal institutionalism rule out legal pluralism? Schmitt's institutional theory and the problem of the concrete order

in *Utrecht Law Review*, Vol. 7, issue 2 , 42-59

The present paper explores the background of the institutional perspective of law that Carl Schmitt develops in *On The Three Types of Juristic Thought* (1934), and draws a comparison between this view and the institutional theory of Santi Romano (explicitly recalled by Schmitt). In doing so, I will shed some light on the complex relation between law and pluralism. While Schmitt portrays the law as a political means for preserving identity and excluding diversity within a homogeneous community, Romano depicts law as a form of organisation which inevitably reflects the plurality of social life.

To this end, I will attend to some crucial problems of social and legal theory, such as the relation between norms and normality, the role of institutions in human life, and the way the law affects and is affected by the dynamics of its social surroundings.

My final goal is to show that the law does not exclude pluralism at all, but is in itself a plural phenomenon.

Full text available at:

<http://www.utrechtlawreview.org/index.php/ulr/article/viewFile/URN%3ANBN%3ANL%3AUI%3A10-1-101281/160>

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Devereux Michael B., Sutherland Alan

Evaluating international financial integration under leverage constraints

in *European Economic Review*, Volume 55, Issue 3, April 2011 , 427-442

The global financial crisis has undermined many economists' views about the benefits of open financial markets. Anecdotal evidence seems to indicate that financial linkages may propagate shocks during crises. This paper develops a simple two-country model in which financial liberalisation across countries takes place in the presence of credit market distortions within countries. Countries may be subject to macro risk coming from productivity shocks and direct shocks to the credit system ('financial shocks'). Three different degrees of financial linkages between countries are examined. It is shown that the type of financial integration is critical for both macroeconomic outcomes and welfare. In particular, financial integration in bond markets alone may increase aggregate consumption volatility and reduce welfare. Financial integration in both bond and equity markets generates high positive co-movement across countries, but is welfare-improving.

Section B) Global governance and international organizations



Subsection 5. The Globalization process

Francis Cripps, Alex Izurieta, Ajit Singh

Global Imbalances, Under-consumption and Over-borrowing: The State of the World Economy and Future Policies

in *Development and change*, Vol. 42, n°1 , 228-261

This contribution addresses the question of whether growth convergence can be sustained in the global economy without compromising welfare and without causing major crises. It employs a simplified stock-flow analytical framework to examine the proposition that the pace and pattern of global growth is conditioned by 'under-consumption' in some regions of the world and 'over-borrowing' in other regions. A baseline projection using the Cambridge-Alphametrics model (CAM) illustrates consequences of resumed global imbalances after the 2008–2009 crisis. An alternative scenario exemplifies the case in which China and India shift towards internal income redistribution and domestic demand-orientated policies and suggests that this will not be sufficient to correct global imbalances or induce improved growth rates in other developing regions. Finally a more ambitious development perspective is simulated. Such a scenario requires internationally-coordinated policy efforts, with a greater role for governments in the management of demand, income distribution and environmental sustainability, as well as measures to reduce instability of exchange rate and commodity markets.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Jan Nederveen Pieterse

Global Rebalancing: Crisis and the East–South Turn

in *Development and change*, Vol. 42, n°1 , 22-48

This article argues that the rise of emerging societies is a major turn in globalization and holds significant emancipatory potential. North–South relations have been dominant for 200 years and now an East–South turn is taking shape. The 2008 economic crisis is part of a global rebalancing process. Ongoing developments can be read in two ways: towards recalibrating the old order, or towards the emergence of new logics, which can be simplified as a tale of two scripts. One is global plutocracy with Anglo-American capitalism and financial markets in the West back in the lead and emerging markets joining the club. An instrument for achieving this is the hegemonic ideology of 'global rebalancing'. On the other end of the continuum is the script of emancipatory multipolarity, considering that countries representing the majority of the world population have joined the global head table. This essay discusses global rebalancing, global plutocracy and emancipatory multipolarity, before taking on the conceptual question of capitalism or capitalisms. Ultimately, the author concludes that developments are layered and that elements of both scripts are combining.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Kollmann Robert, Enders Zeno, Müller Gernot J.

Global banking and international business cycles

in *European Economic Review*, Volume 55, Issue 3, April 2011 , 407-426

This paper incorporates a global bank into a two-country business cycle model. The bank collects deposits from households and makes loans to entrepreneurs, in both countries. It has to finance a fraction of loans using equity. We



investigate how such a bank capital requirement affects the international transmission of productivity and loan default shocks. Three findings emerge. First, the bank's capital requirement has little effect on the international transmission of productivity shocks. Second, the contribution of loan default shocks to business cycle fluctuations is negligible under normal economic conditions. Third, an exceptionally large loan loss originating in one country induces a sizeable and simultaneous decline in economic activity in both countries. This is particularly noteworthy, as the 2007–09 global financial crisis was characterized by large credit losses in the US and a simultaneous sharp output reduction in the US and the Euro Area. Our results thus suggest that global banks may have played an important role in the international transmission of the crisis.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Cimoli Mario, Porcile Gabriel

Global growth and international cooperation: a structuralist perspective

in **Cambridge Journal of Economics**, Volume 35 Issue 2 March 2011

This paper revisits the structuralist ideas on trade and growth and suggests (based on the Prebisch's principle of implicit reciprocity) that policies for promoting structural change in the periphery may lead to higher global growth and a better income distribution across countries. The paper discusses the inter-relations and complementarities that exist between autonomous expenditure and industrial and technology policies in the long run. With this objective, we develop a structuralist growth model in which the technology gap and the growth rate of the domestic autonomous expenditure are endogenously determined in a two-country (centre and periphery) international economy.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Stephen Matthew

Globalisation and resistance: struggles over common sense in the global political economy

in **Review of International Studies (The)**, Vol. 37, Issue 1, January , 209-228

This article develops and applies the role of 'common sense' in a Gramscian theory of transnational counter-hegemony. Building on recent interpretative literature on the alter-globalisation movement, it applies this framework to then evaluate empirically the impact of the alter-globalisation movement on the realm of global 'common sense' understandings of the world in the period 2002 to 2007. It shows that there is little empirical support for the notion that the alter-globalisation movement effected a legitimization crisis for neo-liberalism as a hegemonic project on a global scale. Instead, a more ambivalent and potentially reactionary situation amongst collectively held norms is revealed. This indicates the shortcomings of the alter-globalisation movement as a coalition of social forces capable of mounting an ideological attack on neo-liberalism and forging a new intellectual-moral bloc.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Giulio Sapelli

Globalization Changes its Course

in **Equilibri**, anno XV, n. 1, aprile , 63-67



A new commodity super-cycle has just started, and it has surprised all the observers. It is driven by a variety of factors, but mainly by agricultural and food products and oil. Globalization changes its course as negative growth and the increase in the cost of money paves the way to protectionisms and interstate conflicts.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Doces John A.

Globalization and Population: International Trade and the Demographic Transition

in International Interactions, vol. 37, issue 2 , 127-146

ABSTRACT: I study the effect of international trade on birth rates across a large number of countries. A supply-demand model of the birth rate explains that a rise in international trade reduces the demand for children and encourages an earlier onset of the mortality revolution. These two effects caused by the rise of international trade lead to a lower birth rate. A time-series cross-section empirical analysis for a large sample of developed and developing countries exhibits that international trade has a statistically significant and inverse effect on the birth rate. The policy implications relating to trade, economic growth, and conflict are discussed in the conclusion.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Desbos Clément, Royall Frédéric

Globalization and political posturing on the Left in France in the 1990s

in French Politics, Volume 9, Issue 2, June 2011 , 139–157

This article analyzes the emerging fault lines on the Left in France during the 1990s on the issue of neo-liberal globalization, in general, and on a proposal to tax financial transactions (Tobin tax) in particular. Faced with the new and growing influence of anti-globalization activists within the Left, the French Socialist Party (PS) initially tried to ignore them. When it could no longer do so, it attempted to marginalize them by showing that it was tough on neo-liberal globalization and that it could put in place concrete policies when it office. The article argues that neo-liberal globalization posed a particular challenge for the PS in that it forced to party to be seen to be taking a stance on an issue that it desperately sought to avoid. In essence, the challenge was for the PS to reform and to accept publicly neo-liberalism or to reject neo-liberalism and to renew with its radical past. The PS attempted to do both. The PS's ambiguous stance contributed to deepen emerging ideological fault lines on the Left and, ultimately, played a large part in discrediting the party and the government in the eyes of its very own supporters and sympathizers.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Ward Hugh, Ezrow Lawrence, Dorussen Han

Globalization, Party Positions, and the Median Voter

in World Politics, vol. 63, n. 3, July , 509-547

ABSTRACT: The authors argue that the effects of economic globalization on social democratic parties in Western



Europe are conditional on the position of the median voter. If the median is far enough to the right, such parties will adopt business-friendly policies because they are required to win office. Only when the median is relatively far to the left will globalization constrain social democratic parties, forcing them to adopt policies further to the right in order to retain credibility. It is on this basis the authors argue that empirical studies are misspecified unless they include an interaction between measures of globalization and the position of the median. In addition to presenting formal theoretical arguments, the article reports empirical findings from fifteen countries in the period from 1973 to 2002 that support the conclusion that the effects of globalization are indeed contingent on the median. The authors find that the effects of globalization are significant for social democratic parties only in circumstances in which the median is relatively far to the left.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Bayes Jane H., Gonzalez Laura

Globalization, Transnationalism, and Intersecting Geographies of Power: The Case of the Consejo Consultivo del Instituto de los Mexicanos en el Exterior (CC-IME): A Study in Progress

in Politics & Policy, Vol. 39, Issue 1, February , 11-44

The Consejo Consultivo del Instituto de los Mexicanos en el Exterior (CC-IME) is a somewhat unusual transnational organization established and funded by the Mexican government in 2003 as a means of maintaining contact with and serving the Mexican diaspora of almost 12 million in the United States and Canada. The 56 Mexican consulates in the United States and Canada conduct elections (or sometimes appoint) around 120 representatives for three-year terms to serve as an advisory council to represent the needs of the Mexican diaspora before the Mexican government and to strengthen the ties (especially economic and political ties) between the Mexican diaspora in Canada and the United States and the government of Mexico. Previous studies have described the history, purpose, and some of the programs initiated by the Mexican Foreign Ministry (SRE) and the CC-IME. The story of the CC-IME, however, is more than can be understood from the perspective of any one state. As a transnational organization at a particular time in history, its operation reflects the perspectives of a host of different entities. Using qualitative research methods and participant observation, this ongoing study employs Mahler and Pessar's geographies of power framework to identify and explore various power hierarchies and special political characteristics of CC-IME from a variety of perspectives.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Castles Stephen

Globalization, ethnic identity and the integration crisis

in Ethnicities, Vol. 11, n. 1 , 23-26

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process



Michael Wallace, Gordon Gauchat, Andrew S. Fullerton

Globalization, labor market transformation, and metropolitan earnings inequality
in *Social Science Research* , Vol. 40, n°1 , 15-36

Numerous studies have noted the increasing levels of inequality in American society, but relatively few have linked this inequality to the dynamics of the global economy. In this study, we examine the impact of five measures of globalization (global capital, foreign direct investment, exports, foreign born non-citizens, and foreign born citizens) and six measures of labor market transformation (deindustrialization, corporate restructuring, bureaucratic burden, casualization, bad jobs, and multiple job holding) on metropolitan-level earnings inequality of full-time, full-year workers 16 years and older. Our study makes several major contributions to the literature. First, we update and extend the long line of studies on metropolitan earnings inequality. Second, we show that these various dimensions of globalization and labor market transformation exert independent and mainly polarizing effects on the earnings distributions of metropolitan areas, net of controls for labor market structure and sociodemographic variables. Third, we demonstrate the benefits of looking at the causes of inequality in the upper and lower tails of the earnings distribution. Finally, we develop a procedure to estimate counterfactual values of earnings inequality for all major metropolitan areas in the US in 2000. In the process, the paper provides a comprehensive accounting of the impact of globalization and labor market transformation on metropolitan earnings inequality.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Matthew C. Mahutgaa, and David A. Smith

Globalization, the structure of the world economy and economic development
in *Social Science Research* , Vol. 40, n°1 , 257-272

How does the structure of the world economy determine the gains from participation therein? In order to answer this question, we conduct a state of the art network analysis of international trade to map the structure of the international division of labor (IDL). We regress cross-national variation in economic growth on positional variation and mobility of countries within the IDL from 1965 to 2000. We find that the highest rates of economic growth occurred to countries in the middle of the IDL over the course of globalization. Second, we find that upper tier positions in the IDL are converging with each other, but diverging from the lower tier. This suggests that the mechanism underlying the rapid economic growth in intermediate positions was their uniquely high rates of upward mobility, in turn a function of their middling position. Taken together, these findings suggest that a country's long-term economic development is conditioned by its position in the IDL.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Henderson Jeffrey, Nadvi Khalid

Greater China, the challenges of global production networks and the dynamics of transformation
in *Global Networks*, vol. 11, n. 3, july , 285-297

ABSTRACT: The rise of 'greater' China (which includes mainland China, the 'special administrative regions' of Hong Kong and Macao and – particularly for our purposes – Taiwan), marks a transformative process in terms of the global political economy. China is now the world's second biggest economy, and continues to post double-digit growth despite



the global downturn. More significant than the numeric size of China's economy per se, is the extraordinary scale at which it is combining labour with capital to transform raw materials into commodities and, as part of that process, embedding the potential for innovation within China's political economy and society. In the introductory article to this special issue, we highlight the implications arising from the dynamism of Greater China for the evolving structures of global production networks (GPNs). The GPN framework provides a powerful analytical tool with which to map the shifting nature of corporate power and capital in the global economy and their consequences for local producers and regions. The externalization of the Chinese political economy and, with it, the emergence of Chinese lead firms, suggests that Western-centric views on GPNs are likely to be challenged. We outline the ways in which the contributions to this special issue throw light on this, and the implications that arise for analysis of GPNs within China as well as for other developing countries. We conclude by considering the consequences this transformative process has for the developmental project and how it might be theorized.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Antonsich Marco

Grounding Theories of Place and Globalisation

in *Tijdschrift voor economische en sociale geografie (Journal of Economic & Social Geography)*, Volume 102, Issue 3, July, 331-345

In the 1990s, under the perception of increasing transformations brought about by globalisation, scholars started investigating what happened to the notion of place. Among others, the views of Manuel Castells, Robert Sack and Doreen Massey contributed to construct an opposition between a parochial, bounded, and reactionary notion of place versus a global, unbounded, and relation one. This latter view, under the label of 'progressive sense of place', has since become a dominant paradigm in geography. This paper aims to ground these theoretical arguments in relation to how people understand place today. Qualitative empirical information collected in four different regional contexts in Western Europe confirms the discursive existence of the above opposition. Yet, it also challenges the ways in which notions of thickness/thinness and boundedness/unboundedness relate to the regressive or progressive character of place.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

José Gabriel Palma

Homogeneous Middles vs. Heterogeneous Tails, and the End of the 'Inverted-U': It's All About the Share of the Rich

in *Development and change*, Vol. 42, n°1, 87-153

This article examines distributional disparities within nations. There are six main conclusions. First, about 80 per cent of the world's population now lives in regions whose median country has a Gini close to 40. Second, as outliers are now only located among middle-income and rich countries, the 'upwards' side of the 'Inverted-U' between inequality and income per capita has evaporated (and with it the hypothesis that posits that 'things have to get worse before they can get better'). Third, among middle-income countries, Latin America and mineral-rich Southern Africa are uniquely unequal, while Eastern Europe follows a distributional path similar to the Nordic countries. Fourth, among rich countries there is a large (and growing) distributional diversity. Fifth, within a global trend of rising inequality, there are two opposite forces at work. One is 'centrifugal' and leads to an increased diversity in the shares of the top 10 per cent and



bottom 40 per cent. The other is 'centripetal' and leads to a growing uniformity in the income-share appropriated by deciles 5 to 9. Therefore, half of the world's population (the middle and upper-middle classes) have acquired strong 'property rights' over half of their respective national incomes; the other half of this income, however, is increasingly up for grabs between the very rich and the poor. And sixth, globalization is thus creating a distributional scenario in which what really matters is the income-share of the rich (because the rest 'follows').

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Khor Lena

Human Rights and Network Power

in *Human Rights Quarterly*, vol. 33, number 1, february , 105-127

ABSTRACT: This article analyzes how the globalization of human rights discourse enables victims of rights violations to gain presence and influence on a global stage through the concept of network power. This article argues against criticisms of human rights discourse as another form of Western cultural imperialism. This article uses the case of the Rwandan Paul Rusesabagina, especially his representations in Philip Gourevitch's *We Wish to Inform You That Tomorrow We Will Be Killed with Our Families: Stories from Rwanda*, Terry George's film *Hotel Rwanda*, and Rusesabagina's autobiography *An Ordinary Man* to illustrate this point.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Ignacio Molina e Iliana Olivé

IEPG: un índice para medir la globalización

in *Política Exterior*, 141 - Mayo / Junio

¿Cómo se sitúan los países en el mundo multifacético de la globalización? ¿Qué activos se traducen en mayor presencia? El Instituto Elcano ha elaborado el primer índice español para analizar la proyección exterior en los terrenos económico, militar, científico, social y cultural.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Rao K. Raja Mohan, Mary S. Nirmala, Filho Walter Leal.

Impact of globalisation on biodiversity conservation

in *International Journal of Global Environmental Issues*, Volume 11, Issue 1 , 54-60

Biodiversity is generally described at three levels – diversity of ecosystems, diversity of species, and diversity of genes. Biodiversity is both a scientific and a political concept, embracing a trinity of globally-agreed objectives such as conservation of biodiversity, sustainable use of biological resources, and equitable sharing of the benefits arising from this use. This paper describes trends related to biodiversity and the array of goods and services related to it such as management of the climate system and the provision of fresh water. The paper also analyses the role globalisation can play in the way institutions manage biodiversity.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Ashwani Saith

**Inequality, Imbalance, Instability: Reflections on a Structural Crisis
in Development and change**, Vol. 42, n°1 , 70-86

Globalization has been accompanied by worsening inequality within core countries of global accumulation processes, as exemplified by China and the USA, where income and wealth inequalities have regained the stratospheric heights of the 1920s. In parallel, there are significantly diverging life chances for the rich and the poor. Extreme inequalities are deemed intrinsically toxic due to their potential for the subversion of regulatory and accountability institutions, the corrosion of societal norms, and the quality of democracy. The present conjuncture of crises provides credible evidence that inequality, especially extreme inequality, is not just a contextual feature or a downstream outcome issue, but a crucial upstream, causal factor in the pathology of the financial meltdown. This article introduces contributions elaborating causal pathologies connecting inequality, imbalances and instability, emphasizing the centrality of global interdependence. Beyond surviving the crisis through assorted fiscal stimuli packages of emergency resuscitation and life support, there are deeper structural policy issues to consider. The crisis briefly opened up democratic space for short-term protective, and long-term corrective interventions. However, this space was equally quickly shut down again, as the political and financial establishment resisted yielding permanent ground: witness the return to fiscal conservatism, the revival of the culture of bankers' bonuses, and persisting international divisions over coordinated global action. There is an imperative to regulate rampant and dysfunctional financialization; to cooperate internationally for sustainable balanced economic growth; for an alternative politics to pull back from an inexorable slide into plutocracy, to let the people back in. Otherwise we risk lurching from one crisis episode to another, from tragedy to farce, and back again.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Phillips Nicola

**Informality, global production networks and the dynamics of 'adverse incorporation'
in Global Networks**, vol. 11, n. 3, July , 380-397

ABSTRACT: The neglect of questions of informality in the study of global production networks (GPNs) is curious given the scale and reach of informality in the contemporary global economy. In this article I advocate a tighter integration of informality into the questions and approaches we deploy in the study of GPNs, not simply as an empirical area of enquiry but also in theorizing, first, how GPNs work and, second, with what social consequences. Drawing on 'structuralist' insights into the relationship between informality and formality in capitalist economies, I argue for a recognition of the ways in which these are structurally blended with one another to the extent that their dichotomization is empirically and theoretically misconceived. I go on to explore the ways in which informality is created and exploited within GPNs in a 'top-down' manner – that is, by capital, firms, employers and states – and the 'bottom-up' dynamics of informality, which frequently are constitutive of 'adverse incorporation' in GPNs for large numbers of workers, generating and perpetuating forms of poverty, marginalization and vulnerability.

Section B) Global governance and international organizations



Subsection 5. The Globalization process

Delwaide Jacobus

Introduction: Globalization, Governance, Crisis
in *European Review*, Volume 19 - Issue 01 , 1-4

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Connelly Stephen

Intuition beyond the law of the state
in *Utrecht Law Review*, Vol. 7, issue 2 , 29-41

This article examines one aspect of the possible influence of Aristotle on Spinoza's thinking of state laws and their limitations. In the *Nicomachean Ethics*, the Stagirite sets out a theory of the just city based on appropriate geometrical proportioning of justice, but then proposes the hypothesis of the most excellent man: someone so virtuous that they cannot be bound by the city's laws and so must be banished or elevated to monarch. The article investigates how Spinoza's own conceptions of geometry and metaphysics inform his view of justice and laws in the city. It indicates how, in continuing to posit the virtuous as someone both with a higher form of cognition of law, but who must nevertheless live in the city, Spinoza is likely to have been confronted with Aristotle's 'problem of excellence'. The article examines Spinoza's initial and strikingly modern solution to the problem, but also indicates how Spinoza's own thinking on metaphysics and genetic geometry pushes him beyond this 'answer' in his later political work.

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<http://www.utrechtlawreview.org/index.php/ulr/article/viewFile/URN%3ANBN%3ANL%3AUI%3A10-1-101277/159>

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Roubini Nouriel

It Is a G-Zero, Not a G-20, World
in *New Perspectives Quarterly*, Vol. 28, Issue 2, Spring , 27-30

The G-20 supplanted the G-8 as the executive committee of globalization as the emerging and advanced economies came together in the wake of the Wall Street crash to stave off depression. Now, each country is going its own way.

In this section we examine whether the G-20 can be saved, and what the countries within it must do to bring the global economy into balance.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Alejandro Espinosa Yáñez

La globalización y las alianzas estratégicas. Notas sobre la acción empresarial y del Estado
in *El Cotidiano : revista de la realidad mexicana actual* , n. 166 , 5-18

Los vínculos entre las empresas, los corporativos, las firmas, se dan en diferentes planos de lo material e intelectual. Por ello tienen efectos lo mismo en la dimensión interna de las organizaciones y en los mercados locales, así como en lo externo a las organizaciones y en el mercado global. No es necesario aclarar que los flujos del capital no son algo inédito en la historia económica, incluyendo la mexicana. Destaca, no obstante, la dirección de la Inversión Extranjera Directa, en su asociación con el capital mexicano, en ramas y sectores específicos, sin que la razón de la crisis sea la explicación principal en que se apoya la asociación de capitales. Asimismo, la subcontratación, en sus alcances múltiples, es soporte de los encuentros del capital, y sentido estratégico para romper estructuras verticales, dirigir la energía a lo sustantivo, disminuir costos y, para nada un asunto menor, también incidir en los procesos identitarios de las clases sociales.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Faundez Julio

Legal Pluralism and International Development Agencies: State Building or Legal Reform?
in *Hague Journal on the Rule of Law*, Vol. 3, issue 1 , 18-38

In the early years of this century most of the legal and judicial reform work of International Development Agencies (hereafter IDAs) focused mainly on state institutions. Today, things have changed. After the disappointing outcomes of many years of legal and judicial reform and in view of the enormous challenges posed by state building in numerous fragile and failed states, IDAs are beginning to accept that governance and justice mechanisms that operate either outside the framework of the state or in the fringes between state and society — non-state justice systems (hereafter NSJS) — are indispensable components of reform processes aimed at improving the overall performance of legal and judicial institutions. The materials discussed in this paper, drawn from Latin America and Africa, suggest that any successful engagement with NSJS requires a deep understanding of both local state structures and political processes. It also requires an in-depth understanding of the state and community within which NSJS operate. Indeed, as this paper shows, successful engagement should be seen as part of a continuing process of state building. Unless IDAs are willing to take a wider and more political approach to their involvement with NSJS, they will not achieve meaningful progress in rule of law and governance projects.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Cuocolo Lorenzo

Les régulateurs non-étatiques dans le droit constitutionnel global
in *Quaderni Regionali* , n. 3



No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Perret Virgile

Monnaie et citoyenneté. Une relation complexe en voie de transformation

in *Etudes Internationales*, Volume 42, numéro 1 , 5-24

Money has been studied by heterodox economists, sociologists and historians who stressed its relationship to collective order. However, it has hardly been analysed from the viewpoint of its relationship to citizenship. We propose a theoretical account of the mechanisms enabling money to operate as a mediation of citizenship. This mediation mobilises not only national sociopolitical mechanisms, but also international mechanisms which feed back on the domestic sphere of states and affect their capacity to define their regime of citizenship. Today, the capacity of money to operate as a mediation of national citizenship is weakened in favour of a competitive citizenship which tends to define the belonging of citizens with respect to their relationship to the globalized structures of financial markets.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Su-Yan Pan

Multileveled citizenship and citizenship education: experiences of students in China's Beijing

in *Citizenship Studies*, vol. 15, issue 2 , 283-306

ABSTRACT: With reference to three secondary schools in Beijing, this study investigates students' perceptions of multiple identities at four levels – self, local, national, and global – and the ways in which students form multiple identities. The study uses a mixed methodology of questionnaires and interview surveys to collect data, and identifies four patterns of Beijing students' multiple identities: a high value on self-identity, a strong affective orientation toward local and national identity, minimal distinction between local and national identities, and an imagined global identity. This study provides empirical data that both supplements and challenges the existing literature on citizenship and citizenship education in the context of globalization.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Keith Ken

Resolving international disputes: the role of courts: Ken Keith discusses the evolution of the international legal framework and his experiences as a judge of the International Court of Justice.

in *New Zealand International Review*, January 1, 2011

The role of courts in resolving international disputes is now well established. But this has not always been the case. Established in 1945, the International Court of Justice reflected the intention of the United Nations' founders that the judicial process would have a central place in the settlement of international disputes by peaceful means. After a promising start, the court became increasingly inactive, and by 1970 its docket was completely empty. Forty years later the international judicial landscape is transformed. International courts and tribunals abound, including criminal tribunals



established by a variety of means. States are increasingly willing to enter international litigation.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Fossum John Erik

Review essay: A cosmopolitan constellation?

in *European Journal of Social Theory*, Volume 14, No. 2, May 2011 , 235-248

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Street Caitlin T.

Streaming the International Silver Platter Doctrine: Coordinating Transnational Law Enforcement in the Age of Global Terrorism and Technology

in *Columbia Journal of Transnational Law*, Vol. 49, issue 2

The dramatic expansion of technology and globalization over the last thirty years has not only facilitated transnational terrorist operations, but also has transformed the countermeasures utilized by law enforcement and amplified the need for counterterrorism coordination between foreign and domestic authorities. Crucially, these changes have altered the fourth amendment calculus, set out by the international silver platter doctrine, for admitting evidence seized in U.S.-foreign cooperative searches abroad. Under the international silver platter doctrine, courts admit the evidence gathered by foreign authorities abroad unless the unreasonable search is deemed a "joint venture" between U.S. and foreign authorities. Notably, the legal framework governing joint ventures is based on standards and guideposts used when coordination between different law enforcement entities was almost always physical rather than technological. This Note argues that in the twenty-first century, technology and the pervasive transnational terrorist threat have broadened the scope of the international silver platter doctrine, reduced the impact of its joint venture exception, and consequently rendered the Fourth Amendment, in practice, virtually inapplicable to most transnational terrorism investigations. Applying this anti-quoted legal doctrine to this novel context narrows the range of activities encompassed in the joint venture exception and in turn allows more evidence gathered in unreasonable searches to be presented in U.S. federal courts. While this Note argues that the rise of international terrorism and heightened transnational law enforcement cooperation demands to some extent a broad international silver platter doctrine and a narrow joint venture exception, it also stresses that at some point Congress must legislate to preserve a baseline of fourth amendment values governing cooperative searches of Americans abroad.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Fosu, Joseph

Sub-Saharan Africa: The Challenge of Integration into the Global Trading System

in *Perspectives on Global Development and Technology* , Vol. 10, n°1 , 115-126

Developing countries that are integrating quickly into the global trading system are among the fastest growing



economies in the world. The impressive economic growth combined with significant reduction in poverty levels in recent years in China and India seem to demonstrate that increased international integration has the potential to spur growth capable of reducing poverty levels in poor countries. In contrast Sub-Saharan Africa appears to have been marginalized. The textile and apparel industry provides ample illustration of the daunting problems that make it difficult for countries in the region to successively engage in the global economy. Being unable to take advantage of the global market economy to promote economic growth and poverty reduction, countries in Sub-Saharan Africa continue to rely on official development assistance (ODA) from rich nations. The challenge for Sub-Saharan Africa is to help spur economic growth by becoming well integrated into the global economy in order to share more fairly in its benefits.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Meckling Jonas

The Globalization of Carbon Trading: Transnational Business Coalitions in Climate Politics in Global Environmental Politics, Volume 11, Issue 2, May , 26-50

Over the past decade, carbon trading has emerged as the policy instrument of choice in the industrialized world to address global climate change. In this article I argue that a transnational business coalition, representing mostly energy firms and energy-intensive manufacturers, actively promoted the global rise of carbon trading. In this process, business was able to draw on the support of government allies and business-oriented environmental groups, particularly in the UK and the US. Alongside its allies, the coalition had pivotal influence in the internationalization of carbon trading through the Kyoto Protocol, in the U-turn of the EU from skeptic to frontrunner on carbon trading and in the re-import of carbon trading to the US. While business was not able to prevent mandatory emission controls, it was able to critically affect the regulatory style of climate policy in favor of low-cost, market-based options.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Casini Lorenzo

The Making of a Lex Sportiva by the Court of Arbitration for Sport in German Law Journal, Vol. 12, n. 5 , 1317-1340

“Sports law is not just international; it is nongovernmental as well, and this differentiates it from all other forms of law.” Sports rules are genuine “global law” because they are applied across the entire world, they involve both international and domestic levels, and they directly affect individuals: This happens, for instance, in the case of the Olympic Charter, a private act of a “constitutional nature” with which all States comply, or in the case of the World Anti-Doping Code, a document that provides the framework for the harmonization of anti-doping policies, rules, and regulations within sports organizations and among public authorities.

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Section B) Global governance and international organizations

Subsection 5. The Globalization process

Agné Hans

The autonomy of globalizing states: bridging the gap between democratic theory and international political economy

in *International Political Science Review* , vol. 32, n.1, January , 43-60

ABSTRACT: Scholars of democratic theory and international political economy often disagree over the effects of globalization on state autonomy. Yet, each approach pays minimal attention to the contributions of the other to their common object of study. In an effort to remedy this situation, I identify the premises and procedural habits of each approach which tend to make it appear irrelevant to the other, and then adjust them to remove the appearance of irrelevance without impairing the integrity of each approach. The argument is illustrated by observations from Britain, France and Sweden in recent decades.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Follesdal Andreas

The distributive justice of a global basic structure: A category mistake?

in *Politics, Philosophy & Economics*, Vol. 10, n. 1, February , 46-65

The present article explores 'anti-cosmopolitan' arguments that shared institutions above the state, such as there are, are not of a kind that support or give rise to distributive claims beyond securing minimum needs. The upshot is to rebut certain of these 'anti-cosmopolitan' arguments. Section 1 asks under which conditions institutions are subject to distributive justice norms. That is, which sound reasons support claims to a relative share of the benefits of institutions that exist and apply to individuals? Such norms may require strict equality, Rawls' Difference Principle, or other constraints on inequality. Section 2 considers, and rejects, several arguments why existing international institutions are not thought to meet these conditions.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Edwards Tony

The nature of international integration and human resource policies in multinational companies

in *Cambridge Journal of Economics*, Volume 35 Issue 3 May 2011

In this article we demonstrate that the literature concerning multinational companies (MNCs) and employment relations has failed to develop a convincing explanation of variation in the extent to which MNCs develop a global element to the management of their international workforces. We argue that whether MNCs have an incentive to develop international human resource policies is shaped by the extent and nature of international integration, which we define as the commonalities and inter-dependencies in the production process across borders. In particular, we identify three aspects of the integration of MNCs that are crucial in this respect: whether the firm pursues financial economies or synergistic linkages from its international operations; whether it segments or replicates its operations across countries; and whether it standardises or differentiates its product internationally.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Holmes Pablo

The rhetoric of 'legal fragmentation' and its discontents Evolutionary dilemmas in the constitutional semantics of global law

in *Utrecht Law Review*, Vol. 7, issue 2 , 113-140

This paper engages in the current debate on legal fragmentation and social inclusion from the perspective of systems theory. Its particular focus is directed at the changing patterns of social inclusion/exclusion under the condition of the emerging constitutional discourses of world law. While fragmented global law would still be able to safeguard functional differentiation, the neutralization of exclusionary dynamics is successively failing. This failure is attributed to the decline of politics in world society. A fragmented global law operates to a lesser degree in concert with national politics in order to guarantee the modern imperative towards full inclusion.

Full text available at:

<http://www.utrechtlawreview.org/index.php/ulr/article/viewFile/URN%3ANBN%3ANL%3AUI%3A10-1-101285/164>

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Fukuda-Parr Sakiko

Theory and Policy in International Development: Human Development and Capability Approach and the Millennium Development Goals

in *International Studies Review*, vol. 13, issue 1, march , 122-132

ABSTRACT: Theory has influenced policy in international development but the interaction has been a two-way process. While theories legitimated new policy, appraisal of policy and experience have given rise to theoretical insights. But of the many competing ideas and theories, which ones influence policy? This article analyzes the influence of Sen's capability and human development approach on the recent evolution of policy agendas in international development, notably the consensus on MDGs and on poverty as the priority concern. It argues that the capability approach played an important role in the contestations over structural adjustment and Washington Consensus policies that led to the new consensus over the MDGs, and help legitimate them, the neoliberal policy approaches of the Washington Consensus remain intact. This illustrates an important distinction between normative and causative ideas. The new consensus has adopted the normative ideas of the capability approach but not the causative ideas. These normative ideas were used to provide a new narrative for international development, not a new policy framework.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Michael Dunford and Godfrey Yeung

Towards global convergence: Emerging economies, the rise of China and western sunset?

in *European Urban and Regional Studies*, Volume 18, No 1 , 22-46



The financial crisis indicates the underlying bankruptcy of the last of a series of attempts to restore sustained growth in advanced countries since the end of the post-war Golden Age: Italian flexible specialization, Japanese and Rhine-style lean production, the new economy and Anglo-American financialization. Over the same period a number of emerging economies and in particular China have sustained high rates of growth. In the years to come, developed country growth is likely to remain slow because no alternative high-growth model is on the horizon. A country such as China conversely has the potential to continue to grow relatively fast provided it can profoundly alter its model of development in ways that address global and national imbalances. If it and other large emerging economies do achieve further sustained growth, this will in effect reverse the gap created by industrial revolution, colonialism and imperialism. The aim of this paper is to explain the reasons for and the possibilities of such global convergence, paying particular attention to the reasons for and implications of the financial crisis and the extent to which China's fiscal stimulus contributes to a new model of Chinese development.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Schmincke Imke

Transnational und doch lokal

in *Soziale Welt*, Jahrgang 62, Heft 1, 2011 , 109-114

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Mau Steffen, Brabandt Heike

Visumpolitik und die Regulierung globaler Mobilität. Ein Vergleich dreier OECD Länder

in *Zeitschrift für Soziologie*, Jahrgang 40, Heft 1, 2011

Visa Policy and the Regulation of Global Mobility. A Comparison of Three OECD Countries

Summary: This article deals with the historical development of visa waiver policies in three selected OECD countries, the USA, Austria, and Finland, since 1960. Its point of departure is the question whether, in the context of globalization, mobility has become easier, or whether, in contrast, borders have become more selective. This issue is taken up by looking at short term mobility and the development of policies with the aim of waiving visa requirements. Our findings indicate that political and economic factors have become increasingly important when it comes to choosing who is allowed and who is denied access without a visa. Citizens from "rich democracies" are granted enhanced mobility rights while citizens from the "Global South" have to undergo lengthy visa application processes. The article also documents the fact that visa waiver policies are increasingly converging in the OECD world and that we find an asymmetry of visa waiver policies in relations to non-OECD countries. Globalization, evidently, is not just a matter of mobility. Rather, it produces mobility and immobility at the same time. This is established though rules of selective access and control as manifested in visa waiver policies.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Tom Lundborg

What Lies Beyond Lies Within: Global Information Flows and the Politics of the State/Inter-State System

in Alternatives: Global, Local, Political, Vol. 36 (2) May 2011 , 103-117

The potential impact of global information flows is commonly framed either by pointing to how these flows transcend the limits of and introduce us to a world beyond the sovereign state and the international system of states, or by showing how these flows are subordinated to the control and static presence of the state/inter-state system. In contrast, this article explores how information flows move beyond while simultaneously being forced within the limits of the state/inter-state system, in ways that highlight an important paradox shaping the politics and continuous reproduction of the state/inter-state system. Specifically, it demonstrates how the presence of the state/inter-state system depends upon a process of affirming as well as rejecting the possibility of a world of flows and networks located somewhere beyond the state/inter-state system.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Shinichi Ichimura

When and How Can Asia Play a Leading Role in the New World Order?

in Asian Economic Journal, Volume 25, Issue 1, March 2011 , 113-117

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Stiglitz Joe

Where the G-20 Stands

in Netherlands International Law Review, Volume 58, Issue 1 , 18-21

The G-20 supplanted the G-8 as the executive committee of globalization as the emerging and advanced economies came together in the wake of the Wall Street crash to stave off depression. Now, each country is going its own way.

In this section we examine whether the G-20 can be saved, and what the countries within it must do to bring the global economy into balance.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Selmezi Anna

'From shack to the Constitutional Court' The litigious disruption of governing global cities

in Utrecht Law Review, Vol. 7, issue 2 , 60-76



Taking its cue from the worldwide proliferation of struggles for access to the city, this paper aims to assess the impact of globalized neoliberalism on the juridico-legal techniques of contemporary urban governmentalities and to inquire into the ways in which such techniques can be resisted. It suggests that at least in urban contexts, the police order that, according to Foucault, was largely superseded by the modern liberal technologies of governing through freedom, today seems to be rather active. Arguably, global cities' competition for capital promoted by the globalized neoliberal economic order and its imperative to actively intervene in producing the market, pairs up conveniently with the detailed methods of regulating the early modern West. On the other hand, the self-limitation of governmental reason originating in the political economic criticism of the police state equips governance with the means of voluntary impotence and, placing the management of the economy at the centre of governmental activity, it increasingly adapts law to social and economic processes. While, according to Rancière, these tendencies lead to the effacement of the gaps between legal inscriptions and social realities, and thus tend to impede the occurrence of the political, in interpreting the struggles of South African shack dwellers, the paper aims to illustrate how inscriptions of equality may nevertheless trigger the political disruption of urban biopolitics.

Full text available at:

<http://www.utrechtlawreview.org/index.php/ulr/article/viewFile/URN%3ANBN%3ANL%3AUI%3A10-1-101282/161>

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Innwon Park and Soonchan Park

Best practices for regional trade agreements

in Review of World Economics (Weltwirtschaftliches Archiv), Volume 147, Number 2 , 249-268

Complicated web of hub-and-spoke type of overlapping free trade agreements (FTAs) can result in high costs for verifying rules of origin (RoO) and trade diversion or suppression effects. This paper attempts to provide best practices for regional trade agreements (RTAs) to enhance global free trade by mitigating these negative effects. By adopting a gravity regression analysis, we quantitatively estimate the trade creation and diversion effects of cumulated RoO (bilateral, diagonal, and full cumulation) for RTAs established under GATT Article XXIV and under the Enabling Clause. We find that (i) RTAs, in general, create trade among members and divert trade from nonmembers, whereby the net trade-enhancing effect is rather weak; (ii) RTAs should be established under the comprehensive GATT Article XXIV, rather than the piecemeal Enabling Clause; and (iii) full cumulation is the most optimal provision in terms of creating the most intra-bloc trade and diverting the least extra-bloc trade. Overall, we strongly suggest that RTAs should employ full cumulation of RoO under GATT Article XXIV.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Søren Dosenrode

Federalism Theory and Neo-Functionalism: Elements for an analytical framework

in Perspectives on federalism, Vol. 2, issue 3 , E 1-28

The purpose of this article is to propose a draft for an analytical frame for analyzing regional integration consisting of federalism theory and neo-functionalism. It starts out discussing the concept of regional integration setting up a stagiest



model for categorizing it. Then follows an analysis of federalism theory and neo-functionalism. One argument of this article is to understand federalism theory as a regional integration theory. Another is to look at federalism theory as complementary to neo-functionalism when trying to explain regional integration. Federalism theory, in an extended Riker-McKayian way, is able to explain the cases of 'big bang' integration (USA, Australia, Canada), but not an 'organic' integration process. Neo-functionalism, on the other hand, is not able to explain this relatively fast form of integration, but it is – in its new version - able to analyze and explain the 'organic' or slow integration processes like those happening in Europe, and other places in the world. Thus the two should be seen as complementary and they are, jointly, a frame catching most processes of regional integration

Full text available at:

<http://www.on-federalism.eu/index.php/essays/79-federalism-theory>

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Philippe De Lombaerde

How to 'connect' micro-regions with macro-regions?

in Perspectives on federalism, Vol. 2, issue 3 , E 29-37

Sub-national regions (micro-regions) and supra-national regions (macro-regions) appear as disconnected concepts in the academic literature. They are studied by distinct academic communities between which there is very little communication. In this Note, three ways are suggested to 'connect' the two phenomena and it is argued that a dialogue between the two communities could open new avenues for research and lead to a better understanding of inter-polity and inter-economy relations, in a more general sense. In this exploratory Note it is suggested that micro- and macro-regions can be connected (i) at the conceptual level, (ii) through their similar roles as emerging international actors, and (iii) through the interplay between macro-regions and cross-border micro-regions

Full text available at:

<http://www.on-federalism.eu/index.php/essays/80-how-to-connect-micro-regions-with-macro-regions>

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Schmitter Philippe C.

La experiencia de la integración europea y el potencial para la integración en otra región.

in Foro Internacional, VOLUMEN L - NÚMERO 3-4

The recent experience of Europe with efforts at integrating -peacefully and voluntarily- previously sovereign national states into a single transnational organization, the European Union, is by far the most significant and far-reaching among all attempts at regionalism. It is, therefore, the most likely to provide some lessons for those world regions that are just beginning this complex and historically unprecedented process. We have only one instrument that can help us to transfer knowledge and lessons from one region to the other: theory. Only by capturing the generic concepts, confirmed hypotheses, and observed processes underlying the European experience can we expect to make any contribution to



understanding the conditions under which regional “community formation” might succeed elsewhere. After developing and then revising 12 lessons from that European experience, I then suggest a strategy with the potential for promoting regional integration elsewhere in the world

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Acharya Amitav

Norm Subsidiarity and Regional Orders: Sovereignty, Regionalism, and Rule-Making in the Third World
in *International Studies Quarterly*, vol. 55, issue 1, march , 95-123

ABSTRACT: This paper proposes a new conceptual tool to study norm dynamics in world politics. Termed norm subsidiarity, it concerns the process whereby local actors create rules with a view to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful central actors. After a theoretical discussion of the definition, motivations, and effects of norm subsidiarity, the paper offers a case study of normative action against Cold War alliances (especially South East Asia Treaty Organization) by a group of Third World leaders led by India’s Jawaharlal Nehru at the Bandung Asia-Africa Conference in 1955. It then offers examples from Latin America, the Middle East, and Africa to highlight the practice of norm subsidiarity. The paper contributes to the literature of international relations in three main ways. First, it reminds constructivist international relation scholars of the importance of understanding norm creation as a bottom-up process, marked by significant contestations and feedback. Second, it highlights the normative behaviors of Third World countries and their regional institutions, a neglected aspect of the literature on norm dynamics. Finally, the theory and practice of norm subsidiarity shed more light on the agency role of Third World countries in world politics.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Li Xing-Zhang Shengjun

One Mountain with Two Tigers- China and the United States in East Asian Regionalism
in *Perspectives on federalism*, Vol. 2, issue 3 , E 110-129

The article argues that regionalism in East Asia since the end of the Cold War has been largely shaped by the interactions of China-US relations, influencing and determining the development and transformation of economic and political cooperation and integration in the region. The paper intends to offer a framework for understanding the historical inter-connections between China-US relations in East Asia during different periods and their dynamic nexus with the evolution of the regional integration process. The theoretical reflection of the paper posits that the neo-functionalism theory, which is largely generated and shaped by the historical evolution of the EU political project, cannot be applied as an overall conceptual framework in understanding regionalism in East Asia. Conventional theories of international relations driven by power rivalry, realism, geopolitics, political economy, balance of power, etc, still have a determining effect East Asia in defining “functions”, influencing the process and determining the outcome

Full text available at:

<http://www.on-federalism.eu/index.php/essays/83-one-mountain-with-two-tigers-china-and-the-united-states-in-east-asia>
n-regionalism-



Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Bjørn Møller

Pan-Africanism and Federalism

in Perspectives on federalism, Vol. 2, issue 3 , E 38-77

The article looks at federalism as applied in Africa in the dual sense of a devolution of power from what would otherwise be unitary and centralised states to lower levels of governance and a transferral of authorities upwards from the state level to that of the African Union. Whereas the former is deemed to be a feasible and sensible way of transforming certain states, the assessment of the latter is much more sceptical. Grand schemes such as a “United States of Africa” are held to be both unrealistic and unhelpful, whereas a more gradualistic approach is deemed to be more constructive and helpful

Full text available at:

<http://www.on-federalism.eu/index.php/essays/81-pan-africanism-and-federalism->

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Søren Dosenrode

Perspectives on federalism- Federalism and Regional Integration

in Perspectives on federalism, Vol. 2, issue 3 , I-VII

In the introduction the topic of the special issue is introduced, followed by an overview of the single contributions and some general remarks.

Three of the contributions specifically address aspects of federalism theory as theory of regional integration, and it is concluded, that federalism theory indeed is a fruitful approach when analyzing regional integration projects both within and outside Europe. It is encouraged to broaden the scope of analysis and include federations when analyzing regional integration and in this way overcome the paralysis caused by the (false) equation ‘ $n = 1$ ’ where n is the number of regional projects in the world and 1 being the European Union. It is then suggested to combine federalism theory and neo-functionalism and apply it outside Europe.

Other contributions analyze the relationship between micro- and macro regions; the roles of China and the US in Asian and the roles of the EU and the US in Egypt

Full text available at:

<http://www.on-federalism.eu/index.php/component/content/article/86-perspectives-on-federalism-federalism-and-regional-integration>

Section C) Regional integration processes



Subsection 1. Theory of regional integration processes

Subhayu Bandyopadhyay, Sajal Lahiri, Suryadipta Roy

Political Asymmetry And Common External Tariffs In A Customs Union

in **Economics and Politics**, Volume 23, Issue 1 , 88-106

This paper examines the effect of political and economic asymmetries in the formation of common external tariffs (CETs) in a customs union (CU). We do so by introducing possible cross-border lobbying and by endogenizing tariff formation in a political economic model for the determination of CETs. The latter allows us to consider asymmetries among the member nations in their susceptibilities to lobbying. We also consider asymmetries in the influence of the member nations in CU-wide decision-making. A central finding of this paper is that, in the absence of economic asymmetry, the CET rises monotonically with the degree of asymmetry in country influences if the two countries are equally susceptible to lobbying. If influences are the same, the CET also rises monotonically with the degree of asymmetry in susceptibilities. These results hold irrespective of whether the lobby groups in the two member countries cooperate or work non-cooperatively.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Davis G. Doug

Regional Trade Agreements and Foreign Direct Investment

in **Politics & Policy**, Vol. 39, Issue 3, June , 401-419

Regional trade institutions increase the local market size and attract higher foreign direct investment (FDI) inflows. The new economic geography provides the theoretical model for evaluating the spatial distribution of foreign capital within a multistate market. In this article, a fixed-effects cross-sectional time series regression examines 109 states from 1980-2005. The study's findings are that multilateral regional trade institutions are more likely to attract FDI inflows, and the gains in FDI inflows are highest in states with the strongest regional economy.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Naila Maier-Knapp

Regional and interregional integrative dynamics of ASEAN and EU in response to the avian influenza

in **Asia Europe Journal**, Volume 8, Number 4, April , 541-554

The article explores the European Union's and the Association of Southeast Asian Nation's regional and interregional integrative dynamics in response to the avian influenza outbreak in East Asia of 7 years ago. It sketches the collaborative efforts from an institutionalist perspective and outlines the variables influencing the behaviour of regional organisations. To explain and predict behavioural patterns, the article takes into account the following moderating variables: the kind of affectedness, mode of regional and interregional cooperation, the degree of institutionalisation and the role of international actors. The independent variable is the crisis itself. It replaces goal formulation for action and interaction during periods of normalcy. The succeeding paragraphs argue that a transnational crisis may trigger integrative dynamics and institutional change, but, that the mode of regional and interregional cooperation and the



degree of institutionalisation matter in the long run and are the essential factors in differentiating the cooperative dynamics. These two variables are vital elements contributing to the institutional design of a regional organisation. In the end, the article views the institutional design to be the central and constant determinant of integrative behaviour both in times of and in absence of crises.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

PHILIPPE DE LOMBAERDE

The Good, the Bad and the Ugly in Comparative Regionalism: A Comment on Sbragia

in *Journal of Common Market Studies*, Volume 49, Issue 3, May 2011 , 675-681

In a recent article in JCMS, Alberta Sbragia argued that the field of comparative regionalism features a number of deficiencies, and that these deficiencies are such that the very existence of comparative regionalism as a field of study can be questioned. Although she rightly points to a number of conceptual and methodological problems that comparative regionalism is facing, this short article challenges various of the points she is raising and indicates why comparative regionalism is an important and promising area for research.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Buzan Barry

The Inaugural Kenneth N. Waltz Annual Lecture A World Order Without Superpowers

in *International Relations*, vol. 25, n. 1, march , 3-25

ABSTRACT: The category of superpower, as distinct from great power, has become naturalized in the discourses about international relations. But 'superpower' has only become common usage since the end of the Second World War and in modern history cannot meaningfully be applied much further than the 19th century. This article argues that superpowers are a historically contingent phenomenon whose emergence rested on the huge inequality of power between the West and the rest of the world that developed during the 19th century. As this inequality diminishes, the most likely scenario for world politics is decentred globalism, in which there will be no superpowers, only great powers. The largest section of the article uses a framework of material and social factors to show why the US is unlikely to remain a superpower, and why China and the EU are unlikely to become superpowers. The following three sections use the same framework to look more briefly at why a world with only great powers is likely to take a more regionalized form; why this might produce a quite workable, decentralized, coexistence international society with some elements of cooperation; and what the possible downsides of a more regionalized international order might be, focusing particularly on the problem of regional hegemony. The conclusions offer five policy prescriptions for living in a decentred globalist world.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Castaldi Roberto

The dynamic development of the European Communities (and then Union) and the relationship with EFTA and the Council of Europe

in *Perspectives on federalism*, Vol. 2, issue 3 , E 78-109



Federalism, neo-functionalism and realism-intergovernmentalism offer different visions of European unity, evident in different European organizations such as the Council of Europe to the ECSC, EEC/EC/EU, and EFTA. The paper develops two heuristic schemes that help explain the success of the ECSC, EEC/EC/EU over other European organizations. The neo-functionalist initial success deeply influenced and shaped following developments

Full text available at:

<http://www.on-federalism.eu/index.php/essays/82-the-dynamic-development-of-the-european-communities-and-then-union-and-the-relationship-with-efta-and-the-council-of-europe->

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Fontagnéa Lionel, Labordeb David, Mitaritonnac Cristina

An Impact Study of the Economic Partnership Agreements in the Six ACP Regions

in Journal of African Economies, Volume 20 Issue 2 March 2011 , 179-216

This article provides a detailed analysis of the trade-related aspects of economic partnership agreement (EPA) negotiations for the six Africa–Caribbean–Pacific (ACP) negotiation groups including ECOWAS, CEMAC+, COMESA, SADC, CARIFORUM and Pacific. We use a partial equilibrium model—focusing on the demand side—at the HS6 level (covering 5,113 HS6 products). Two lists of sensitive products are constructed: focusing on the agricultural sectors and tariff revenue preservation. For the European Union (EU), EPAs must translate into 90% fully liberalised bilateral trade to be World Trade Organisation compatible. We use this criterion to simulate EPAs for each negotiating regional block. ACP exports to the EU are forecast to be 10% higher with EPAs, than under the generalised system of preference ‘Everything But Arms’ option. ACP countries, especially African ones, are forecast to lose an average of 71% of tariff revenues on EU imports in the long run. Imports from other regions of the world will continue to provide tariff revenues. Thus, if we compute tariff revenue losses on total ACP imports, losses are only 25% on average over the long run and as low as 19% if the product lists are optimised. The final impact depends on the importance of tariffs in government revenue and on potential compensatory effects. However, this long-term and less visible effect will depend mainly on the capacity of each ACP country to reorganise its fiscal base.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Omorogbe Eki Yemisi

Can the African Union Deliver Peace and Security?

in Journal of Conflict and Security Law, Volume 16 Issue 1 Spring , 35-62

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East



Weldesellassie K Isaac

IGAD as an International Organization, Its Institutional Development and Shortcomings
in *Journal of African Law*, Vol. 55, issue 1 , 1-29

The heads of state and government of the East African sub-region established a forum known as the Inter-Governmental Authority on Development (IGAD) for expanded cooperation in 1996. The conclusion of the treaty by which IGAD was created was the beginning, not the end, of commitment to IGAD through the principle of *pacta sunt servanda* [agreements are binding and must be implemented in good faith]. In spite of the great hopes, optimism and aspirations placed on the creation of IGAD, the challenge then become IGAD members' commitment to the treaty establishing IGAD. If member states are unable to grant powers to IGAD and cooperate to enable IGAD to execute its objectives, IGAD cannot work as was intended, hence it remains open to questions. This article discusses IGAD's fundamental features and the institutional progress it has achieved, as well as the challenges it faces as an international legal body

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Vezzani Simone

L'ordinanza sulle misure cautelari della Corte africana dei diritti dell'uomo e dei popoli nell'affare libico
in *Federalismi*, Anno IX - Nr 12

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Bougoma Ousmane

La dimension commerciale des accords de partenariat économique: quelle stratégie pour le régionalism ouest africain

in *Journal du droit international*, n. 2 , 337-364

No abstract available

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Simon-Pierre ZOGO NKADA

La libre circulation des personnes : réflexions sur l'expérience de la C.E.M.A.C. et de la C.E.D.E.A.O.
in *Revue internationale de droit économique* , Vol. 25, n°1 , 113-136

The free movement of persons in the context of the globalized market economy constitutes an important tool through which regional integration policies throughout the world are carried out, with its most perfect model so far being that of the European Union. The concept of freedom as defined by Article 4 of the French Declaration of Human Rights (of



1789) seems to put greater emphasis on the individual (freedom from restraint), whose rights are guaranteed constitutionally by the states and international conventions on individual rights and freedoms. The recognition of the freedom of movement as an inalienable individual right in the domestic legal systems has gradually been accepted and codified in international law. Though the principle of free movement of persons is hitch-free in most of the internal legislations of states (for instance for the citizens of those states), on the contrary, community law that recognizes the principle as a key factor in the process of integration of sovereign economic spaces, in a wide range, requires certain preconditions. The Economic and Monetary Community of Central Africa (CEMAC) and the Economic Community of West African States (ECOWAS) are a clear illustration of the benefits of the economic integration process at the regional level which is observed in all parts of the world – for instance Mercosur, ASEAN and Alena in particular. Though the construction of free trade zones in the regions of Central Africa (CEMAC) and West Africa (ECOWAS) may have similarities in terms of synergies that accompany the process within the States concerned – including through volunteerism displayed by institutional actors, and the establishment of a legal framework adopted to achieve the objective of free movement of persons – this dynamic observed since several decades in either region in Africa does not follow the same practical approach. This is explained by the fact that the implementation of the regional economic integration process through the freedom of establishment and right of residence is subjected to many policy and structural constraints, especially in the CEMAC region, due to the tendency of member states to reaffirm their national sovereignty. Also, overcoming those obstacles to the construction of free viable trade zones in central and West Africa is inevitable. That can be done through the greater involvement of political actors in the process, and above all by reforming the legal instruments used to achieve this goal, especially in the specific case of CEMAC.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Kirchick James

Leaked: What the Mideast Really Thinks of Iran

in *World Affairs*, Vol. 15, n. 2, March / April

Thanks to WikiLeaks, it's now abundantly clear that most Arab leaders want the US to end Iran's nuclear program. So why do our realist-progressive pundits still think the threat is exaggerated?

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Gibb Richard, Treasure Karen

SACU at centenary: theory and practice of democratising regionalism

in *South African Journal of International Affairs* , vol. 18, issue 1 , 1-21

ABSTRACT: The Southern African Customs Union (SACU) agreement signed in 2002 purported to change the predominance of South African power within the institution to give other member states greater representation, thus increasing the democratic credibility of SACU. This article explores changes to decision-making procedures in SACU resulting from the 2002 Agreement and considers the extent to which the institution has thereby democratised. The paper considers the meaning of democracy in the context of supranational regional institutions before reviewing the history of SACU in terms of decision-making processes and power relations between member states. The paper argues that while democratisation of institutions implies greater legitimacy and thus longevity, the historical trajectory of SACU



means that moves towards democratisation have served rather to destabilise the institution, notwithstanding the incomplete implementation of recommended democratisation measures.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Healy Sally

Seeking peace and security in the Horn of Africa: the contribution of the Inter-Governmental Authority on Development

in *International Affairs* , vol. 87, issue 1, january , 105-120

ABSTRACT: This article assesses the contribution that IGAD has made to regional security in the Horn of Africa since the adoption of its peace and security mandate in 1996. It describes the evolution of IGAD and its mandate in the context of regional conflict and wider African peace and security processes. It explores the local dynamics of the two major IGAD-led peace processes, in Sudan (1993–2005) and in Somalia (2002–2004), and discusses the effectiveness of IGAD's institutional role. A consideration of the wider impact of the peace agreements highlights the way IGAD has enhanced its role by setting the agenda on peace support operations in Somalia. The article concludes that IGAD's successes are more the result of regional power politics than of its institutional strength per se. Despite the obvious need for a better regional security framework, the scope for the IGAD Secretariat to develop an autonomous conflict-resolution capability will remain limited. However, IGAD brings a new diplomatic dimension to conflict management that locks in regional states and locks out interested parties beyond the region. With regard to Somalia, the organization has played a pivotal role in directing African and wider international responses to conflict in the region.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Debruna Xavier, Massonb Paul R., Pattilloa Catherine

Should African Monetary Unions Be Expanded? An Empirical Investigation of the Scope for Monetary Integration in Sub-Saharan Africa

in *Journal of African Economies*, Volume 20 suppl 2 May 2011 , 104-150

This paper develops a cost–benefit analysis of monetary integration and applies it to the currency unions being actively pursued in Africa. While many related studies have highlighted the problems associated with shock asymmetries, very few analyses have attempted to weigh these against potential benefits. In our model, the benefits of monetary union come from a more credible monetary policy and a correspondingly lower inflationary bias, while the costs derive from both output shock asymmetries (which are identified with different terms of trade movements) and fiscal disparities. Using African data, we estimate key equilibrium relationships of the model. These capture quite well the cross-country variation in inflation and fiscal revenues, allowing us to calibrate the full model. The model simulations indicate that the proposed East African Community, Economic Community of West African States and Southern Africa Development Community monetary unions bring about net benefits to some potential members, but that many other prospective members record relatively modest net gains and sometimes net losses. The paper also discusses how strengthening domestic monetary and fiscal institutions is an alternative that can provide some of the same benefits of monetary unions and therefore reduce their relative attractiveness.



Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Zerrougui Leila

The Arab Charter on Human Rights

in *Essex Human Rights Review*, vol. 7, n. 2, april

No abstract available

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Oktav Özden Zeynep

The Gulf States and Iran: A Turkish Perspective

in *Middle East Policy*, Volume 18, Issue 2, Summer , 136-147

No abstract available

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Kaplan Robert D.

The New Arab World Order

in *Foreign Policy*, Issue 186, January

Don't mistake the uprisings in Tunisia and Egypt for 1978 Iran. But that doesn't mean that U.S. diplomacy in the Arab world is going to be any less complicated going forward.

http://www.foreignpolicy.com/articles/2011/01/28/the_new_arab_world_order

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Dersso Solomon A.

The Role And Place Of Human Rights In The Mandate And Works Of The Peace And Security Council Of The Au: An Appraisal

in *Netherlands International Law Review*, Vol. 58, issue 1 , 77-101

Since its establishment in 2002, the African Union (AU) has accorded particular importance to the establishment of a robust mechanism for effectively responding to conflicts in Africa. This emerging mechanism established under the Protocol Relating to the Establishment of the Peace and Security Council (PSC Protocol) is known as the African Peace and Security Architecture (APSA). Central to the APSA is the PSC, which, like the UN Security Council, is 'a standing decision-making organ for the prevention, management and resolution of conflicts'. The PSC is vested with expansive powers covering the prevention, management and resolution of conflicts in Africa. In this context, the PSC Protocol not only makes numerous direct references to human rights but it also assigns the PSC with specific responsibilities vis-à-vis the protection of human rights. Despite the PSC's express mandate with respect to human rights and the



crucial importance and link of human rights to peace and security in Africa, little has however been written and discussed on the subject of human rights from the perspective of the works of the PSC and generally within the context of AU initiatives for the promotion, maintenance and restoration of peace and security in Africa. In an effort to contribute towards filling this lacuna, this article seeks to consider the place of human rights within the mandates of the PSC and the need for and the extent to which they are integrated into the PSC's work for the prevention, management and resolution of conflicts in Africa

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Jaïdi Larabi

The cost of “non-Maghreb” is too high a price to pay

in Europe’s World, Issue 17, Spring

The flight of Tunisia's President Ben Ali has underlined the tightrope many of the region's leaders are treading. The Maghreb countries have a lot to lose if they stick with their current failure to integrate their economies, argues Larabi Jaïdi.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21807/language/en-US/Default.aspx

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Dersso Solomon A.

The role and place of human rights in the mandate and works of the peace and security Council of the AU: an appraisal

in Netherlands International Law Review, Volume 58, Issue 1 , 77-101

Since its establishment in 2002, the African Union (AU) has accorded particular importance to the establishment of a robust mechanism for effectively responding to conflicts in Africa. This emerging mechanism established under the Protocol Relating to the Establishment of the Peace and Security Council (PSC Protocol) is known as the African Peace and Security Architecture (APSA). Central to the APSA is the PSC, which, like the UN Security Council, is ‘a standing decision-making organ for the prevention, management and resolution of conflicts’. The PSC is vested with expansive powers covering the prevention, management and resolution of conflicts in Africa. In this context, the PSC Protocol not only makes numerous direct references to human rights but it also assigns the PSC with specific responsibilities vis-à-vis the protection of human rights. Despite the PSC's express mandate with respect to human rights and the crucial importance and link of human rights to peace and security in Africa, little has however been written and discussed on the subject of human rights from the perspective of the works of the PSC and generally within the context of AU initiatives for the promotion, maintenance and restoration of peace and security in Africa. In an effort to contribute towards filling this lacuna, this article seeks to consider the place of human rights within the mandates of the PSC and the need for and the extent to which they are integrated into the PSC's work for the prevention, management and resolution of conflicts in Africa.



Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

El Hassan bin Talal Prince

**The 'Arab spring' could be a springboard for economic partnerships
in Europe's World**, Issue 18, Summer

Nobody can tell where and how the 'Arab awakening' will end, says Jordan's Prince El Hassan bin Talal, and that in itself is a healthy development. But he argues that the first lesson to be drawn is for Arab nations to draw together and create new regional co-operation mechanisms.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21870/language/en-US/Default.aspx

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Young Kurt B.

**Towards an 8th Pan-African Congress: the evolution of the race–class debate
in Journal of Political Ideologies** , Volume 16, Number 2 / June , 145-167

In anticipating an 8th Pan-African Congress (PAC), this article reflects on the ideological dynamics of the 6th and 7th PACs that were convened in the last third of the 20th century. Of particular concern is the importance of drawing lessons from the persistent debates and contentions that took place at those meetings. Specifically, debates around Black nationalism and Black Marxism, that have been constants in Pan-Africanist discourse over the years, will remain significant. However, as calls for the next Congress grow, this article suggests a task of reflecting on the evolution of this important debate.

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Thakkar, Bharat S.; Sands, Steven K.

**Influence of NAFTA on Current US Economy
in Perspectives on Global Development and Technology** , Vol. 10, n°1 , 143-15

The current unemployment rate in US is around 10 percent and is significantly lower in Mexico. The regional trade agreements such as the North American Free Trade Agreement (NAFTA) were intended to ease and ultimately reduce barriers to allow businesses to flourish in North America, but current economic conditions are having a negative effect on export, import, and many of the economic indices. This paper describes the relationship between NAFTA's execution and the general health of the current economy. It is suggested that the time is ripe to review and analyze NAFTA's



effectiveness in managing the current economy, globalization trends and challenges.

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Kimberly A. Nolan García

Transnational Advocates and Labor Rights Enforcement in the North American Free Trade Agreement in Latin American Politics & Society, Volume 53, Issue 2

This article investigates the impact of trade-based social clauses on labor rights enforcement. Drawing on insights from recent theoretical work on transnational advocacy networks and labor rights, the study examines how transnational groups and domestic actors engage the labor rights mechanisms under the NAFTA labor side agreement, the NAALC. A statistical analysis of original data drawn from NAALC cases complements interviews with key participants to analyze the factors that predict whether the three national mediation offices review labor dispute petitions. This study suggests that transnational activism is a key factor in explaining petition acceptance. Transnational advocates craft petitions differently from other groups and, by including worker testimony in the petitions, signal to arbitration bodies the possibility of corroborating claims through contact with affected workers.

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Schönsteiner Judith , Beltrán y Puga, Alma, Lovera Domingo A.

Reflections on the Human Rights Challenges of Consolidating Democracies: Recent Developments in the Inter-American System of Human Rights

in *Human Rights Law Review*, Vol. 11, issue 2 , 362-389

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Singh Priti

The Politics of Energy Cooperation in Latin America

in *International Studies*, vol. 46, n. 4, october , 457-470

ABSTRACT: The rich and diverse sources of energy in Latin America have given the region a distinctive status as a net energy exporter. But the energy-related issues among countries of the region have, in recent years, become increasingly politicized, preventing them from evolving a common regional energy security strategy. This essay examines the current political and economic environment in the region and its apparent effect on energy production and distribution. It analyzes the recent regional initiatives for energy cooperation and explores how some of the energy-rich countries use their resources to gain political advantages through their foreign and economic policies.



Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Deepak Nair

No Access ASEAN's Core Norms in the Context of the Global Financial Crisis

in Asian Survey , Vol. 51, No. 2, March/April , 245-267

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Chien-Peng Chung

No Access Japan's Involvement in Asia-Centered Regional Forums in the Context of Relations with China and the United States

in Asian Survey , Vol. 51, No. 3, May/June , 407-428

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Desierto Diane A.

ASEAN'S Constitutionalization of International Law: Challenges to Evolution Under the New ASEAN Charter

in Columbia Journal of Transnational Law, Vol. 49, issue 2

This Article discusses the normative trajectory of international obligations assumed by Southeast Asian countries (particularly the Organizational Purposes that mandate compliance with international treaties, human rights and democratic freedoms), and the inevitable emergence of a body of discrete "ASEAN Law" arising from the combined legislative functions of the ASEAN Summit and the ASEAN Political, Economic and Social Communities. I discuss several immediate and short-term challenges from the increased constitutionalization of international obligations, such as: 1) the problem of incorporation (or lack of direct effect) and the remaining dependence of some Southeast Asian states on their respective constitutional mechanisms to transform international obligations into binding constitutional or statutory obligations; 2) the problem of hybridity and normative transplantation, which I illustrate in the interpretive issues regarding the final text of the ASEAN Comprehensive Investment Agreement, which draws some provisions from GATT 1994 and contains language similar to the U.S. and German Model Bilateral Investment Treaties; and 3) the problem of diffuse or insufficient judicial oversight within ASEAN, seen through lingering dependence on national court implementation despite the regional effort at standardization of legal norms on specific areas of trade, security and human rights. I conclude that leaving these problems unaddressed could impede Southeast Asia's vast potential to contribute to the project of constitutionalizing international law.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area



Donna Weeks

An East Asian security community: Japan, Australia and resources as 'security'
in *Australian Journal of International Affairs*, Volume 65, Issue 1 , 61-80

There is a growing concern that the Asia-Pacific region is institutionally and architecturally ill—equipped to cope with changing regional dynamics and global power shifts that are presently under way. The idea of building a regional 'community' has been floated—and criticised—among various policy makers and analysts. Critics argue that the degree of cultural, political and religious diversity of the region and the mixed success of existing institutions undermines the prospect of any European-style security community emerging in East Asia. This article challenges those assumptions. The development of close and multidimensional bilateral and multilateral relationships between different countries in the region based on areas of mutual interest is a positive indicator that a regionally unique security community can emerge in this part of the world. Managing resource distribution emerges as a key variable for shaping norms predicated on mutual security assurances and deepening cooperation throughout the region. This is demonstrated by the development of the Australia-Japan bilateral security relationship.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Anthony Milner

Analysing Asian regionalism: what is an 'architectural perspective'?
in *Australian Journal of International Affairs*, Vol. 65, n. 1 / January , 109-126

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Amitav Acharya

Asia Is Not One
in *Journal of Asian Studies (The)*, Volume 69, Issue 04 , 1001-1013

Asia is not "one," and there is no singular idea of Asia. Asia is of multiple (although not always mutually exclusive) conceptions, some drawing on material forces, such as economic growth, interdependence, and physical power, and others having ideational foundations, such as civilizational linkages and normative aspirations. Some of these varied conceptions of Asia have shaped in meaningful ways the destinies of its states and peoples. Moreover, they have underpinned different forms of regionalism, which, in turn, has ensured that Asia, despite its fuzziness and incoherence, has remained a durable, if essentially contested, notion.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Prasenjit Duara

Asia Redux: Conceptualizing a Region for Our Times
in *Journal of Asian Studies (The)*, Volume 69, Issue 04 , 963-983



How has Asia appeared as a region and been conceived as such in the last hundred years? While there is a long-standing and still burgeoning historiography of Asian connections through the study of the precolonial and early modern maritime trade, the nineteenth and twentieth centuries are generally not seen as a time of growing Asian connections. The recent rise of interest in Asian connections in the current time is thus unable to grasp the continuities and discontinuities that form the present. Even more, it is unable to evaluate the risks and possibilities of the present moment.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Dittmer, L.

Asia in 2010: Continent Ascendant

in *Asian Survey* , Vol. 51, No. 1, January/February , 1-4

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Drysdale Peter

Asia's Global Responsibilities and Regional and International Cooperation

in *Asian Economic Journal*, Volume 25, Issue 1, March 2011 , 99-112

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Bisley Nick

Asia's transformation, international relations and public policy

in *Australian Journal of International Affairs*, Vol. 65, n. 1 / January , 102-108

This article considers Hugh White's assessment of how China's rise is changing Asia's international order. It particularly welcomes White's intervention as a break from Australian International Relations scholarship's collective tendency to disengage from serious debates about public policy. It argues that while White's claims are plausible, the outcomes he paints are not as likely as he believes due to Chinese domestic economic and social constraints, the continuing ability of the CCP leadership to act autonomously of societal pressure and America's ability to politically manage its regional dominance. The article concludes by noting the absence of public debate about what China's rise means for Australia and the region and joins White in asserting the need to recognize that every strategic policy option it faces will impose new costs on Australia.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Saalman, L.



Between 'China Threat Theory' and 'Chindia': Chinese Responses to India's Military Modernization
in *Chinese Journal of International Politics (The)*, Volume 4 Issue 1 Spring , 87-114

Since India's nuclear tests in 1974 and 1998 and China's 1989 Tiananmen Square incident, the two countries have faced the flow and ebb of western sanctions. Under these controls, China and India's initial development occurred largely within a military supply vacuum that resulted in an early dependence on Russian, and later Israeli cooperation, increasingly supplemented and in some cases replaced by domestic production. In 2000, however, this pattern began to undertake a marked shift. It was during this year that then US President Bill Clinton made the first visit by a sitting US president to the subcontinent since that of Jimmy Carter in 1978. This momentous occasion set analysts talking about the potential lifting of United States sanctions against India. Within a year, and with the lifting of sanctions, the US-India strategic partnership became a reality. In 2001, the United States conducted a large-scale removal of Indian companies from the US Entity List and in 2005 came the announcement of US-India intent to engage in civil nuclear cooperation. This article explores the impact of these two once similar and increasingly divergent military modernization and procurement trajectories. Given that India has become the primary beneficiary of this shift, this article will quantitatively and qualitatively measure changing Chinese perceptions of India's forces in the wake of sanctions lifting on the part of the West and the military procurement imbalance it left behind.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Suisheng Zhao

China's Approaches toward Regional Cooperation in East Asia: motivations and calculations
in *Journal of Contemporary China*, Volume 20, Issue 68 , 53 - 67

This paper explores how China's strategic motivations and calculations have both motivated and constrained its participation in East Asian regional cooperation. It argues that China's participation in regional economic and security cooperation is motivated first of all by the calculation of China's domestic interests to create a peaceful peripheral environment for its economic growth and political stability, particularly its frontier security and prosperity. The realist interests to enhance China's position in power competition with other major players in the region, particularly Japan and US, also play an important part in China's strategic calculation. These interest calculations, however, also set limits on China's participation in regional cooperation. These interest calculations have also shaped China's preference for an informal approach, emphasizing voluntarism and consensus building rather than legally binding resolutions, toward regional cooperation. This soft approach is a major barrier for many regional institutions to move beyond the stage of talking shops to effectively resolve conflicts in the region.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Clay Moltz, J.

China, the United States, and Prospects for Asian Space Cooperation
in *Journal of Contemporary China*, Volume 20, Issue 68 , 69 - 87

With the rapid rise of competitive space activities within Asia, this study examines the prospects for increasing international cooperation. After discussing relevant conceptual issues, it surveys the space policies particularly of China, India, Japan, and South Korea and examines the skewed patterns of cooperation seen at the international, regional, and



bilateral levels. It then analyzes the historical, technology, and political factors that have impeded, especially regional, space cooperation in Asia to date. The study concludes that expanded regional space cooperation is an unlikely near-term outcome, but the paper also argues that the risks entailed in the current situation are growing and that US policy initiatives could make a difference in helping to lead countries out of this dead-end.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Courtney FU Rong

China-ASEAN Relations, April 2010 to September 2010: Chronology of Events

in China: an International Journal, Volume 9: Issue 1, March , 178-183

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Rozman Gilbert

Chinese Strategic Thinking on Multilateral Regional Security in Northeast Asia

in Orbis: a Journal of World Affairs, vol. 55, n. 2, spring , 298-313

ABSTRACT: This article argues that multilateral mechanisms for addressing security issues in East Asia are weak and that a key reason is the hollowness of China's ostensible and much-touted commitment to multilateralism. This is especially troubling when the region faces major security challenges and regional relations (and China's approach to them) appear to be moving from "economics in command" to "security in command." The article concludes with a prediction that "A coordinated approach to combining alliances and quasi-alliances exclusive of China with multilateralism inclusive of it will best test China's intentions during this decade."

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Yamaguchi Katsuhiko

Cross-Border Integration in Northeast Asian Transport Market

in Pacific Economic Review, Volume 16, Issue 1, February 2011 , 47-63

This study highlights the recent global trends of the air transport market and develops a simulation model to assess the welfare impacts of tripartite liberalization in the Northeast Asian air transport market. First, in the global air transport market, routes between 1000 and 2000 km are identified as the fastest growing segment. Gravity model analysis reveals that there is potentially significant room for further growth from cross-border liberalization. Second, in the impact assessment of market liberalization in Northeast Asia, the effect of tripartite market liberalization of triangular routes that connect major cities in each of the three nations, Japan, South Korea and Mainland China, is analyzed. Simulation using a Cournot model with product differentiation shows that overall welfare gains would be achieved from tripartite liberalization. Air carriers' losses are overridden by an increase in consumer surplus. Such an arrangement by the three nations might eventually lead to an integrated environment in which airlines could evolve into a true multi-hub Northeast Asian air carriers.



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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Park Donghyun, Estrada Gemma Esther

Developing Asia's Sovereign Wealth Funds: The Santiago Principles and the Case for Self Regulation
in *Asian Journal of International Law*, Vol. 1, Issue 1

Concerns in host countries about the investment activities of sovereign wealth funds (SWFs) arise from their non-commercial motives and lack of transparency. In response to such concerns, investor countries have begun to work together to set up the norms and laws which will define the governance and regulation of SWFs. In particular, the Santiago Principles have given birth to a set of voluntary principles and guidelines designed to guide their investment behaviour. In this article, we point out that the Santiago Principles are fundamentally consistent with the commercial self-interest of SWFs, which bodes well for the prospects of their voluntary adoption. The Santiago Principles serve a highly valuable role as a mechanism which signals and crystallizes the commitment of SWFs to comply with the basic rules and regulations of the countries in which they invest

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Breslina Shaun

East Asia and the global/transatlantic/Western crisis
in *Contemporary Politics*, Vol. 17, n. 2, June , 109-117

This paper introduces the special collection on East Asia and the global crisis. After justifying why a focus on East Asia is appropriate, it draws out the main themes that run through the individual contributions. These are the extent to which the region is decoupling from the global economy (or the West), the increasing legitimacy of statist alternatives to neoliberal development strategies, and the impact of crises on the definition of 'region' and the functioning of regional institutions and governance mechanisms.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Acharya Amitav

Engagement or Entrapment? Scholarship and Policymaking on Asian Regionalism
in *International Studies Review*, vol. 13, issue 1, march , 12-17

ABSTRACT: While an interactive relationship between scholars and policymakers is generally regarded as mutually beneficial, there is also the risk of 'entrapment.' The latter occurs when scholars, once having proven their usefulness to policymakers and thereby earned their trust, become unwilling to offer dissenting opinions for the fear of risking their access and privileges. Using Asian regionalism as an example, this article argues that the development of regional institutions in Asia has benefitted from the ideas and input of the two main channels of such scholar-official interaction: epistemic communities and track two dialogues, especially during the formative stages of Asian regionalism (both



economic and security). But after gaining access, scholars engaged with officialdom in developing regional institutions have found it difficult to dissent from the official line, and in challenging the shortcomings and failures of Asian regional institutions. In Asia, the danger of entrapment has been strong in authoritarian countries. In general, participation by Asian scholars in the policymaking process has suffered from the inability of scholars and think-tankers (especially the latter) to rise above the national interest and question the official position of their own governments, the ubiquitous presence and dominance of government-linked scholars or retired government officials in track two dialogues, the exclusion of social movements from many such dialogues, the presence and influence of non-specialists (in issue areas) in setting their agenda and outcome, and generational gatekeeping (failure to bring in new faces). As a result, the development of a genuine transnational regionalism has been stunted.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Aglietta Michel, Labonne Claire, Lemoine Françoise

Exchange Rate Policy and Regional Integration in Asia

in *Lettre du CEPII*, n. 307, January

Asian foreign exchange markets are under pressure. Since 2007, good macroeconomic fundamentals, favourable growth prospects and high interest rates have made the emerging countries a favourite destination for capital. Though the crisis interrupted these flows at the end of 2008, the American monetary policy of "Quantitative Easing" accelerated the inflows of capital because it forced the emerging countries to raise their interest rates to combat inflation. Now, due to its increasingly integrated trade, price competitiveness and stable bilateral exchange rates are important factors in Asia's economic good health. The countries in the area intervene on the foreign exchange markets to prevent their currencies from appreciating. It is not just China that is resorting to this strategy; other countries have been much more active in bearing down on the exchange rate. How can the countries in the area maintain the stability of their exchange rates? As China is obviously the magnet for trade flows within the area, what role does the renminbi play in the exchange rate policies of the other Asian emerging countries?

When we look empirically at these questions, we have to ask ourselves whether a de facto monetary area is forming and therefore whether there now exists a process of decoupling from the dollar. Can a loose monetary area form implicitly, without the coordination of regional monetary rules?

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Andrew Phillips

From the age of asymmetry to the great reconvergence: securing order in the Asian century

in *Australian Journal of International Affairs*, Vol. 65, n. 1 / January, 94-101

Hugh White has advanced a lucid, provocative but ultimately unduly pessimistic assessment of the region's strategic trajectory in his latest Quarterly Essay. While White argues that American primacy has underwritten the past forty years of peace, and that shifting power relativities will likely catalyse a revival of regional strategic contestation, I contend that Asian states have themselves played a critical role in consolidating and deepening the post-1972 peace through their adoption of self-strengthening strategies that link their continued security and prosperity to the preservation of the existing international order. Whereas the region's demographic giants (China, India and Indonesia) once pursued self-strengthening strategies involving a mixture of autarky at home and revisionism abroad, they have each since



progressively abandoned these policies in favour of self-strengthening programs that seek to enhance states' security and prosperity through their deeper integration within a predominantly liberal international order. This seismic reorientation in self-strengthening strategies—from isolation and confrontation to integration and conciliation—has left Asian states both stronger and more satisfied with the status quo than they were in the immediate post-colonial period. In so doing, this shift has cultivated a powerful constituency for peace encompassing the region's great and middle powers that should militate strongly against the revival of violent Great Power competition in Asia as American primacy gradually declines.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Hamel-Green, M.

Implementing a Korea–Japan Nuclear-Weapon-Free Zone: Precedents, Legal Forms, Governance, Scope, Domain, Verification, Compliance and Regional Benefits

in *Pacific Focus*, Volume 26, Issue 1, April , 90–112

To assess the possibility of a future denuclearized Korean peninsula it is important to consider not only US and allied security interests, but also North Korean underlying security concerns. However, beyond the North–South conflict on the Korean peninsula, there is also a longer-term problem of Korean–Japanese relations. Both Japan and South Korea have the capacity to rapidly develop and acquire nuclear weapons. North Korean nuclear acquisition could well provide the rationale for either or both to acquire nuclear weapons. In the Northeast Asian region there is already a lengthy history of denuclearization proposals and even agreements. While the focus of previous proposals had concentrated on the Korean peninsula itself, an alternative way forward would be the initial establishment of a nuclear-weapon-free zone (NWFZ) between Japan and South Korea, with North Korea encouraged to join at a later date. The negotiation of a Korea–Japan NWFZ would serve to confirm and guarantee the current non-nuclear-weapon status of South Korea and Japan, while acting as an important confidence-building step to address North Korea's underlying security concerns and enable it to subsequently join the NWFZ. Internationally, the commitment of the US Obama administration to a reduced reliance on nuclear weapons, the recent unanimous final document of the 2010 Nuclear Non-Proliferation Treaty Review Conference calling for expansion of NWFZs, and the greater openness of the USA and other nuclear powers to NWFZ establishment in areas of regional conflict, suggest that we now have a new window of opportunity for denuclearization of Northeast Asia.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Guido Benny, Kamarulnizam Abdullah

Indonesian Perceptions and Attitudes toward the ASEAN Community

in *Journal of Current Southeast Asian Affairs*, Vol 30, No 1

The major criticism of the ASEAN Community idea is its elitist approaches. It lacks the most crucial components that have brought about the success of other similar regional organizations such as the European Union (EU): the involvement of the general public in the formation process. This study, therefore, analyses to what extent the Indonesian public understands and perceives the proposed regional community idea. By using statistical tests, the study accesses several interlinked factors such as knowledge about the ASEAN Community concept, perception of the process of establishment of the regional community, and perceived achievement of ASEAN as a regional organization to



understand the Indonesian public's attitude. The study found that despite Indonesian respondents' relative lack of knowledge on the proposed formation of the ASEAN Community, they are indeed supportive of the idea. They also show some support for the proposed creation of the regional community under its three core pillars, namely the Security Community, Economic Community, and Socio-Cultural Community. Furthermore, the Indonesian respondents also perceive that the formation of the community would be beneficial not only to their country, but also to the society and economy.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Julio S. Amador, III, Ariane Bobillo, and Amirah Peñalber

Issues and Challenges in ASEAN–India Relations Political-Security Aspects in India Quarterly, Vol. 67, n°2 , 111-127

Are there serious political-security conflicts between Association of Southeast Asian Nations (ASEAN) and India that could affect deepening relations? The strengthening of ASEAN and India's cooperation has already bore fruit with the implementation of the ASEAN–India free trade area. However, political security relations have not been fully examined especially if there are possibilities of potential conflicting policy directions. This article aims to contribute to further understanding of ASEAN and India's political and security relations through ASEAN's non-traditional security priorities in assessing potential threats to the region. There are indeed policy areas where ASEAN and India do not see eye to eye such as on issues of nuclear proliferation and human rights. However, because of the mutuality of interest between them, potential conflicts can be resolved.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Terada Takashi, Ong Bernard

Japan and management of the transatlantic crisis: international responses and domestic struggles in Contemporary Politics, Vol. 17, n. 2, June , 201-215

This article aims to examine how the structural transformations in both materialistic and ideational contexts, symbolised by declining US influence and growing Chinese voices, has influenced Japan, a key US ally in the region and China's regional competitor. Based on a neo-classical realist framework which stresses the need to analyse domestic political processes, this article sheds light on the influence of these structural transformations on Japan's efforts to formulate its new growth strategies by rearranging policy priorities and engaging in regional and international collaborations. Since the crisis took place during a period which saw the demise of Liberal Democratic Party's five-decade rule and the advent of the Democratic Party of Japan government, the article analyses to what extent the economic stimulus programmes (launched by both old and new governments, respectively) differed and assesses how they have been effective in terms of stimulating domestic demands. The article also highlights Japan's efforts under the crisis-led structural transformations to involve fast growing Asian economies in its new growth strategy and to engage in the regional financial cooperation including the Chiang Mai Initiative Multilateralisation.



Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Anno Tadashi

Japanese domestic politics and security cooperation with Australia: the limits of 'normalisation'
in *Australian Journal of International Affairs*, Vol. 65, n. 1 / January , 24-39

Security cooperation between Japan and Australia over the last several decades has been largely underpinned by common factors and interests in the international system. As with most bilateral relationships, however, cooperation has also been encouraged by domestic forces in both countries. The prevailing forces that characterised Japanese foreign policy in the post-war era were the politically and constitutionally entrenched pacifist norm, the powerful position of the bureaucracy relative to a powerful yet fragmented bureaucracy coupled with weak political leadership, and exceptional longevity of the Liberal Democratic Party (LDP) government during their tenure in power from 1955 to 2009. These characteristic features of Japanese foreign policy also had particular implications for Australia-Japan relations. Concordantly, evolutions in Japanese politics since the end of the cold war have altered the environment in which policy towards Australia and the region is formulated. This article examines how Australia-Japan security cooperation has been affected by the erosion of intense pacifism towards 'normalisation', the assertion of greater power and leadership of the executive over the bureaucracy, and the historic defeat of the LDP government in 2009 leading to the ascension of the Democratic Party of Japan. It concludes that although changes in Japanese politics have not significantly challenged or bolstered security cooperation between Japan and Australia, those changes have proven too limited to significantly strengthen Japan's position in an increasingly volatile region.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Hélène Rousselot

Le Club de l'énergie de l'ocs, un élément (moteur)... d'intégration régionale ?
in *Relations internationales*, n°145 , 117-132

The Energy Club of the sco: a (driving) element of regional integration?
In 1996, Russia, China, Kazakhstan, Kirghizia and Tajikistan established the "Shanghai 5" Association, converted in June, 2001 into a regional structure of multilateral cooperation – the Shanghai Cooperation Organisation. Composed of three big energy producing and exporting countries (Russia, Kazakhstan, Uzbekistan) and of three energy consuming and importing countries (China, Kirghizia and Tajikistan), the SCO set up its Energy Club in 2007. In this context, these countries with convergent and conflicting interests have to elaborate complex strategies. But this club is only a forum for discussion, and only plays a small part in a process of still very hypothetical integration.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Boulanger Éric

Le nouveau libéralisme et la politique commerciale du Japon pour l'Asie Légalisme et libre-échange
in *Etudes Internationales*, Volume 42, numéro 1 , 73–96



This article analyses Japan's trade policy for Asia. Japan's approach to trade is characterized by an innovative policy of bilateralism and multilateralism, based on legalism and free trade and advocating a regional division of labor. This analysis is based on a pragmatic theoretical framework that integrates the contributions of international law and international political economy to new liberalism. A key finding of this analysis is that Japan's trade policy is quite proactive compared to the reactive stance associated with that country. Japan exerts intense economic state preferences in its call for legalism and free trade to face the rising power of China. Japan's actions favor the hardening and the regionalization of the post-wto trade system

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Jean-Pierre Cabestan

L'Asie centrale vue de Chine

in *Relations internationales*, n°145 , 53-70

Security concerns have for a long time dominated China's policy towards Central Asia. However, economic and energy sector objectives have gradually changed Beijing's agenda. As in Xinjiang to a certain extent, China has tried hard to solve regional security problems through the development of economic cooperation and trade, in other words through prosperity. In spite of China's successes in Central Asia, its strategy is facing important obstacles. Culturally distant from China and challenged by multiple domestic tensions, Central Asian countries have not invested as much capital as China in the Shanghai Cooperation Organization. Neither has Russia. The region remains suspicious of Beijing's policy in Xinjiang. The war in Afghanistan, the fight against Islamic extremism and drug trafficking have also complicated China's growing power in Central Asia, a part of the world that remains open to many different outside influences.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Katsumata Hiro

Mimetic adoption and norm diffusion: 'Western' security cooperation in Southeast Asia?

in *Review of International Studies (The)*, Vol. 37, Issue 2, April , 557-576

The members of the Association of Southeast Asian Nations (ASEAN) have been pursuing new cooperative security agendas – namely, confidence-building measures (CBMs), preventive diplomacy (PD), conflict resolution and a set of agendas associated with security communities. The ASEAN members' pursuit of these agendas should be seen as a set of instances of their mimetic adoption of external norms for the sake of legitimacy. They have mimetically been adopting a set of norms associated with the collective management of conflicts, which have been practiced by the participant states of the Organisation for Security and Cooperation in Europe (OSCE). They have been doing so, with the intention of securing their identities as legitimate members of the community of modern states, and of enhancing the status of ASEAN and the ASEAN Regional Forum (ARF) as legitimate cooperative security institutions.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Carlson, A.



Moving Beyond Sovereignty? A brief consideration of recent changes in China's approach to international order and the emergence of the tianxia concept

in *Journal of Contemporary China*, Volume 20, Issue 68, 89 - 102

This article examines recent trends in the evolution of elite Chinese foreign policy discussions about the normative organizing principles that should ground contemporary international politics. It finds that a pragmatic emphasis on sovereignty, albeit as a right which is flexible and far from sacrosanct, still maintains a core position within Chinese thinking in this regard. However, at the same time, a surprising reconstitution of an old world view has begun to take shape in China. More specifically, the tianxia (all-under-heaven) concept has emerged as a new reference point for some Chinese deliberations on the normative structure of international relations. While such a perspective is still of secondary importance within Chinese international relations circles, its emergence suggests that a potentially far-reaching, if still inchoate, reconsideration of international order is underway in China. Moreover, such a development may have broad ranging implications for the security dynamic that takes shape in Asia in the coming years.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Yeo George

Nalanda and the Asian Renaissance

in *New Perspectives Quarterly*, Vol. 28, Issue 2, Spring, 73-76

<http://onlinelibrary.wiley.com/doi/10.1111/j.1540-5842.2011.01252.x/abstract>

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Weitz Richard

Nervous Neighbors: China Finds a Sphere of Influence

in *World Affairs*, Vol. 15, n. 2, March / April

ASEAN encourages the sovereignty of its members. That's probably why China can exploit it so easily. It's also probably why its members want to hedge Beijing with closer US ties — ties Washington is all too happy to grant.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Ayson Robert

New Zealand, Australia and the Asia-Pacific strategic balance: from trade agreements to defence white papers: Robert Ayson discusses New Zealand's approach to security in a changing world.

in *New Zealand International Review*, January 1, 2011

As global power shifts towards Asia and the Asia-Pacific balance itself changes, New Zealand's strategic positioning becomes an important priority. Evidence of New Zealand's positioning can be found in the quest for free trade agreements with all of the major regional powers, and in our involvement in regional multilateralism where our South-east Asian partners are engaging the big powers simultaneously. The new defence white paper recognises New



Zealand's interest in building a stronger relationship with the United States while accommodating a rising China. This is accompanied by a strong commitment to the Australia alliance, including co-operation on South Pacific security.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Lorena di Placido

Organizzazioni Internazionali e Cooperazione Centro-Asiatica. Dieci anni di SCO: il successo e il mito in CeMiSS - Osservatorio Strategico e Quarterly, XIII, n. 2 , 71-76

Il 14 e 15 giugno 2011 ad Astana è stato celebrato il decennale dalla fondazione dell'Organizzazione di Shanghai per la cooperazione. L'annuale vertice dei capi di stato e di governo ha assunto un significato ulteriore, dovuto ai bilanci e alle considerazioni che il traguardo conseguito necessariamente richiama.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Van De Haar, E.

Philippine Trade Policy and the Japan-Philippines Economic Partnership Agreement (JPEPA) in Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 33, Number 1, April , 113-139

Taking the problematic ratification of the Japan-Philippines Economic Partnership Agreement (JPEPA) as a focal point, this article aims to determine the current state and future prospects of Philippine trade policy. Utilizing a multi-level approach, the motives and actions of the Philippines are analysed within the broader historical and socio-political framework of the country's trade policy. JPEPA was initiated by Tokyo and for both Japan and the Philippines it served important foreign policy goals, although the economic benefits for the latter were also substantial. The analysis shows that political institutions in the Philippines do not exert much influence on trade policy outcomes, the major exception being the office of the President. Domestic interests are far more important for Philippine trade policy. The analysis indicates that trade liberalization has hardly ever been an issue in Philippine politics, except in rare cases when it came to be foregrounded by a combination of incidental domestic political processes and initiatives of foreign powers such as Japan or regional organizations like ASEAN and APEC. The JPEPA case has reinforced the existing domestic trade policy gridlock, although external initiatives by foreign countries and regional organizations will remain of key importance for further trade liberalization in the Philippines.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

White Hugh

Power shift: rethinking Australia's place in the Asian century
in *Australian Journal of International Affairs*, Vol. 65, n. 1 / January , 81-93



Australian foreign and strategic policy has not yet begun to address the implications for Australia's international situation of China's growing power. China today already challenges the American leadership that has kept Asia peaceful and Australia secure for many decades. There are real and growing risks that Washington and Beijing will not find a way to work together peacefully as relative power shifts from one to the other. Unless they do, Asia's future is bleak, and so is Australia's. Australia therefore needs to work to promote a new order in Asia which accommodates China's power without conceding more than is necessary to keep the peace. This will mean encouraging America to forgo primacy in Asia in favour of working with China and others in a shared regional leadership. Australia also needs to start preparing for the possibility that Asia will nonetheless become a more contested and dangerous place over coming decades, and consider what its options would be. None of them appear attractive.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Kazuhiko Togo

Regional security cooperation in East Asia: what can Japan and Australia usefully do together?
in *Australian Journal of International Affairs*, Vol. 65, n. 1 / January , 40-60

This article discusses Japan-Australia security cooperation in the context of changing regional dynamics in the Asia-Pacific. The combined influences of the rise of China, the US position in the world after two years under an Obama administration, and the changing structure of regional cooperation are setting new challenges and a historically distinct context for security relations between Japan and Australia. After examining each of the above regional changes, this article discusses the effects of political transitions over the last several months in both Japan and Australia. It then highlights three natural areas for Japan and Australia to pursue increased cooperation: denuclearisation, addressing China's policy on territorial integrity, and the rise of China's military, in particular in terms of naval power. The article concludes by providing the author's perspective on Japan-Australia security cooperation and suggests the future direction of relations.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Prasenjit Duara

Response to Comments on "Asia Redux"

in *Journal of Asian Studies (The)*, Volume 69, Issue 04 , 1027-1029

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Watson Andaya, B.

Response to Prasenjit Duara, "Asia Redux"

in *Journal of Asian Studies (The)*, Volume 69, Issue 04 , 1015-1020

In his provocative essay, Prasenjit Duara argues that prior to the nineteenth century, the web of maritime trade networks infused the ill-defined area we call "Asia" with a genuine coherence, providing a conduit for cultural flows that readily



permitted interactive relationships and the mutual adoption of new beliefs and practices. By the late nineteenth century, however, the imperial powers sought to ensure their global dominance by creating regional blocs consisting of territories that were economically subservient to the metropole. The consequent focus on the establishment of territorial boundaries encouraged a “nationalist congruence between state and culture” that gathered pace over the next hundred years. Only now are we beginning to see an Asia where interdependence and increasing cultural contact, carrying echoes of past connectivities, have opened up new opportunities by which a “transnational consciousness” can and should be encouraged.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Elliott Lorraine

Shades of green in East Asia: the impact of financial crises on the environment in Contemporary Politics, Vol. 17, n. 2, June , 167-183

In his 2009 report on the world financial and economic crisis and its impact on development, UN Secretary-General Ban Ki-moon expressed concerns about a range of direct and indirect impacts on the environment. Those concerns included the impact of a slow-down in investment in environmentally sustainable technologies, as well as the impact of stimulus packages that relied on poorly planned infrastructure and resource development. They included worries about whether higher levels of unemployment would result in greater and unsustainable use of subsistence resources. Against the backdrop of these concerns, this article examines the impact of both the 1997 Asian financial crisis and the current global financial crisis on environmental sustainability in East Asia. It shows that both crises generated similar patterns of environmental impact, but that those impacts were at times counter-intuitive and ambiguous. Positive impacts were short-lived and negative impacts were little affected in the longer term.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Hughes, C.

Soldiers, Monks, Borders: Violence and Contestation in the Greater Mekong Sub-region in Journal of Contemporary Asia, Volume 41, Issue 2 , 181 - 205

he struggles of poor communities to negotiate development processes have been documented increasingly in recent years. However, recognition of the agency of the poor should not preclude attention to patterns of oppression that may be intensifying in the face of top-down development processes imposed by increasingly well co-ordinated elites. Examination of patterns of violence in border areas across the Greater Mekong Sub-region suggests that integration facilitates the collusion of state actors in the dispossession of the poor in a manner that is deleterious to ethnic minorities, internal migrants and other vulnerable populations. National political processes are not offering mechanisms by which such populations can seek to contest this trend.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area



Bateman, S.

Solving the "Wicked Problems" of Maritime Security: Are Regional Forums up to the Task?

in Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 33, Number 1, April , 1-28

Maritime security is a major concern in the Asia Pacific, yet is riddled with highly complex "wicked problems" that have thus far defied solution. These include different interpretations of the Law of the Sea underpinning regional maritime security, the lack of good order at sea, numerous conflicting claims to maritime jurisdiction, the implications of increased naval activity in the region and the lack of agreed maritime boundaries. This article identifies major wicked problems and reflects on the likelihood that they will be successfully addressed in regional forums. It finds some optimistic indications of a greater preparedness to address these issues than has been the case in the past. However, much will depend on whether existing mindsets can change to allow regional countries to cooperate more effectively with regards to maritime security. The article concludes with the proposal that an Asian Peace Research Institute should be established to promote more independent thinking and greater cooperation.

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Subsection 5. Cooperation and integration in Asia and the Pacific Area

Rüland, J.

Southeast Asian Regionalism and Global Governance: "Multilateral Utility" or "Hedging Utility"?

in Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 33, Number 1, April , 83-112

Regional organizations are widely regarded as building blocks of a multilateral order. But this view ignores the fact that regional organizations vary in their contribution to multilateralism. This article therefore adds to Dent's established concept of "multilateral utility" the concept of "hedging utility" which I claim better captures the behaviour of many non-Western regional organizations including the Association of Southeast Asian Nations (ASEAN). In the theory-guided part the article develops six indicators to distinguish the two types of regional organizations: level of institutionalization, governance costs, nesting, agenda-setting, norm entrepreneurship and mode of interaction. Based on these categories, the article examines ASEAN's role as a contributor to a multilateral order. The findings illustrate that indeed "hedging utility" rather than "multilateral utility" better describes ASEAN's agency in shaping international order. The hedging concept resonates well with elite notions of Southeast Asian political culture and also captures the institutional balancing dimension of ASEAN's (security) policies.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Sinclair Timothy J.

Stay on target! Implications of the global financial crisis for Asian capital markets

in Contemporary Politics, Vol. 17, n. 2, June , 119-131

The global financial crisis that started in the summer of 2007 is one of the most significant events to have affected the world order since the end of the Cold War. It has stimulated debate in developed countries about how global finance should be regulated to ensure the fairness of individual transactions and the stability of the financial system, and in some places, about the proper place of finance in society. Things have been different in East Asia where resilience and continuity are characteristic of the impact and response to financial volatility. The development of financial



disintermediation, characterized by the emergence and growing role of securities markets, and the changing identity of banks, has continued largely unaffected in the region. The article argues three distinct phenomena have combined to produce this outcome.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Dent, C.; Richter, P.

Sub-Regional Cooperation and Developmental Regionalism: The Case of BIMP-EAGA

in Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 33, Number 1, April , 29-55

The Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA) is one of a number of sub-regional "growth polygons" in Southeast Asia that was established in the early 1990s to help accelerate the process of regional integration among the member states of the Association of Southeast Asian Nations (ASEAN). However, these sub-regional zones include the less developed parts of Southeast Asia, and therefore face significant developmental challenges. This paper seeks to understand how BIMP-EAGA has addressed these challenges in accordance with the principles of developmental regionalism; that is, activities that are particularly oriented to enhancing the economic capacity and prospects of lesser-developed countries with a view to strengthening their integration into the regional economy, and thereby bringing greater coherence to overall regional community building. This article examines how BIMP-EAGA has pursued developmental regionalism through various initiatives and measures aimed at enhancing inter-related development capacities: technocratic, institutional, industrial, infrastructural, human and sustainable development. There have been successes but also failures in BIMP-EAGA, as evidenced by the persistent lack of progress in achieving substantial sub-regional development cooperation. This paper discusses the reasons for these outcomes, and makes a number of recommendations to give BIMP-EAGA new direction and purpose.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Terms of Reference of the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children (ACWC)

in Asia Pacific Journal on Human Rights and the Law, Volume 11, Number 2 , 82-91

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Emmers Ralf, Ravenhill John

The Asian and global financial crises: consequences for East Asian regionalism

in Contemporary Politics, Vol. 17, n. 2, June , 133-149

This article provides a comparative study of the consequences of the Asian and global financial crises for East Asian



regionalism. It explains how and why the effects of the two crises on regional institutions were divergent. The differences derived from the origins of the two upheavals, internal versus external to the region, and from the depth of their impact on the affected countries. These generated contrasting expectations of how regional institutions might respond, which led in turn to diverse perceptions on the need for institutional change. The Asian financial crisis underscored the need for new overlapping arrangements capable of better defending the region against future financial instability. The less severe crisis affecting East Asia in 2008, in contrast, has led to a more dispersed and nationally driven institutional response. The competing proposals have been driven more by a perceived shift in the global power distribution than by any renewed or reinforced sense of regional vulnerability or common identity.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Stubbs Richard

The East Asian developmental state and the Great Recession: evolving contesting coalitions
in *Contemporary Politics*, Vol. 17, n. 2, June , 151-166

This analysis explores the impact of the Great Recession on the evolution of East Asia's developmental states. An analytical framework, which emphasizes the political tug-o-war between the coalition of groups that support the developmental state and the coalition of those who advocate for neo-liberal reforms to state structures and state policies, is used to plot the fortunes of the developmental state since the 1980s and the advent of globalization in East Asia. The elements of the Great Recession that influenced this battle between the two sets of coalitions are examined and the shift in the influence of the coalition supporting the developmental state structures and policies are assessed.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Wang Hui

The Idea of Asia and Its Ambiguities
in *Journal of Asian Studies (The)*, Volume 69, Issue 04 , 985-989

No abstract available

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Tansen Sen

The Intricacies of Premodern Asian Connections
in *Journal of Asian Studies (The)*, Volume 69, Issue 04 , 991-999

In his study of the reemergence of intra-Asian connections published in this issue of the *Journal of Asian Studies*, Prasenjit Duara has aptly underscored the importance of comprehending the patterns of interactions and connectivities



among Asian societies during the precolonial period. The following comments will reaffirm most of his contentions, but also will problematize the issue, especially in regard to some of the neglected topics and the conceptualization of the premodern interactions.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Hans-Dieter Evers, Azhari Karim

The Maritime Potential of ASEAN Economies

in *Journal of Current Southeast Asian Affairs*, Vol 30, No 1

Countries may utilize a long coastline in relation to their landmass as a resource to develop their maritime economy. This paper argues that ASEAN countries differ in utilizing their maritime potential. As a basis for further comparative studies the Center for Policy Research and International Studies (CenPRIS) in Penang developed a set of indicators to measure the maritime potential of nations, the state of their maritime industries, and the degree to which the maritime potential has actually been utilized. Using the CenPRIS Ocean Index (COI) shows that Brunei and the Philippines have underutilized their maritime potentials, whereas Singapore and Thailand have made full use of it. Malaysia still has the potential to further develop its maritime economy.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Thompson Sue

The Western powers and the development of regional cooperation in Southeast Asia: the international dimension, 1945–67

in *Global Change, Peace & Security*, vol. 23, n. 1 , 75-88

ABSTRACT: The creation of formal regional cooperation in Southeast Asia is generally attributed to initiatives that came from countries in the region. In particular, the creation of the Association of Southeast Asian Nations (ASEAN) was a direct result of the Malaysian–Indonesian talks that ended Confrontation. Indeed, at the time many Asian leaders denied that ASEAN was the result of an outside idea or action. However, this position ignores the importance of Western financial aid in the establishment and subsequent success of ASEAN, as well as the various policy positions Western countries had taken since the end of the Second World War. This article argues that Southeast Asian regional cooperation was influenced by both Western and Asian policy and its development reflected the economic and political transformation of the Southeast Asian landscape that was taking shape at the time.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Bellamy A.; Drummond, C.

The responsibility to protect in Southeast Asia: between non-interference and sovereignty as responsibility
in *Pacific Review (The)* , Volume 24, Issue 2 , 179-200

The responsibility to protect (R2P) comprises each state's responsibility to protect its own populations from genocide,



war crimes, ethnic cleansing and crimes against humanity, the international community's duty to assist states in this endeavour, and a responsibility for the international community to take timely and decisive action in situations where the host state has manifestly failed. At first glance, the latter two elements of this principle seem to require behaviour that contradicts the principle of non-interference. This raises questions as to why R2P was endorsed by Southeast Asian governments and whether it can be localised in a region whose politics are underpinned by non-interference. This article argues that processes of norm localisation are producing an accommodation between the two principles. This accommodation involves the formal retention of both principles but the subtle realignment of each in order to make them compatible and make support for both coherent. It is this third explanation, we argue, that best explains the relationship between R2P and non-interference in Southeast Asia: R2P has been revised to limit its capacity to legitimise coercive interference, whilst non-interference is in the process of being recalibrated to permit expressions of concern, offers of assistance and even the application of limited diplomatic pressure in response to major humanitarian crises. Thus, whilst the region remains largely hostile to doctrinal revisions to non-interference, subtle changes are evident in practice. This article outlines the evolution of R2P as a challenge to traditional notions of state sovereignty, provides an overview of non-interference and past efforts to revise the principle, and examines two case studies to understand how the two principles are being accommodated in practice.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Ortuoste, M.

Timor-Leste and ASEAN: Shaping Region and State in Southeast Asia *Asian Journal of Political Science*
in Asian Journal of Political Science, Volume 19, Issue 1, 1-24

There is a certain ambiguity in the definition of regions and this can be seen in the relationship between the Association of Southeast Asian Nations (ASEAN) and Timor-Leste. This article discusses how regional actors have adopted and re-shaped the externally-imposed geographic and political definitions of Southeast Asia. These definitions were stabilized through the institutionalization of policies and practices of exclusion and inclusion which have affirmed the legitimacy of certain entities in the organization (i.e. being ASEAN), the acceptability of certain behaviours (i.e. acting as ASEAN), and the appropriate interpretive frames with which to solve problems (i.e. seeing as ASEAN). This enabled ASEAN to present a modicum of cohesion even while it facilitated the exclusion of East Timor as a 'legitimate' political actor in Southeast Asia. Over time, however, these definitions were destabilized by a convergence of external crises and increasing inconsistencies within ASEAN. As ASEAN embarks on redefining the Southeast Asian 'community', Timor-Leste is trying to demonstrate its bona fides by 'becoming' an ASEAN state with the requisite institutional capabilities, and 'acting' and 'seeing' as an ASEAN state in order to generate a positive consensus on its membership.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Tino Elisa

Una nuova sfida nel regionalismo multipolare asiatico: la Shangai Cooperation Organisation
in Comunità Internazionale (La), vol. LXV, n. 2, secondo trimestre

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Majocchi Alberto

A Federal Europe for Promoting a New Model of Growth - Moving towards sustainable development and a better quality of life.

in *Federalist Debate (The)*, Year XXIV, n. 1, March

“Those of us wanting a unified Europe, the European integrationists, must leave behind the half-measures and pragmatic false compromises and learn again what really matters to us. The United States of Europe. Nothing more and nothing less. The current crisis has shown us that half-measures cannot withstand harsh realities, nor can false compromises. It has also shown that European visionaries were the true realists. And that only the path towards the United States of Europe can provide a real alternative to failure”

J. Fischer

<http://www.federalist-debate.org/fdb/current/detail.bfr>

Section C) Regional integration processes

Subsection 6. The European unification process

Picheral Caroline

L'œuvre de la Cour de justice dans la politique européenne d'asile et d'immigration

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 545, février , 117-121

After being successively the exclusive responsibility of the States, the subject of cooperation in the framework of the Union, made Community responsibility by the Amsterdam treaty in the framework of competing jurisdictions, asylum and immigration (understood as that of third party citizens) are now entering the Court of Justice's chambers. Apart from the ruling entered on the petition for cancellation of the family reuniting rights directive, the latter had not come forward much so far other than to remind several member countries of their transposition duties and the Council of institutional balance. The 2009 and 2010 case law shows a more significant body of work and seems to provide first elements of answer to the criticism that have been expressed about European laws. Faced with the finding of minimum harmonisation, leaving a broad margin of assessment to domestic authorities, the Court of Justice's interpretations reinforce the ability of standards to form a common law: face with the criticism of harmonisation too sensitive to the concern of migratory flow control and illegal immigration prevention, the rulings contribute to the protection of basic rights, even though all are not without ambiguity.

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Subsection 6. The European unification process

Bellofiore Riccardo, Halevi Joseph

"Could Be Raining". The European Crisis After the Great Recession

in *International Journal of Political Economy*, Volume 39, Number 4 / Winter 2010-11 , 5-30

This paper presents a general overview of the structural transformations marking the "new capitalism" and analyzes the contradictions of European neomercantilism within the Great Recession. In the past two decades, neoliberalism turned into a paradoxical sort of privatized financial Keynesianism based on the triad of traumatized workers, manic-depressive



savers, and indebted consumers. It argues that the present European economic and political situation is deeply rooted in linking capitalist accumulation to the attainment of export surpluses, a situation in which, as is the case in Germany, most of the net external balances, are realized within Europe itself. It shows that such a process has led to the rise of strong neomercantilism (in Germany) and to weak neomercantilism (in Italy). The recent crises, including those in Greece, Ireland, Portugal, and Spain, are discussed in this framework. It concludes by observing that in light of the ongoing contradictions, the challenge for the Left is the question of the socialization of the banking system, of investment, and of employment.

Section C) Regional integration processes

Subsection 6. The European unification process

Van Vooren Bart

'A legal-institutional perspective on the European External Action Service'

in *Common Market Law Review*, vol. 48, issue 2 , 475-502

ABSTRACT: This article provides a legal perspective on the new European External Action Service (EEAS), and positions this new body in the reshuffled institutional balance of EU external relations. To that end, the paper examines the EEAS's legal nature as compared to that of Council, Commission, their support services and EU agencies, and seeks to define the EEAS's sui generis status in the EU institutional set-up. Some relevant questions are: What are the implications of its absence of legal personality, what does its "functional autonomy" from the Council and Commission imply, what are its formal powers - if any, and could the EEAS be drawn into proceedings before the Court of Justice? In answering those questions, this article then examines to what extent the legal-institutional choices on the structure of the EU External Action Service reflects the age-old tension entrenched in EU external relations law: the EU's nature as an internally diverse entity, which seeks to present a coherent Union voice to the world.

Section C) Regional integration processes

Subsection 6. The European unification process

Pottakis Andreas

'GREECE – In Search of a Modern Deus ex Machina: Towards an Orderly Bankruptcy of European Legal Orders'

in *European public Law*, Volume 17 (2011) Issue 2 , 181–196

Section C) Regional integration processes

Subsection 6. The European unification process

Quaglia Lucia

'The Ebb and Flow' of Euroscepticism in Italy

in *South European Society & Politics*, Volume 16, Issue 1, Special Issue: Euroscepticism in Southern Europe: A Diachronic Perspective, March , 31-50

This paper analyses the 'ebb and flow' of party-based and popular euroscepticism in Italy, arguing that, when examined over a long period of time, euroscepticism has shifted from left to right. Moreover, whereas party-based euroscepticism has been transformed from ideological to strategic, popular euroscepticism seems to be better explained by economic



reasons rather than political ones. The empirical material is organised in three periods, on the basis of the turning points in the evolution of euroscepticism in Italy: from 1957 to the late 1960s; from the early 1970s to the end of the so-called 'First Republic' in the early 1990s; and the 'Second Republic'.

Section C) Regional integration processes

Subsection 6. The European unification process

Auerback Marshall

A "United States of Europe" or Full Exit from the Euro?

in *International Journal of Political Economy*, Volume 39, Number 4 / Winter 2010-11, 87-102

The euro is now facing an existential choice: What was once deemed the fantasy of a few extreme euro-skeptics—namely the potential disintegration of the euro—has now become respectable mainstream opinion. The current institutional arrangements are surviving only by virtue of the European Central Bank's decision to backstop the bonds of the periphery countries now facing an insolvency crisis. In effect, the European Central Bank has become the political arbiter for fiscal decisions made by each of the eurozone's national governments. This is politically unsustainable. Ultimately, the choice is between the restoration of national currencies and the reestablishment of full fiscal sovereignty in the respective nation states of the European Monetary Union or the creation of a supranational fiscal authority, a "United States of Europe."

Section C) Regional integration processes

Subsection 6. The European unification process

Çarkoğlu Ali, Bilgili Nazlı Çğ ın

A Precarious Relationship: The Alevi Minority, the Turkish State and the EU

in *South European Society & Politics*, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June, 351-364

Over the last decade, the political significance of the Alevis, the largest sectarian Muslim minority in Turkey, has notably changed. This article aims to evaluate the Alevi community's changing stance as a sectarian minority within an increasingly conservative Turkish society facing European Union (EU) membership negotiations. We first of all summarise the characteristics of the Alevi community and contextualise the changing role of the Alevi minority in Turkish politics. We focus on Alevi demands as part of the EU adjustment reforms and negotiation process, and present the official responses from the Justice and Development Party (AKP) government as well as the EU authorities.

Section C) Regional integration processes

Subsection 6. The European unification process

Michael E. Smith

A liberal grand strategy in a realist world? Power, purpose and the EU's changing global role

in *Journal of European Public Policy*, Volume 18, Issue 2 2011, 144-163

The European Union (EU) is one of the most unusual global political actors, and it inspires numerous scholarly debates about its power and purpose. One of the most important such debates involves the role of material versus non-material/ideational power resources – or hard versus soft power – in understanding the EU's 'actorness'. Given the



increasingly wide range of EU policy competencies, and the increasingly complex demands placed on the EU, this article embeds this debate in the larger context of grand strategy. It first argues that the EU's efforts as a global actor do conform to three basic components of grand strategy: physical security; economic prosperity; and value projection. Second, it analyses the content of the EU's grand strategic goals at three levels of analysis: intra-EU; regional (or neighbourhood); and global. Finally, it analyses the EU's implementation of its (largely liberal) strategic goals, particularly in terms of how they might compete with those of other global actors, such as the United States (US).

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Lubbers Marcel, Jaspers Eva

**A longitudinal study of euroscepticism in the Netherlands: 2008 versus 1990
in European Union Politics** , Vol. 12, n. 1, March , 21-40

With a unique longitudinal data set covering a time-span of 18 years, we test to what extent euroscepticism evolved among the Dutch between 1990 and 2008. We compare Eurosceptic attitudes on the eve of the signing of the Treaty of Maastricht with attitudes after the Dutch 'no' in the referendum on the European Constitution. We find a strong increase in euroscepticism among the Dutch. This change did not develop evenly across the educational strata. We propose to explain these differences through the utilitarian, political cueing, political cynicism and identity approaches. Over the years, the less educated have become more cynical about politics and have come to perceive a greater ethnic threat than before, which explains their stronger increase in euroscepticism. In contrast to 1990, perceived ethnic threat was the main predictor of euroscepticism in 2008.

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Bofinger Peter, Ried Stefan

**A new framework for fiscal policy consolidation in Europe
in Revue de l'OFCE**, 2011/1 (n°116) , 277-290

The rules of the European Stability and Growth Pact (SGP) were neither strict enough nor enforced strictly enough. We propose a new framework for fiscal policy consolidation in Europe. Centre stage takes a European Consolidation Pact (ECP) supplementing the SGP, with five distinguishing features. First, members are obliged to detail a path to balancing their budgets, including a concrete course to cutting non-cyclical government expenditure, and second to implement an automatic tax increase law in case of straying from the defined path. Third, pact members may apply for ECP guarantees for each newly issued government debt that is in line with the specified path. These guarantees are, fourth, paid for by a percentage fee. Fifth, non-compliance with the automatic tax increase law leaves future government bond issues without ECP guarantees. The new framework spells out the details of an orderly government default.

Section C) Regional integration processes

Subsection 6. The European unification process

Alberto Quadrio Curzio



A proposito di bond europei

in *Mulino (il)*, n. 1, gennaio-febbraio, 2011 , 282-290

No abstract available

Section C) Regional integration processes

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Pavoncello Franco

All for One, One for All: The Euro in Crisis

in *World Affairs*, Vol. 15, n. 3, May / June

For more than six decades, Europe sought stability and peace through economic unity. Turns out, eurozone unity also means sharing the financial pain of the most reckless members. This unexpected consequence has caused murmuring in the European congregation. Can more determined oversight save the Union?

Section C) Regional integration processes

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Decker Frank, Sonnicksen Jared

An Alternative Approach to European Union Democratization: Re-Examining the Direct Election of the Commission President

in *Government and Opposition* , Vol. 46, n. 2, April , 168-191

A successful reform of any system of governance must be well informed of the system's own functional logic. In the context of its democratization, this article explores whether the institutional arrangement of the European Union has developed or behaves more like a presidential than a parliamentary system. Building on that, the authors re-examine the opportunities and feasibility of realizing that model as a step towards more democracy in European governance.

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Verney Susannah

An Exceptional Case? Party and Popular Euroscepticism in Greece, 1959-2009

in *South European Society & Politics*, Volume 16, Issue 1, Special Issue: Euroscepticism in Southern Europe: A Diachronic Perspective, March , 51-79

The first diachronic study of Greek opposition to European integration reveals a story of surge, decline and limited renewal. With a time frame of the past 50 years, the article identifies key turning points and examines the changing pattern of party stands on the European Community and European Union, the extent to which the Greek case conforms to expectations about Eurosceptic parties' ideological affiliation and status as protest parties, and the Eurosceptic



parties' policy impact. Investigating trends in mass attitudes, it finds a relative 'goodness of fit' between public opinion and electoral support for Eurosceptic parties.

Section C) Regional integration processes

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Ruud A. de Mooij and Michael P. Devereux

An applied analysis of ACE and CBIT reforms in the EU

in *International Tax and Public Finance*, Volume 18, Number 1 , 93-120

We assess the quantitative impact of two reforms to corporation tax, which would eliminate the differential treatment of debt and equity: the allowance for corporate equity (ACE) and the comprehensive business income tax (CBIT). We explore the impact of these reforms on various decision margins, using an applied general equilibrium model for the EU calibrated with recent empirical estimates of elasticities. The results suggest that, if governments adjust statutory corporate tax rates to balance their budget, profit shifting and discrete location render CBIT more attractive for most individual European countries. European coordination makes a joint ACE more, and a joint CBIT less efficient. A combination of ACE and CBIT is always welfare improving.

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Egger Peter, Larch Mario

An assessment of the Europe agreements' effects on bilateral trade, GDP, and welfare

in *European Economic Review*, Volume 55, Issue 2, February 2011 , 263-279

The so-called Europe Agreements had been enacted in the 1990s to initiate the integration of goods markets between the 15 EU incumbent economies as of 1995 and 10 potential entrants located in Central and Eastern Europe. This paper evaluates the trade, GDP, and welfare effects of these agreements by means of structural analysis of a bilateral trade flow model. The results support three conclusions. First, the agreements exerted significant positive effects on goods trade between the EU15 incumbents and the CEEC and, at the same time, they induced trade redirection from other countries. Second, EU15 GDP responded by an increase of much less than 1% while that in the 10 CEEC increased by several percent in response to the agreements. Third, the effects on welfare were moderate in the EU15 but amounted to more double-digit percentage changes in the involved CEEC.

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Hocking Brian, Smith Michael E.

An emerging diplomatic system for the EU?. Frameworks and Issues

in *Cuadernos europeos de Deusto*, n. 44 , 19-42

No abstract available

Section C) Regional integration processes



Subsection 6. The European unification process

Kiiver Philipp

Analysis and Reflections - The Early-Warning System for the Principle of Subsidiarity: The National Parliament as a Conseil d'Etat for Europe

in *European Law Review*, Vol. 36, issue 1, 98-109

No abstract available

Section C) Regional integration processes

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Mengozi Paolo

Antonio Saggio

in *Studi sull'integrazione europea*, Anno VI, n. 2, maggio-agosto, 207-216

Advocate General at the Court of Justice Paolo Mengozzi chronicles the salient points of the career of Antonio Saggio, former President of the Court of First Instance from 18 September 1995 to 4 March 1998 and Advocate General at the Court of Justice from 5 March 1998 to 6 October 2000, died on 26 January 2010. The Author underlines the important contribution of Antonio Saggio to the jurisprudence of the Court of Justice.

Section C) Regional integration processes

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Fois Paolo

Applicazione differenziata e flessibilità nel diritto dell'Unione europea

in *Studi sull'integrazione europea*, Anno VI, n. 1, gennaio-aprile, 25-40

The essay focuses on the study of the concept of "separate application" of EU law, which has received so far very limited attention by the doctrine. There is indeed a widespread tendency to dwell mainly on the enhanced cooperation (now provided for, after the Lisbon reform, in Article 20 TEU and Articles 326-334 TFEU), and to formulate some criteria of differentiation with reference to the "separate application" which do not appear entirely convincing. Other contributions include in the "differentiated integration" concept both the enhanced cooperation and the "separate application". In this study it is instead claimed the existence of precise criteria of differentiation, such as to exclude that the "separate application", which continues to recur with particular frequency in the formulation of European Union law, may be confused with the enhanced cooperation (that is, governed by these articles of the Treaty and TFEU). In contrast to this cooperation, indeed, in the "separate application" the element of the authorization is entirely absent, given by a decision adopted by the Council also by a majority (see, for enhanced cooperation, Articles 20 TEU and 329 TFEU). In fact, in the "separate application", the rules applicable to all the Member States and the exemptions in respect of one or more of the same shall be decided with the consent of all Parties to the Treaty. It is also the element of consent that allows us to capture the kind of flexibility of EU law related to the mechanism of "differentiated application". The same Member States, in defining the rules of law contained in the primary treatment or in the Additional Protocols, determine whether and when these rules will receive a "differentiated application". Only in enhanced cooperation, ultimately, the limit laid down in Article 326 TFEU could apply, stating that those actions "respect the Treaties and the Union law".



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Hertner Isabelle

Are European Election Campaigns Europeanized? The Case of the Party of European Socialists in 2009 in Government and Opposition , Vol. 46, n. 3, July , 321-344

In the past, European election campaigns have been fought primarily at national level, organized and led by national parties. The European political parties had neither the financial nor the organizational means to lead pan-European election campaigns. The June 2009 elections, however, highlighted a different and potentially significant trend: new EU regulations provided for the direct financing of European political parties, allowing them to campaign directly in the elections. It is argued that these developments could lead to the Europeanization of European elections campaigns. This article applies the concept of Europeanization to the election campaigns of the Party of European Socialists and three of its member parties: the British Labour Party, the French Socialist Party and the German Social Democrats, creating an ideal-type model of Europeanization. It concludes that in the three cases Europeanization is still in its infancy.

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Huart Florence

Are fiscal policies countercyclical in the euro area?
in *Revue de l'OFCE*, 2011/1 (n°116) , 149-172

We study the relationship between the change in the cyclically-adjusted primary balance and the change in the output gap. The former variable is taken as an indicator of discretionary fiscal policy. The latter is an indicator of cyclical conditions. We use panel data for the euro area and data for twelve euro area countries (and three EU countries and three OECD countries for comparison). The sample covers the period 1970-2008. We show that fiscal policy was countercyclical in all euro area member countries in 2009. However, over the period 1970-2008, countercyclicality was little frequent in those countries to compare with other OECD countries. Moreover, since 1999, fiscal policies in the euro area have no longer been procyclical during good times, but they have been procyclical during bad times in two countries, Austria and Portugal.

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Pfisterer Thomas

Aspekte von Europapolitik und Föderalismus
in *Schweizerische Zeitschrift für Internationales und Europäisches Recht*, Heft 2, 15. Jahrgang

No abstract available

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Guerrieri Paolo

Austerità e crescita nella nuova governance europea
in *ItalianiEuropei*, n. 5

Section C) Regional integration processes

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Petithomme Mathieu

Awakening the sleeping giant? The displacement of the partisan cleavage and change in government-opposition dynamics in EU referendums

in *Perspectives on European Politics and Society*, vol. 12, n. 1, April , 89-110

This article considers party system effects and change in government-opposition dynamics in EU referendums. Relying on the analysis of party stances, party-voter alignments and campaign dynamics in 12 EU referendums in France, Ireland, Great-Britain and Spain, it shows that EU referendums tend to interfere with traditional party system dynamics in majoritarian democracies. By clearly manifesting a pro-European convergence between incumbent and mainstream opposition parties, they constitute a fertile ground to awake the 'sleeping giant' under certain conditions. EU referendums favor the temporary displacement of the partisan cleavage, create recurrent tensions for mainstream opposition parties and consistently reinforce the role played by protest parties. The recurrent intra-party factionalism or the limited mobilizations of pro-European opposition parties in referendum campaigns are thus not so linked with their ideologies or with endogenous factors, but are rather largely induced by their specific party system 'situations'.

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Michael Friederich Klutha, Jess Pilegaardb

Balancing beyond the horizon? Explaining aggregate EU naval military capability changes in a neo-realist perspective

in *European Security*, Volume 20, Issue 1 , 45-64

The present paper seeks to make sense of recent European Union (EU) naval capability changes by applying neo-realist theory to the EU as a collective actor in the global balance of power. The paper compares two different strands of neo-realist theory by deducing key predictions about the expected naval posture of the Union and the corresponding expected changes in capabilities. These predictions are subsequently held up against post-cold war data on naval acquisitions in the EU. The paper concludes that the observed patterns are best explained not as bandwagoning with the USA, but as a long-term balancing strategy aimed at bolstering the autonomy and international influence of the Union vis-à-vis other major powers, including the USA.

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Dérens Jean-Arnault



Balkans occidentaux : le long chemin vers l'Union européenne

in *Politique internationale*, n. 130 - Hiver, 2011

Twenty years ago Yugoslavia was imploding, leading to several terrible wars. Peace slowly returned during the following decade, along with reconciliation of a sort. Today, the former Yugoslavian republics are looking in the same direction, towards the European Union. Countries in the Western Balkans dream of following in the footsteps of Slovenia, which joined the EU in 2004. But they're not all marching to the same beat. Croatia and Montenegro are on track, and will undoubtedly join the EU in the near future. Serbia has made significant progress, but must still settle certain outstanding issues, especially hunting down war criminals sought by the International Court of Justice. Macedonia, on the other hand, is still blocked by a quarrel with Greece about its official name. And both Bosnia and Kosovo are lagging well behind, and are not expected to catch up for many years.

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Annenkov Anatoli, Berglöf Erik

Baltic lessons for Europe's future economic governance

in *Europe's World*, Issue 17, Spring

With Estonia having just joined the beleaguered eurozone, and with Latvia and Lithuania determined to follow as fast as they can, Anatoli Annenkov and Erik Berglöf look at the lessons the Baltic states' economic policymaking may have for the whole EU.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21792/language/en-US/Default.aspx

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Scherpereel John A., Zierler Matthew C.

Barriers to Socialization: Turkey and Regional International Organizations

in *Journal of European Integration*, Volume 33, Number 1 / January , 19-36

Turkey has long been a productive member of regional international organizations (IOs) like the North Atlantic Treaty Organization and the Council of Europe. Theorists of socialization would predict that Turkey's activities within these organizations would encourage European Union (EU) members who belong to these IOs to support Turkey's application for EU membership. In reality, many EU members who share memberships with Turkey voice severe reservations about the prospects of Turkish EU membership. This article seeks to explain this puzzle. It demonstrates why socialization dynamics have failed to materialize in the Turkey-EU relationship and tests alternative explanations for 'failed socialization'. It finds empirical support for two such explanations. The first involves limitations of IOs' ability to discourage 'bad behavior' by member states. The second involves the increasing importance of mass publics and the dissolution of a 'permissive consensus' that has characterized past decisions about EU enlargement.



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Forbrig Jörg

Belarus zwischen der EU und Russland: Ende der Schaukelpolitik

in *Aus Politik und Zeitgeschichte*, Band 24-26, 2011

The full text is free:

http://www.bpb.de/publikationen/NPQ1Y2,3,0,Belarus_zwischen_der_EU_und_Russland%3A_Ende_der_Schaukelpolitik.html#art3

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Präsidentenwahl 2010 als Zäsur

Ausblick

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Dangerfield Martin

Belarus, Moldova and Ukraine: In or Out of European Regional International Society?

in *Journal of European Integration*, Volume 33, Number 2 / March , 215-233

For the Western Newly Independent States (WNIS) of Belarus, Moldova and Ukraine a 'European choice' (defined as the aspiration to join Euro-Atlantic structures) remains an ambiguous opportunity. NATO enlargement is now firmly off the agenda, leaving the future status of the WNIS mainly dependent on engagement with the EU. Critics of the EU's 'eastern' policy — often referred to as 'enlargement lite' — contend that it risks leaving the WNIS on the fringes of the European mainstream with their fate dependent upon whether negative or positive determinants of EU integration ultimately prevail. Meanwhile, the WNIS constitute an 'in between' sub-region of post-enlargement Europe that can be construed as part of the outer layer of Europe's regional international society or, alternatively, at the intersection of two overlapping regional international societies. EU international society on the one side and on the other a conjectural 'Eurasian' regional international society premised on influences of the Soviet legacy and the lure of deeper integration with Russia.



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Dieter Heribert

Belohnung für Fehlverhalten?

in **Internationale Politik** , 66. Jahrgang, n. 5-6, Mai-Juni

ABSTRACT: Deutschland profitiert zwar vom Euro, ist aber nicht der Hauptnutznießer, wie von Adam S. Posen behauptet. Andere Staaten haben im Vergleich sogar größere Vorteile, vor allem wegen der durch die Währungsunion deutlich gesunkenen Zinssätze. Transferzahlungen an unseriös wirtschaftende EU-Staaten setzen falsche Anreize und schwächen Europa.

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Bressand Albert

Between Kant and Machiavelli: EU foreign policy priorities in the 2010s

in **International Affairs** , vol. 87, issue 1, january , 59-85

ABSTRACT: The entry into force of the Lisbon Treaty invites and enables Europe to develop elements of a common foreign policy. Europe should resist the tendency of listing all issues calling for attention, and be aware that it will have to address three agendas, not just one. The first agenda is the Kantian one of universal causes. While it remains essential to European identity, it presents Europe with limited opportunities for success in the 2010s as could be seen at the 2009 Climate Summit in Copenhagen. The 'Alliance' agenda remains essential on the security front and would benefit from a transatlantic effort at rejuvenation on the economic one. Last but not least, the 'Machiavellian' agenda reflects what most countries would define as their 'normal' foreign policy. It calls for Europe to influence key aspects of the world order in the absence of universal causes or common values. While Europe's 'Machiavellian' experience is limited to trade policy, developing a capacity to address this third agenda in a manner that places its common interests first and reinforces its identity will be Europe's central foreign policy challenge in the 2010s. A key part of the Machiavellian agenda presently revolves around relations with Ukraine, Turkey and the Russian Federation, three countries essential to Europe's energy security that are unlikely to change their foreign policy stance faced with EU soft power. Stressing that foreign policy is about 'us' and 'them', the article looks at what could be a genuine European foreign policy vis-à-vis each of these interdependent countries, beginning with energy and a more self-interested approach to enlargement. The European public space is political in nature, as majority voting and mutual recognition imply that citizens accept 'foreigners' as legitimate legislators. At a time when the European integration process has become more hesitant and the political dimension of European integration tends to be derided or assumed away, admitting Turkey or Ukraine as members would change Europe more than it would change these countries. Foreign policy cannot be reduced to making Europe itself the prize of the relationship. What objectives Europe sets for itself in its dealing with Ukraine, Turkey and Russia will test whether it is ready for a fully-fledged foreign policy or whether the invocation of 'Europe' is merely a convenient instrument for entities other than 'Europe'.

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Faas Daniel

Between ethnocentrism and Europeanism? An exploration of the effects of migration and European integration on curricula and policies in Greece

in *Ethnicities*, Vol. 11, n. 2 , 163-183

Greek national identity has been challenged by processes of European integration and migration-related cultural diversity. This article begins with a socio-historical analysis of the impact of national, European and multicultural political agendas on education policy in Greece. Drawing on curriculum documents and semi-structured interviews, the article argues that these three agendas were put together in rather different ways, depending on the school material. History remained largely ethnocentric while geography and citizenship curricula veered between ethnocentrism and Europeanism; in doing so they marginalized topics relating to migration, 'otherness' and integration. Some policy makers also struggled to move beyond a mere recognition of the plural character of Greek society while others revealed more progressive views of a synthesis between notions of Europe and diversity. The study is drawn from a larger Greek case study and addresses a number of broader sociological concerns in Europe including how to respond to increasing diversity resulting from migration. It departs from standard two-way comparisons of national-versus-European or national-versus-multicultural agendas in addressing the complex interface of national, European and migration-related issues.

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Janoschka Michael

Between mobility and mobilization – lifestyle migration and the practice of European identity in political struggles

in *Sociological Review*, Volume 58, Special Issue, December 2010 , 270-290

Abstract

Lifestyle migration, such as the temporary or permanent movement of European citizens to coastal areas in Southern Europe, widely responds to the freedom of movement that EU citizenship provides to all its members. Although this migration can be evaluated as an individual and rather apolitical expression of a politically intended mobility within the European Union, it may seriously alter political life within destinations. The following article presents a case study about the political mobilization of lifestyle migrants living on the Spanish Mediterranean coast. It is based on empirical research and explores narrative interviews with members of a transnationally active political pressure group that campaigns against misapplications of local and regional land use policies. The central aim of the text consists of evaluating how central actors draw on European identity within conflict negotiations that traverse diverse scales including the European level. Referring to this, the article engages with key issues in contemporary sociological debates addressed in this monograph, namely the question of how sociologists approach the study of the political in general and how imaginations of Europe and European identity are strategically appropriated within political debates.

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Rinaldi Niccolò

Brevetto europeo italia autoesclusa

in *Critica liberale*, Volume XVIII, n. 185, marzo

No abstract available

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Eriksen Erik Oddvar , Fossum John Erik

Bringing European Democracy Back In—Or How to Read the German Constitutional Court's Lisbon Treaty Ruling

in *European law journal*, Volume 17, Issue 2, March , 153–171

This article critically examines the democratic theory that informs the German Federal Constitutional Court's Lisbon Treaty ruling. This is needed because the ruling is ambiguous with regard to which type of democracy applies to which type of Union. In order to analyse the ruling we establish three models of what European democracy possibly can amount to: audit democracy based on the EU as a derivative of the Member States; a multinational federal state; or a regional cosmopolitan polity? The court's depiction of the EU does not fit as well as we would expect when labeled as a derivative entity due to the important legislative role of the European Parliament. The EU's legal supranationalism points in the direction of a federation, but the court's argumentation does not lend support to this notion. The court models democracy on a rather specific set of institutional presuppositions that are derived from the parliamentary model of democracy associated with the sovereign nation state. At the same time, the court operates with a conception of a changing state sovereignty that unfolds more in line with cosmopolitan rather than with classical Westphalian statist principles.

Section C) Regional integration processes

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Sattler Stephan

Brüsseler Ärgernisse. Deutsches Unbehagen in der Europäischen Union

in *Europäische Rundschau*, Heft 3, 2010

No abstract available

Section C) Regional integration processes

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Luıs Aguiar-Conraria, Maria Joana Soares

Business cycle synchronization and the Euro: A wavelet analysis

in *Journal of Macroeconomics*, Volume 33, Issue 3 , 477-489

We use wavelet analysis to study business cycle synchronization across the EU-15 and the Euro-12 countries. Based on the wavelet transform, we propose a metric to measure and test for business cycles synchronization. Several conclusions emerge. France and Germany form the core of the Euro land, being the most synchronized countries with



the rest of Europe. Portugal, Greece, Ireland and Finland do not show statistically relevant degrees of synchronization with Europe. We also show that some countries (like Spain) have a French accent, while others have a German accent (e.g., Austria). Perhaps surprisingly, we find that the French business cycle has been leading the German business cycle as well as the rest of Europe. Among the countries that may, in the future, join the Euro, the Czech Republic seems the most promising candidate

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Jackson John E., Mach Bogdan W., Miller-Gonzalez Jennifer L.

Buying support and regime change: the evolution of Polish attitudes towards the EU and voting between accession and 2008

in *European Union Politics*, Vol. 12, n. 2, June, 147-167

Positive assessments of what entry to the European Union (EU) meant for Poland and for Poles increased after the 2003 vote to join and dramatically so after accession. Analysis of panel data from 2003 and 2008 shows the increase in positive assessments is related to the size of EU transfers and to increases in personal income, particularly for assessments of personal benefits. The attitude changes are also related to variables associated with individuals mostly likely to benefit from greater access to the larger Europe. The positive EU attitudes on both dimensions are related to votes for the pro-EU party that came into office in the 2007 election. In this way, the benefits from entry 'bought' more favorable attitudes and a more favorable government for the EU.

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Biscop Sven, Coelmont Jo

CSDP and the 'Ghent Framework': The Indirect Approach to Permanent Structured Cooperation?

in *European Foreign Affairs Review*, vol. 16, issue 2, 149-167

ABSTRACT: The move, with the Lisbon Treaty, from a European Security and Defence Policy (ESDP) to a Common Security and Defence Policy (CSDP) must mean more than a change of name. This article pleads for a creative use of Permanent Structured Cooperation (PESCO), the new mechanism in the area of defence offered by the Lisbon Treaty. Building on the continued will of European Union (EU) Member States to pursue the transformation of their armed forces towards expeditionary operations, notably by exploiting opportunities for further pooling and sharing of capabilities, we propose a Permanent Capability Conference as a high-level political platform to generate effective military convergence. Systematic alignment of national defence planning through such a permanent and structured process at the strategic level will enable each Member State to focus its defence effort on the right capabilities, to do away with redundant capabilities, to make maximal use of pooling and specialization, and to contribute to multinational projects to address Europe's strategic capability shortfalls. In times of austerity, there is no alternative to European cooperation if Europe wants to remain militarily relevant.

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Vannucci Andrea

Caos Libia. Uno spunto per una riflessione sul ruolo delle diplomazie nazionali tra Consiglio di Sicurezza e Consiglio europeo

in *Federalismi*, Anno IX - Nr. 6

Section C) Regional integration processes

Subsection 6. The European unification process

José Enrique de Ayala

Carta de Europa: La UE ensimismada ante un mundo que se transforma

in *Política Exterior*, 140 - Marzo / Abril

La sorprendente y dubitativa reacción de la UE ante la crisis política en los países árabes demuestra que, inmersa en sus problemas internos, no puede desarrollar una política exterior común eficaz.

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Tombazos Stavros

Centrifugal Tendencies in the Euro Area

in *Journal of Contemporary European Studies*, vol. 19, n. 1, march, 33-46

ABSTRACT: The adoption of the euro by Southern European states brought into sharp relief the structural problems of their economies, leading to increased deficits in their current transactions. Yet, before the onset of the world economic crisis, the euro had a beneficial impact on the economic growth of these states as a consequence of real interest rates being lower than the euro area average. Since the crisis, the flow of funds to these countries has sharply diminished, resulting in the crisis shock being much stronger in Southern Europe than in the states of the euro area that present small deficits or surpluses in their current transactions. In Southern Europe the euro makes economic fluctuations even more pronounced and the management of recession much harder – to the point where the very cohesion of the euro area is at stake.

The fact that real wages in Germany have not experienced an upward trend throughout the 2000s, partly explains Southern Europe's deficit in current transactions. But it also explains the economic tensions that have arisen within the Franco-German axis. The stagnation of German demand has impacted negatively France, whose economic interests are rallying in favour of a 'competitive' exchange rate for the euro, while in Germany a high exchange rate is preferred instead.

In the long run, the cohesion of the euro area cannot be guaranteed unless a complete integration of the Economic and



Monetary Union is striven for: Through the creation of effective mechanisms to deal with asymmetric shocks as well as the coordination of national economic policies with the aim of reducing national and social inequalities.

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Sayarı Sabri

Challenges of Triangular Relations: The US, the EU, and Turkish Accession

in South European Society & Politics, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June , 251-263

The US government became deeply involved in European Union (EU)-Turkey relations from the mid-1990s and has provided extensive diplomatic support for full Turkish membership in the EU since then. Washington's strategic considerations have been paramount in the US government's approach to Turkey's full integration into the EU. The US policy on this issue has played a constructive role in Turkish-US relations. However, it has also created strains in transatlantic ties, since the pressure the US has put on the EU has angered many European officials, who resent what they view as interference in the EU's internal affairs. The US has become more sensitive to the complaints voiced by European leaders and EU officials, and it has adopted a more subtle approach to the issue of Turkish membership. While Washington continues to support Turkey's European integration, it has also recognised that the accession process is likely to be lengthy.

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Subsection 6. The European unification process

Korosteleva Helena A.

Change or Continuity. Is the Eastern Partnership an Adequate Tool for the European Neighbourhood?

in International Relations, vol. 25, n. 2, june , 243-262

ABSTRACT: This article examines the discourse of the EU's relations with eastern Europe under the recently launched Eastern Partnership (EaP) initiative. First, it evaluates the EaP's conceptual framework to suggest that there seems to be more continuity than change in the EU's modus operandi with its neighbours. More crucially, the notion of 'partnership', central to the new philosophy of cooperation with the outsiders, continues to be ill defined, causing a number of problems for the effective and legitimate realisation of the European Neighbourhood Policy/Eastern Partnership in the region. Second, drawing on the empirical investigations of the official discourses in Belarus, Ukraine and Moldova, the article reveals an increasing gap between EU rhetoric and east European expectations. In the absence of adequate partnership response to the needs and interests of 'the other', the policy is unlikely to find anticipated legitimation in the neighbourhood.

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Stivachtis Yannis, Georgakis Stefanie

Changing Gender Attitudes in Candidate Countries: The Impact of EU Conditionality — The Case of Turkey

in Journal of European Integration, Volume 33, Number 1 / January , 75-91



The impact of the European Union integration process on democratization in candidate states is often considered to be gradual. Yet it could also be argued that the effects can be seen more immediately, often in parallel to the membership negotiations. This paper investigates the impact of EU conditionality on gender attitudes and policies in Turkey to verify the above-indicated hypothesis. Furthermore, impacts may come during the pre-accession and accession negotiations phases and thus the effects on gender equality may be short or medium term. Despite major shortcomings that still exist in Turkish legislation, one should acknowledge that the actions of the Turkish government have been particularly significant given the context in which these reforms take place. The Turkish case clearly shows that the speed and depth of reforms of EU conditionality must be examined within a country's political and socio-cultural context.

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Agapiou-Josephides Kalliope

Changing Patterns of Euroscepticism in Cyprus: European Discourse in a Divided Polity and Society

in South European Society & Politics, Volume 16, Issue 1, Special Issue: Euroscepticism in Southern Europe: A Diachronic Perspective, March , 159-184

This article aims to map the extent and the causality of party and popular Cypriot euroscepticism. It traces the latter's changing patterns at both the elite and popular levels and analyses contextual factors and idiosyncratic features in a divided polity and society. It concludes that key turning points are definitely linked to the country's political problem. Party-based euroscepticism displays both strategic and ideological characteristics. Parallel to soft euroscepticism, an economic and policy-based euroscepticism has emerged, displaying a shift from nested to mainstream euroscepticism.

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Bellucci Lucia

Cinema e diritto nell'integrazione europea: incentivazione economica e promozione della diversità culturale

in Sociologia del diritto , n. 3

L'articolo affronta il tema degli aiuti di Stato alle opere cinematografiche, che sono una forma di incentivazione ad un'industria e di promozione della diversità culturale. Esso confronta l'influenza del concetto di diversità culturale nell'orientamento della Commissione europea nei negoziati internazionali sull'audiovisivo e nella prassi in materia di aiuti di Stato alle opere cinematografiche. Analizza l'impatto su quest'ultima dell'Articolo 167(4) del trattato sul funzionamento dell'Unione europea e della Convenzione sulla protezione e la promozione della diversità delle espressioni culturali. Utilizza i risultati di una ricerca sulla prassi della Commissione in materia di aiuti di Stato alle opere cinematografiche e di uno studio sull'attuazione della suddetta convenzione, commissionato dal Parlamento europeo. Conclude l'analisi con alcune considerazioni concernenti l'influenza di un ipotetico approccio della DG Concorrenza sulle politiche degli Stati Membri e, quindi, dell'Italia.

Section C) Regional integration processes

Subsection 6. The European unification process

Forni Federico

Cittadinanza dell'Unione europea e condizione delle minoranze negli Stati membri



in *Diritto dell'Unione europea*, n. 4 , 835 - 867

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ferreira Nunes Isabel

Civilian, Normative, and Ethical Power Europe: Role Claims and EU Discourses

in *European Foreign Affairs Review*, vol. 16, issue 1 , 1-20

ABSTRACT: In the first part, the article reviews and discusses the debate about civilian, normative, and ethical power Europe concerning the international role claims identified in the literature. In the second part, it tests these claims against the European Union (EU or hereinafter 'Union') official discourse, regarding the European security dimension. The empirical work is conducted by analysing three main aspects: EU international actorness, the militarization of the Union, and the securitization of 'new' threats (terrorism, weapons of mass destruction, and violent conflicts). The article suggests that civilian, normative, and ethical powers are defining features of the EU security actorness mirroring the set of international roles performed by the Union. The international roles claimed in the literature, although being important features of the EU's identity, are not articulated in the official discourse as separate dimensions of the EU actorness. Those roles are closely connected to the principles endorsed, to the consensus reached, and to the material means made available to the Union's external action. The study acknowledges that these international roles are consistent with the development of new European security responsibilities, being utilized in the EU official discourse as instrumental frames that help to strengthen European identity and to justify actorness.

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Gouzy Jean-Pierre

Communauté supranationale et deuxième congrès de La Haye (octobre 1953)

in *Europe en formation (L')*, n. 359, spring, 2011 , 121-132

The paper presents the reasons for the second Hague Congress (1953) and its main events. This Congress finds its origins in the Ad Hoc Assembly, created in the framework of the European Defence Community treaty, and aiming at working out a European Political Community. Confronted to the prevarications of some governments and political parties regarding the ratification of the EDC, the Second Congress was convened between European civil society organisations, in order to assert the necessity of a political community in front of the public opinion. After the ratification failed in the French parliament, the whole project was abandoned.

Section C) Regional integration processes

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Ponzano Paolo

Comunitari e intergovernativi



in *Critica liberale*, Volume XVIII, n. 185, marzo

No abstract available

Section C) Regional integration processes

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Balestrini Pierre B., Gamble Paul R.

Confronting EU unpopularity: the contribution of political marketing

in *Contemporary Politics*, Vol. 17, n. 1, March, 89-107

Political marketing is making headway around the world. However, this development is not uniform in nature. Research to date into political marketing has offered limited insights into different national contexts and involves only the study of political parties or of particular political campaigns. Research into government policy-making and political marketing is also immature. The present analysis of political marketing and EU integration addresses this gap in the research. More specifically, following a deductive approach, this paper investigates whether EU policy-making conforms to the Lees-Marshment political organisation behaviour model, in particular, its market-orientation element. It argues that the decline in popular support for European integration is the result of a lack of market orientation in EU policy-making. Group social psychology is deemed to be at the root of public dissatisfaction with EU policy-making and the lack of market orientation of the latter. While pressure from voters (the market) should not feed directly into EU policy-making without any input from political organisations, public consultation on EU policy should take place at all stages of the policy process.

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Mehrdad Payandeh

Constitutional review of EU law after Honeywell: Contextualizing the relationship between the German Constitutional Court and the EU Court of Justice

in *Common Market Law Review*, vol. 48, issue 1, 9-38

ABSTRACT: The relationship between the German Constitutional Court and the Court of Justice of the European Union is defined by the German Court's controversial claim to review whether EU legal acts are compatible with fundamental rights, whether they stay within the limits of EU competences (*ultra vires* review), or violate the identity of the German Constitution. While the German Court has developed these three review functions in different ways, the recent decision in the case of *Honeywell* indicates that the three lines of jurisprudence are deeply interrelated. In *Honeywell*, the Court developed a remarkably restrictive approach to *ultra vires* review, thereby following a similar path as in its famous *Solange* jurisprudence with regard to fundamental rights review. Against this background, *Honeywell* allows to put the different lines of case law into context in a way that reveals parallel patterns as well as differences in the developments. Evaluating *Honeywell* in this context illustrates that the Court can also be understood as a political actor that tries to maintain and define its role in the process of European integration and in the European system of multi-level governance.



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Godard Simon

Construire le bloc de l'Est par l'économie ? La délicate émergence d'une solidarité internationale socialiste au sein du Conseil d'aide économique mutuelle

in Vingtième Siècle, n. 109

Seule la coopération politique et militaire des démocraties populaires et de l'URSS a longtemps été l'objet de recherches historiques sur les organisations internationales communistes. L'économie constitue pourtant un élément central et partagé de la pensée marxiste à laquelle se réfèrent les États d'Europe de l'Est. L'histoire du Conseil d'aide économique mutuelle (CAEM) permet de déconstruire la notion de bloc de l'Est à travers l'étude de la formation d'un espace transnational de l'expertise économique, seul espace où les démocraties populaires ont eu un réel pouvoir de contestation du modèle soviétique et établi une circulation horizontale des problématiques et modèles économiques. Le CAEM revendique son autonomie et milite pour la reconnaissance d'un intérêt communautaire supérieur à la simple juxtaposition des intérêts des États membres. Forum de discussion permanent, il permet une acculturation transnationale progressive, limitée mais réelle, des experts qu'il accueille.

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Binzer Hobolt, Brouard Sylvain

Contesting the European Union? Why the Dutch and the French Rejected the European Constitution

in Political Research Quarterly, vol. 64, n. 2, June, 309-322

ABSTRACT: The process of establishing a constitution for Europe came to an end when voters in France and the Netherlands rejected the proposal. Analyzing both media coverage and survey data, this article seeks to disentangle the reasons why a majority of voters rejected the European Constitution. The authors' findings suggest that the campaign played an important role in priming certain attitudes and that vote choices, in turn, were driven by specific issue concerns rather than general dissatisfaction with the European Union or national governments. These findings have implications not only for our understanding of direct democracy in Europe but also for the study of campaign effects.

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Mullineux Andy, Murinde Victor, Sensarma Rudra

Corporate financing and macroeconomic volatility in the European union

in International Economics and Economic Policy, Volume 8, Number 1 / April 2011, 79-92

This paper investigates the impact of corporate financing patterns in the European Union (EU) on macroeconomic



volatility. We examine macroeconomic data for eight EU countries. We find that during the period 1990 through 2005 bank financing was positively associated with volatility in GDP, consumption and investment. On the other hand, macroeconomic volatility declined with increased dependence on market-based financing from the equity and bond markets during this period.

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Rinke Andreas

Das neue europäische Zauberwort

in *Internationale Politik*, 66. Jahrgang, n. 3-4, März-April

ABSTRACT: Die Euro-Krise hat gezeigt: Wir brauchen mehr und nicht weniger Zusammenarbeit in der EU. Doch bis die Zeit reif ist für das große Ziel einer Politischen Union, müssen neue Kooperationsmodelle gefunden werden – die jedoch keine Vertragsänderungen erforderlich machen. Denn derzeit will niemand eine neuerliche Grundsatzdebatte über die Union.

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Bellamy Richard, Castiglione Dario

Democracy by Delegation? Who Represents Whom and How in European Governance

in *Governance*, Vol. 24, n. 1, January, 101-125

The democratic legitimacy of European governance is often said to rest on its 'output'. However, such arguments also make the implicit 'input' claim that the community method and new modes of governance offer a more participatory and deliberative style of democratic politics to standard democratic processes, which is best suited to represent the European interest. We test such claims by analysing them from three different perspectives: functional, societal and delegatory. We conclude that they are grounded on a substantive conception of representation in which the agents of European governance 'stand' or 'act' for the European public. However, such claims are empty without formal democratic processes of authorization and accountability that ensure European governance effectively promotes the democratic values of political equality and responsiveness.

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Cantaro A.

Democrazia e identità costituzionale dopo il Lissabon Urteil. L'integrazione protetta

in *Teoria del diritto e dello stato*, n. 1, 32-67

No abstract available



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Borgolte Michael

Der Islam als Geburtshelfer Europas

in **Aus Politik und Zeitgeschichte**, Band 13-14, 2011

The full text is free:

www.bpb.de/publikationen/7RXPVG,2,0,Der_Islam_als_Geburtshelfer_Europas.html#art2

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Habermas Jürgen

Der Konstruktionsfehler der Währungsunion

in **Blätter für deutsche & internationale Politik**, Mai, 2011 , 64-66

Die finanztechnische Frage, ob der in Brüssel vereinbarte Stabilitätsmechanismus, der den im Mai 2010 vereinbarten Rettungsfonds im Jahre 2013 ablöst, die Spekulation gegen den Euro beenden wird, lasse ich dahingestellt. Wichtiger ist die politische Frage des Konstruktionsfehlers der Währungsunion, über den die Finanzmarktspekulation nun allen die Augen geöffnet hat.

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Pernice Ingolf

Der Schutz nationaler Identität in der Europäischen Union



in *Archiv des öffentlichen Rechts* , Volume 136, Number 2, April 2011 , 185-221

Abstract

With the Lisbon-Judgment of June 2009 the respect granted in Article 4 § 2 TEU, of the national identities of the Member States has become a crucial notion of European constitutional law. The German Federal Constitutional Court connotes the national identity of Germany with the „eternity-clause“ in Article 79 § 3 of the German Constitution, so the basic values and principles laid down in Articles 1 (human dignity) and 20 (rule of law, democracy, social protection and cohesion) shall not be affected by any constitutional amendmend nor by any act related to European integration. The protection of national sovereignty including self-determination of the German people is suggested by the Court to be part of the principles covered by the „eternity-clause“ and, thus, determining the constitutional identity of Germany.

The present contribution argues that this approach misconstrues the notion of national identity in neglecting the fundamental decision taken by the German people in the wake of World War II not to repeat earlier errors and to follow, in giving itself the Grundgesetz, a new approach of open democratic statehood. This is what the Preamble of the Grundgesetz makes plain when conceptualizing the German people as equal partner in a united Europe determined to serve worldwide peace. The commitment to a united Europe must be understood, therefore, as a basic element of Germany's national constitutional identity. Concepts of state and sovereignty have changed. This has implications for the notion of national identity.

Article 4 § 2 TEU and many provisions of the Treaties aiming at the preservation of a number of sensitive policy areas like security and the monopoly of physical coercion, culture and education, social assistance etc. for national autonomous ruling in turn ensure constitutional diversity and self-determination of the Member States as a fundamental value of the Union. The respect of their national identity can, therefore, be construed as a „federal fundamental right“ of the Member States to be respected by all political institutions of the Union and to be protected by the European Court of Justice with due regard to how each Member State constructs its national identity in concreto. Yet, it remains a term of Union law, to be constructed with regard to the integration of the Member States in the Union and on the basis of the common values and principles referred to in Article 2 TEU.

Discussing the concept of national identity of the Union Member States and the modes of its protection implies understanding what the European Union is constitutionally. The vision by its framers of creating a new kind of political organization beyond statehood has led to a non-hierarchical, pluralistic structure based upon the rule of law, on cooperation and mutual thoughtfulness. Neither can a national Court escape from the legal commitments undertaken through the European Treaties, nor can these treaties be constructed as a means of supranational command and dictatorship over the states, the citizens of the Union and their courts. National identity in the European Union rather expresses mutual respect and co-responsibility of both levels for the common values and principles including the diversity and democratic self-determination of the people(s) of the Union.

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Reiterer Michael

Der Vertrag von Lissabon : Neue Institutionen und die Stärkung des Europäischen Parlaments
in *Schweizerische Zeitschrift für Internationales und Europäisches Recht*, 19. Jahrgang, Heft 1



No abstract available

Section C) Regional integration processes

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Intervista a Simon Tilford e Paul van den Noord

Dialogo sull'euro

in *Aspenia*, n. 52, aprile , 196-201

No abstract available

Section C) Regional integration processes

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Kentrotis Kyriakos D.

Die Balkanpolitik der Europäischen Union

in *Zeitschrift für Außen- und Sicherheitspolitik* , vol. 4, n. 1, january , 43-52

ABSTRACT: Der Artikel analysiert die EU-Politik in der Balkanregion. Im ersten Teil werden die Phasen und Themenbereiche der EU-Politik seit 1990 behandelt. Im zweiten Teil werden die regionalen und multilateralen Beziehungen der Balkanstaaten untereinander untersucht. Der Autor kommt zu dem Schluss, dass sowohl auf europäischer Ebene als auch in den Balkanstaaten die Akteure mit Anpassungsproblemen und Widersprüchen, mit nationalen Strukturen und unvollendeten supranationalen europäischen Strukturen zu kämpfen haben.

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Bieber Roland

Die Demokratisierung der EU

in *Schweizerische Zeitschrift für Internationales und Europäisches Recht*, 19. Jahrgang, Heft 1

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Leith Campbell, Wren-Lewis Simon

Discretionary policy in a monetary union with sovereign debt

in *European Economic Review*, Volume 55, Issue 1, January 2011 , 93-117

This paper examines the interactions between multiple national fiscal policymakers and a single monetary policy maker in response to shocks to government debt in some or all of the countries of a monetary union. We assume that national governments respond to excess debt in an optimal manner, but that they do not have access to a commitment technology. This implies that national fiscal policy gradually reduces debt: the lack of a commitment technology



precludes a random walk in steady-state debt, but the need to maintain national competitiveness avoids excessively rapid debt reduction. If the central bank can commit, it adjusts its policies only slightly in response to higher debt, allowing national fiscal policy to undertake most of the adjustment. However, if it cannot commit, then optimal monetary policy involves using interest rates to rapidly reduce debt, with significant welfare costs. We show that in these circumstances the central bank would do better to ignore national fiscal policies in formulating its policy.

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Hepburn Eve, Elias Anwen

Dissent on the Periphery? Island Nationalisms and European Integration

in West European Politics, vol. 34, n. 4 , 859-882

ABSTRACT: Many scholars have identified stateless nationalist and regionalist parties (SNRPs) as ardent supporters of Europe. This support has been explained as a result of positive developments in supranational integration that convinced these actors that Europe could facilitate the achievement of their territorial demands. Other work, however, leads to an expectation that SNRPs that mobilise within island regions that are geographically distant from the European centre of power (Brussels) will adopt more Eurosceptic positions. This article aims to test these competing hypotheses about the positioning of SNRPs on Europe. It does so by examining the attitudes of SNRPs in two island regions in the Mediterranean: Corsica and Sardinia. The findings suggest that SNRPs in both places cannot be adequately categorised as either Europhile or Eurosceptic. The article examines the role of several context- and actor-specific factors in shaping the complex positioning of island nationalists in Corsica and Sardinia on the issue of Europe.

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Norton Philip

Divided Loyalties: The European Communities Act 1972

in Parliamentary History, Volume 30, Issue 1, February , 53-64

UK membership of the European Communities (EC) was prompted by economic and political factors. It represented a novel constitutional departure; one that was contested. The proposal for membership created divisions between, and within, both main parties. Although both Houses voted overwhelmingly in support of the principle of the membership, the short bill to give legal effect in UK law to membership was bitterly contested, the government achieving the second reading of the bill through a vote of confidence. The bill was opposed consistently by the Labour opposition and dissident Conservative back benchers, though passage of the bill was achieved eventually, courtesy of Liberals and some abstaining Labour MPs, and without amendment. The act enabled the United Kingdom to become a member of the EC, with important consequences for the UK constitution, including creating a juridical dimension unparalleled since before the Glorious Revolution of 1688. Parliament has provided for its own legislation to be subordinate to that of the EC, while adapting to the new situation through the creation of committees to scrutinise European documents.

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Peers Steve

Divorce, European Style: The First Authorization of Enhanced Cooperation
in *European Constitutional Law Review*, Volume 6 - Issue 03 , 339-358

Council Decision of July 2010 to authorize enhanced cooperation for the first time – Planned Regulation on conflicts of law in divorce – Analysis of the application of the substantive and procedural rules applying to the authorization of enhanced cooperation in this case – Links between the planned legislation on this issue and other EU or international rules on related topics – Broader impact of the decision upon the EU legal order

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Pierdzioch Christian, Stadtmann Georg

Does the ECB have a Time-Inconsistency Problem? A Note
in *Scottish Journal of Political Economy*, May 2011 - Volume 58, Issue 2 , 189-199

A standard time-inconsistency model of monetary policy, extended to include a time-varying natural rate of unemployment, implies cointegration between the inflation rate and the unemployment rate. An application of the model to data for the EMU countries does not yield strong evidence of cointegration. In addition, the sign of the estimated coefficient of cointegration is not in line with a sign restriction imposed by the time-inconsistency model.

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Trondal Jarle

Domestic Agencies in an Emergent European Executive Order
in *Journal of European Integration*, Volume 33, Number 1 / January , 55-74

This article poses the following question: who is in control of domestic agencies when they are handling domestic 'EU affairs' broadly speaking? The article demonstrates that domestic agencies are primarily steered by their parent ministry, being largely 'single-hatted'. This observation does not render 'double-hatted' agencies implausible — as for example when domestic agencies practise EU legislation — generating a compound European executive order. The empirical analysis benefits from a large-N elite survey among 1452 domestic agency officials. This article contests claims that the 'agencification' of domestic government systems as well as their involvement in an emergent European Executive Order profoundly weakens the state qua government hierarchy. Finally, the article shows that the steering role played by domestic ministries and the European Commission is conditioned by domestic administrative structures, notably by the vertical and horizontal specialisation of domestic agencies as well as organisational duplication between agencies and their parent ministry.

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Chaltiel Florence

Droit constitutionnel européen 2010

in *Revue française de droit constitutionnel*, n. 86

PLAN DE L'ARTICLE • I – QUESTION PRIORITAIRE DE CONSTITUTIONNALITÉ ET CONTRÔLE DE
CONVENTIONNALITÉ : DE LA GUERRE DES JUGES ESQUISSÉE AU DIALOGUE RETROUVÉ
◦ ACTE I. L'INVERSION DES PRIORITÉS CONSTITUTIONNELLES ET EUROPÉENNES PAR LA COUR DE
CASSATION
◦ ACTE II. LE DIALOGUE APAISÉ DES JUGES CONSTITUTIONNEL ET ADMINISTRATIF
◦ ACTE III. LA RÉPONSE TEMPÉRÉE DE LA COUR DE JUSTICE EUROPÉENNE
• II – PREMIÈRES APPLICATIONS DU TRAITÉ DE LISBONNE ET MISE EN PLACE DES PREMIERS ÉLÉMENTS DE
DÉMOCRATIE DIRECTE EUROPÉENNE
◦ A – LA MISE EN ŒUVRE LÉGISLATIVE DU DROIT D'INITIATIVE CITOYENNE
◦ B – LA SIGNIFICATION CONSTITUTIONNELLE D'UN DROIT D'INITIATIVE CITOYENNE
◦ C – COMMENT LA COMMISSION TRAITERA-T-ELLE LES INITIATIVES ?
◦ D – GARANTIES

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Gencarelli, Bruno, Tizzano Antonio

Droit de l'Union et décisions nationales définitives dans la jurisprudence récente de la Cour de Justice.

in *Diritto dell'Unione europea*, n. 4 , 789-804

No abstract available

Section C) Regional integration processes

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Dastoli Pier Virgilio

Due alternative alle prossime europee

in *Critica liberale*, Volume XVIII, n. 185, marzo

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lock Tobias

EU Accession to the ECHR: Implications for Judicial Review in Strasbourg

in *European Law Review*, Vol. 35, issue 6 , 777-799

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Silvia Fedeli and Francesco Forte

EU VAT frauds

in *European Journal of Law and Economics*, Volume 31, Number 2 , 143-166

The paper analyzes the VAT frauds issues in the European Union after the abolition of the internal customs. All the suggested solutions based on the origin principle create distortions in the “one market” and have a doubtful efficiency. The reverse-charge regime for all business to business transactions joint with VAT at the last stage also creates heavy discriminations. The current system based on the destination principle joint with ad hoc measures—such as specific reverse-charge, rebate and margin regime under evidence that VAT due has been paid, joint/several liability...—and a consistent information-exchange-system may provide a less distorting solution.

Section C) Regional integration processes

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Fagan Adam

EU assistance for civil society in Kosovo: a step too far for democracy promotion?

in *Democratization*, vol. 18, n. 3 , 707-730

EU assistance for Kosovo is the most ambitious external relations venture embarked upon by the Commission to date. Not surprisingly, much of the aid is framed in terms of 'civil society' and channelled through a handful of local non-governmental organizations (NGOs). But attempts by foreign donors to promote civil society exogenously across post-socialist Eurasia are deemed to have achieved little in terms of stimulating individual participation and civic engagement. In response the EU appears to have refined its approach by combining the usual support for larger NGOs with more basic assistance for grassroots networks and community-based initiatives. Whilst such a twin-track strategy is arguably appropriate in the context of Kosovo where civil society participation is particularly low, in terms of maximizing the critical development of transactional capacity the approach may fail to target resources most effectively. It is argued here that there is a danger that normative concerns about liberal pluralism, enriching civil society and ensuring that assistance is widely dispersed may ultimately detract from the imperative of deploying limited resources first and foremost to secure a core of sustainable NGOs with developed capacity to engage government, the international community and other non-state actors in the process of policy reform. Indeed, drawing on the experience of civil society assistance in new member states of Central and Eastern Europe, it would seem that although NGOs are often criticized for their detachment from community organizations and campaigns, they perform a critical 'behind the scenes' role in policy change and state transformation. They can, if donor funding is appropriately targeted, facilitate the emergence of civil society networks through which small community organizations are then linked with larger, established and capacity-endowed organizations.

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Nik Hynek

EU crisis management after the Lisbon Treaty: civil–military coordination and the future of the EU OHQ



in *European Security*, Volume 20, Issue 1 , 81-102

The presented article focuses on key issues and developments in the European Union (EU)'s comprehensive crisis management planning, civil–military coordination and cooperation, as well as the future of the EU Operational Headquarters (OHQ). The article begins with a short overview of key changes in the EU's external action after the Lisbon Treaty, and focuses on the area of Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP). The impact of the European External Action Service on CSDP–CFSP cooperation in planning and on EU's crisis management is being examined. Further on, the article continues by addressing the issue area of EU crisis management. After the evolution of the concept and practice at the EU level is examined and different phases are discussed, the article analyses the main political, strategic and operational trends in this field. Indeed, this part reflects on the implications of the Lisbon Treaty for crisis management. What follows is an assessment of the civil–military coordination in the EU's crisis management structures. In order to contextualise the most recent transformations that are investigated at length, basic concepts and terms are outlined, and the evolution of civil–military coordination at the EU level is presented. The final substantive part tackles current and future EU OHQ options. After the necessary contextualisation, the characteristics and shortcomings of the three current options are analysed, and based on these limits, the case for the establishment of a permanent strategic planning and conduct structure in Brussels is put forward. Finally, concluding remarks and recommendations are attached.

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Schwarzer Daniela

EU: schlecht ausbalanciert

in *Internationale Politik* , 66. Jahrgang, n. 5-6, Mai-Juni

ABSTRACT: Die europäische Wirtschaft verliert weltweit an Gewicht. Und die Unterschiede in der Wettbewerbsfähigkeit der Mitgliedstaaten werden immer deutlicher. Will die EU an der Neuordnung globaler Governance- Strukturen mitwirken, muss sie sich politisch und ökonomisch stärken und im Konzert der Wirtschaftsmächte entschiedener auftreten.

Section C) Regional integration processes

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Rasmussen Anne

Early conclusion in bicameral bargaining: Evidence from the co-decision legislative procedure of the European Union

in *European Union Politics* , Vol. 12, n. 1, March , 41-64

Time choices are a neglected aspect of the bicameral bargaining literature, even though they may both affect the efficiency of decision-making and have broader democratic implications. An analytical framework is developed to explain when early conclusion occurs in the legislative process. Testing the main implications of this model on the co-decision procedure of the European Union, the results offer a more positive view of early agreements in this system than the existing literature. The findings show that these deals are unlikely to occur when the European Parliament is represented by agents with biased views of the overall legislature. The conventional wisdom that the character of the



negotiated files plays a role in explaining whether legislative files are concluded early is also rejected. Instead, bargaining uncertainty and the impatience of the co-legislators matter.

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Micossi Stefano

Economic policies in the EU at a turning point

in *Intereconomics*, Volume 46, Number 2 / March 2011 , 62-63

No abstract available

Section C) Regional integration processes

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Maes Ivo

Economic thought at the European Commission and the creation of EMU (1957-1991)

in *History of Economic Thought and Policy*, 2010, Fascicolo 2

To understand macroeconomic and monetary thought at the European Commission, two elements are crucial: firstly, the Rome Treaty, as it determined the mandate of the Commission and, secondly, the economic ideas in the different countries of the European Community, as economic thought at the Commission was to a large extent a synthesis and compromise of the main schools of thought in the Community. Initially, economic thought at the Commission was mainly a fusion of French and German ideas, with a certain predominance of French ideas. Later, Anglo-Saxon ideas would gain ground. At the beginning of the 1980s, the Commission's analytical framework became basically medium-term oriented, with an important role for supply-side and structural elements and a more cautious approach towards discretionary stabilisation policies. This facilitated the process of European integration, in the monetary area too, as consensus on stability-oriented policies was a crucial condition for EMU. Over the years, the Commission has taken its role as guardian of the Treaties and initiator of Community policies very seriously, not least in the monetary area. It has always advocated a strengthening of economic policy coordination and monetary cooperation. In this paper, we first focus on the different schools which have been shaping economic thought at the Commission. This is followed by an analysis of the Rome Treaty, especially the monetary dimension. Thereafter, we go into the EMU process and the initiatives of the Commission to further European monetary integration. We will consider three broad periods: the early decades, the 1970s, and the Maastricht process.

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Amato Giuliano

Editoriale - Quale governo per l'economia europea?

in *ItalianiEuropei*, n. 5

No abstract available



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Rasmussen Steffen Bay

El Servicio Europeo de Acción Exterior: un reto comunicativo para la diplomacia pública de la Unión Europea
in *Cuadernos europeos de Deusto*, n. 44 , 147-165

No abstract available

Section C) Regional integration processes

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Espada Cesáreo Gutiérrez

El Servicio Europeo de Acción Exterior: ¿solo una hermosa fachada para la inanidad?
in *Cuadernos europeos de Deusto*, n. 44 , 63-92

No abstract available

Section C) Regional integration processes

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Pinon Stéphane

El distema constitucional de Francia
in *Revista de Derecho Constitucional Europeo* , n. 14

Este artículo analiza el sistema constitucional francés a partir del estudio de los siguientes apartados temáticos: Derechos Fundamentales, Fuentes del Derecho, organización judicial, justicia constitucional, forma de gobierno, distribución territorial del poder, limitaciones de los derechos, igualdad de género e inmigración. La conclusión que se impone es que el modelo constitucional francés se ha ido aproximando progresivamente a un standard europeo de Estado de Derecho si bien hay algunas peculiaridades muy notables que se mantienen, entre otras razones, por variables históricas.

Full text available at:

<http://www.ugr.es/~redce/REDCE14/articulos/001SPinon.htm>

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Elías Méndez Cristina

El modelo constitucional austriaco desde la perspectiva de su interacción con el derecho de la Unión europea
in *Revista de Derecho Constitucional Europeo* , n. 14

El presente trabajo estudia el sistema constitucional austríaco desde la perspectiva de su interacción con el Derecho de



la Unión Europea. Al objeto de determinar su relación con el nivel constitucional de la Unión Europea, se examinan una selección de bloques temáticos que configuran los elementos fundamentales de un sistema constitucional, prestando especial atención en cada uno de ellos a los aspectos relacionados con la Unión Europea. Los temas del sistema constitucional austríaco examinados son los siguientes: derechos fundamentales, sistema de fuentes, relaciones entre ordenamientos, jurisdicción constitucional, forma de gobierno, organización judicial, distribución territorial del poder, límites de los derechos fundamentales, perspectiva de género e inmigración.

Los principios constitucionales fundamentales del ordenamiento austríaco se erigen como límites a la integración, al tiempo que se toman como referencia los principios constitucionales comunes europeos para determinar los elementos intangibles de la Constitución austríaca, lo que constituye un paradigmático síntoma de la tensión que la integración europea ejerce sobre los ordenamientos europeos.

Full text available at:

<http://www.ugr.es/~redce/REDCE14/articulos/03CristinaElias.htm>

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Schillaci Angelo

El sistema constitucional de Italia

in *Revista de Derecho Constitucional Europeo* , n. 14

Full text available at:

<http://www.ugr.es/~redce/REDCE14/articulos/01AngeloSchillaci.htm>

Section C) Regional integration processes

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Rodrigues Canotilho Mariana

El sistema constitucional de Portugal

in *Revista de Derecho Constitucional Europeo* , n. 14

Full text available at:

<http://www.ugr.es/~redce/REDCE14/articulos/02MRodriguesCanotilho.htm>

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Kulovesi Kati, Morgera Elisa, Muñoz Miquel

Environmental integration and multi-faceted international dimensions of EU law: Unpacking the EU's 2009 climate and energy package



in **Common Market Law Review**, vol. 48, issue 3 , 829-891

No abstract available

Section C) Regional integration processes

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Auer Andreas

Erfahrungen und Perspektiven der schweizerischen Demokratie mit der EU und der EU mit der direkten Demokratie

in **Schweizerische Zeitschrift für Internationales und Europäisches Recht**, Heft 2, 15. Jahrgang

No abstract available

Section C) Regional integration processes

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La Torre Massimo

Europa - raíces, identidad, y misión

in **Sociologia del diritto** , n. 3

There is a recurrent controversy, a sort of Kulturkampf, about European identity and self-definition. Much of this is already well-rooted in European history, however, constituting a permanent quest for an idea of what Europe is and what it means. Tackling this, the author sets out to develop a narrative of this history and discern its most characteristic features and meaning, which comprise primarily an attitude of research and thinking, of pluralism and tolerance: a special notion of happiness. Europe has evolved into what it is today mainly by relating to other cultures. Europe needs this "otherness" as a mirror in which to see itself. This enables a first but fundamental conclusion to be drawn: there is no place for any kind of essentialism or fundamentalism when considering our identity as Europeans. A constructive approach is the only way for Europeans to keep faith with our history. Ultimately, Europe's destiny is one of its own invention

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Calzolaio Ermanno

Europa dei diritti e giudice europeo

in **Cittadinanza europea (La)**, Fascicolo 1 - 2011

Il presente contributo, muovendo dal rilievo ampiamente condiviso che il sistema di tutela dei diritti umani in ambito europeo fa perno sulla giurisprudenza della Corte Europea dei Diritti dell'Uomo e della Corte di Giustizia, si concentra sull'esame di alcuni aspetti di contesto, sovente lasciati sullo sfondo, ma che appaiono invece essenziali per la stessa comprensione del fenomeno. Si tratta, precisamente, delle modalità di nomina dei giudici, dello stile delle sentenze, dell'esistenza di una regola del precedente e dei modi del suo operare. L'analisi svolge poi alcune considerazioni sul tema dei rapporti tra le due Corti, soprattutto alla luce della adesione dell'Unione alla Convenzione europea a seguito dell'entrata in vigore del cd. Trattato di Lisbona, che riconosce lo stesso valore giuridico dei trattati alla Carta dei diritti



fondamentali dell'Unione Europea approvata a Nizza nel 2000 (art. 6 TUE). Alla luce del contesto così ricostruito, vengono svolti rilievi critici sulle modalità attraverso cui i giudici italiani si rapportano alla giurisprudenza convenzionale e comunitaria.

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Moccia, Luigi

Europa dei diritti, soggetti deboli e tutele: alcuni spunti

in *Cittadinanza europea (La)*, Fascicolo 1 - 2011

Il contributo si propone di richiamare l'attenzione sul valore autonomo della cittadinanza europea come motivo portante del processo d'integrazione europea, a sostegno dell'idea di apertura e convergenza degli ordinamenti giuridici nazionali come base di un modello sociale europeo d' integrazione attraverso i diritti.

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Calliess Christian, Enderlein Henrik, Fischer Joschka, Habermas Jürgen

Europa und die neue Deutsche Frage

in *Blätter für deutsche & internationale Politik*, Mai, 2011 , 45-63

Spätestens seit der Schuldenkrise Griechenlands und der anschließenden Eurokrise steht das Projekt der Europäischen Union am Scheideweg. Gleichzeitig scheinen der Bundesregierung und speziell der Bundeskanzlerin sowohl der politische Mut als auch die politische Überzeugung zu fehlen, die einstige Rolle der Bundesrepublik als Lokomotive der Europäischen Einigung wieder aufzunehmen. Vor diesem Hintergrund veranstalteten der European Council on Foreign Relations (ECFR) und die Stiftung Mercator am 6. April in Berlin eine Podiumsdiskussion zum Thema 'Europa und die Wiederentdeckung des deutschen Nationalstaats'.

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Gianni DE MICHELIS

Europa, batti un colpo!

in *Limes*, n. 1, 2011

Le rivolte che spazzano il Nordafrica mettono in evidenza il vuoto politico a nord del Mediterraneo. Mentre il Maghreb brucia, Ue e Italia brillano per la loro assenza. Declino nostrano e risveglio africano sono due facce della stessa medaglia.



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Dino Pinelli

Europe is a Process

in *Equilibri*, anno XIV, n. 3, dicembre , 497-502

The paper discusses the nature and role of the European Union. In a context marked by globalisation, interconnectedness and diversity, the European Union should be seen as a process, not an end-point. The complexity, variability and continuous change (of border and architecture) should be considered as integral parts of the European project (and not a limitation).

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Subotic Jelena

Europe is a State of Mind: Identity and Europeanization in the Balkans

in *International Studies Perspectives* , vol. 12, issue 2, may , 309-330

ABSTRACT: Why does Europeanization—the process of adopting European rules—advance in some countries, while it stalls in others? What explains different European trajectories of otherwise similar candidate states? This article explains foreign policy choices of EU candidate states with an identity-based theoretical framework. In states where European identity is a widely shared social value, the inevitable short-term costs of Europeanization—economic, social, and political—will still be worth the price of admission because becoming “European” trumps other domestic political concerns. In contrast, in countries where the European idea is not broadly shared, pro-European groups will find it hard to forge crosscutting coalitions needed to successfully promote Europeanization with all its associated costs. To illustrate these theoretical insights, I compare Europeanization in Croatia and Serbia, the two Balkan states with similar regional status, shared legacies of communism, and ethnic war, yet quite different European trajectories. I argue that the process of identity convergence explains Croatia’s rapid compliance with controversial EU requirements, while in neighboring Serbia, identity divergence has derailed Serbia’s EU candidacy.

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Europe splits in two

in *Revue de l'OFCE*, 2011/2 (n°117) , 43-89

After a good performance in the second quarter of 2010, the GDP growth rate has slowed down in the second part of the year. Besides, divergence inside the euro zone has been increasing in 2010. On one side, Germany almost recovered its loss of GDP, while on the other side, fragile countries are still in recession (Greece, Ireland and Spain) or would enter into recession (Portugal) in 2011 due to unprecedented fiscal adjustment programs. For the euro area as a whole, growth would be subdued in 2011 and 2012, respectively 1.4 % and 1.5 %. In the beginning of 2011, the oil price peak would trigger a rise in inflation slowing down private consumption. Otherwise, growth would be largely impaired by the generalised fiscal restriction in the euro area.



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Sebastian Rosato

**Europe's Troubles: Power Politics and the State of the European Project
in International Security**, Volume 35, Issue 4 , 45-86

The 1990s were years of great optimism in Europe. As the Europeans were putting the finishing touches on their economic community, observers predicted that political and military integration would soon follow. Optimism has turned to pessimism since the turn of the century, however. Most analysts believe that the economic community is in crisis, and hardly anyone predicts the creation of a political or military counterpart to it. Why has the European project run into trouble and what does the future hold? The answers to these questions are largely to be found in the distribution of power. It was the overwhelming power of the Soviet Union that drove the Western Europeans to consider a variety of integration initiatives and to build and maintain the European Community (EC) during the Cold War. In 1991 the collapse of the Soviet Union deprived them of a compelling geostrategic reason to pursue further integration or even to preserve their economic community. As a result, the Europeans have made no real effort to establish a political or military community over the past two decades, and the EC has slowly started to fray. As long as there are no significant changes in the balance of power going forward, worse times lie ahead.

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Rosenzweig Luc

**Europe: l'homme du consensus
in Politique internationale**, n. 130 - Hiver, 2011

Herman Van Rompuy was named to the newly created position of permanent President of the European Council in December 2009. Little known internationally-and even in Europe-the former Belgian prime minister has since made a name for himself. In this exclusive interview he shows quite a different side than the somewhat bland image often painted in the media. With considerable candor, he looks back at his first year in office, marked by efforts to contain the economic crisis that nearly brought several EU states to financial collapse, starting with Greece. He goes on to explain how he shares responsibilities with EU High Representative for Foreign Affairs Catherine Ashton and European Commission President José Manuel Barroso. He offers sincere and unrehearsed answers to many other pertinent questions, including the European Union's relations with the United States under Barack Obama, and with Russia guided by Messrs Medvedev and Putin. The interview also touches on new plans to expand the EU, the Franco-German tandem and other issues, providing both insights and food for thought.

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Fu-Chang Chang

**European Defence Agency – Motor of Strengthening the EU's Military Capabilities?
in European Foreign Affairs Review**, vol. 16, issue 1 , 59-87



ABSTRACT: EU as a military actor is a hotly discussed topic in contemporary European Integration. At this time EU-led operations apparently show EU's lack of market-scale defence industries, weakness of defence technological and industrial bases, and ineffectiveness of military cooperation programmes. Therefore, EU could try to improve its military operational capabilities through two approaches, namely the 'NATO approach' under the concept of CJTF and intra-European 'EU-approach' involving ECAP, Helsinki Headline Goal, and Headline Goal 2010, etc. Simultaneously, there is the EU-established European Defence Agency (EDA). Since 2004, EDA has served as the main driving force for promoting EU's military capabilities. But an integrated and inter-operable EU force does not exist. Some challenges, e.g., the security exemption under Article 346, the government monopoly of the defence industries, the rush reduction of the defence budget, and the small scale of R&D investment, etc., could eliminate the functions of the EDA. Only when EU-MS strengthen their political willingness, accept the European-wide defence cooperation programmes, cooperate with the European Commission and ESDC, and utilize the Permanent Structured Cooperation under Lisbon Treaty, then EU can stably develop its military capability.

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Anand Menon

European Defence Policy from Lisbon to Libya *European Defence Policy from Lisbon to Libya in Survival*, Volume 53, Issue 1 , 75-90

The EU's inactivity in the face of a crisis with obvious security implications for its member states has led to anguished soul searching.

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EMILIANO GROSSMAN, PATRICK LEBLOND

European Financial Integration: Finally the Great Leap Forward?

in Journal of Common Market Studies, Volume 49, Issue 2, March 2011 , 413-435

The recent history of financial integration in Europe can generally be considered a success story, notwithstanding the crisis that has plagued financial sectors in Europe and elsewhere since 2007. There has been significant progress in the area of regulatory integration; however, an in-depth analysis requires also taking into account what happens on the ground – that is, at the market level. As a consequence of this larger and more interactive point of view, this article shows that financial integration is less uniform than a cursory look at the evolution of European Union regulation would have us believe. This is because national contexts continue to bear considerable weight. In particular, any explanation of the current state of affairs in the EU's financial integration needs to take the market–regulation nexus seriously. This implies looking at market structure as well as at the political and institutional context. This article suggest a framework to explain more adequately the contradictions between regulatory and market integration.

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Bieling Hans-Jürgen

European Governance: Zum Verhältnis von demokratischer und nicht-demokratischer Deliberation im



europäischen Mehrebenensystem

in *Oesterreichische Zeitschrift für Politikwissenschaft* , 2011/2 , 110-124

European Governance: On the Relationship of Democratic and Non-Democratic Deliberation in the European Multilevel System

Quite a number of scholars regard the European Union and its specific forms of governance as an experimental ground for the development of democratic structures and processes beyond the nation-state. Over the past years, the debate has been strongly affected by representatives of a theory of deliberative democracy who - often following the conceptual reflections of Jürgen Habermas - emphasise the potential of communicative understanding inherent to European networks of deliberation and decision-making. The present article addresses the question, if and to what extent the theory of deliberative democracy conceives and interprets the (non-)democratic character of the forms of European network governance in an appropriate way. The article argues that this is only partly the case. On the one hand, the developed theoretical perspective is instructive to focus on the procedural political-institutional embeddedness of deliberative policy-making; on the other hand, the theory of deliberative democracy is analytically too weak in order to identify the political economic and political sociological causes of the non-democratic quality of European network governance.

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Shore Cris

European Governance' or Governmentality? The European Commission and the Future of Democratic Government

in *European law journal*, Volume 17, Issue 3, May , 287–303

The word 'governance' has become an increasingly central policy motif in the European Union and elsewhere yet its meanings are ambiguous and often poorly understood. This article examines the genealogy of that concept focusing in particular on the European Commission's claim to have developed a new, more open and progressive model of 'European governance'. The paper is set out in four steps. The first analyses the European Commission's claims for 'governance' as a concept integral to its new vision for Europe. The second interrogates some of the conflicting definitions and meanings inherent in the term and examines the highly selective paradigm of governance that has been developed in official Commission discourse. The third addresses two specific areas where the Commission's governance model has been applied: the Green paper on The Future of Parliamentary Democracy and the Open Method of Coordination. The fourth turns to analyse these findings using critical social theory. I conclude that far from laying the grounds for a more inclusive, participatory and democratic political order, the Commission's model to governance represents a form of neoliberal governmentality that is actually undermining democratic government and promoting a politics of exclusion.

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Vasilopoulou Sofia



European Integration and the Radical Right: Three Patterns of Opposition

in Government and Opposition , Vol. 46, n. 2, April , 223-244

This article argues that radical right parties can be seen as displaying three patterns of opposition towards European integration: rejecting, conditional and compromising. These three patterns are identified through the careful examination of party attitudes on four different aspects related to European integration and the EU. These include the idea of a common identity of European peoples, the principle of cooperation at a European multilateral level, the EU policy practice and the desire to build a future European polity. In light of this conceptualization of radical right opposition to European integration, the article conducts a qualitative analysis of party literature of 12 radical right parties from 10 European countries during the latter part of the 2000s.

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Morganti Luciano

European Public Sphere and Citizens' Participation

in Pace Diritti Umani, anno 7, n. 3, settembre-dicembre

ABSTRACT: Nonostante il generale apprezzamento positivo del progetto di integrazione dell'Unione Europea da parte della maggior parte dei cittadini della UE, esiste ancora, sessant'anni dopo la creazione delle Comunità europee, un'importante lacuna in materia di informazione tra Bruxelles e i cittadini dell'Unione Europea. Questi sembrano mancare non solo delle informazioni necessarie per valutare correttamente il progetto dell'Unione Europea e per partecipare significativamente nei dibattiti pubblici relativi alla UE. Mancano anche la corretta infrastruttura politica e materiale di una Sfera Pubblica Europea (SPE) funzionante e la motivazione per acquisire le informazioni e per cercare le opportunità per acquisirle.

Questo contributo mira a comprendere lo stato dell'arte della SPE, esplorando il suo sviluppo, le attività e le carenze e analizzare le ragioni per cui la SPE non è riuscita a divenire uno spazio critico di dibattito pubblico riguardo la UE e il suo progetto di integrazione. L'articolo avanza proposte finalizzate a generare dibattiti su come implementare nel modo migliore uno spazio di comunicazione critica così vitale per il futuro della UE.

In una prima parte l'autore esplora brevemente il sentimento degli europei riguardo all'essere europei, il presunto deficit democratico all'interno della UE, alcuni dei più importanti strumenti di cui le istituzioni europee dispongono per informare i propri cittadini, il ruolo e la diffusione dei cosiddetti mezzi di comunicazione pan-europei, e l'importanza di una SPE completamente sviluppata per promuovere la partecipazione dei cittadini e una cittadinanza attiva (europea).

Queste considerazioni introdurranno la discussione riguardo le principali carenze e le sfide più importanti che la SPE deve affrontare per svilupparsi completamente in uno spazio pubblico di dibattito critico. La parte conclusiva propone alcuni suggerimenti su passi concreti che potrebbero essere intrapresi per dare vita a dinamiche che conducano a una vera SPE composta da una base di cittadinanza critica e consapevole.

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Dursun-Ozkanca Oya

European Union Enlargement and British Public Opinion: The Agenda-Setting Power of the Press
in *Perspectives on European Politics and Society*, vol. 12, n. 2, June , 193-160

While the British government was strongly in favour of the 2004 European Union (EU) enlargement, British public opinion was predominantly against it. Being conducted under the theoretical umbrella of agenda-setting research, this article scrutinizes the print media coverage of EU enlargement between 2002 and 2004 to account for the gap between public opinion and official policy. It combines quantitative content analysis of coverage in a number of leading British newspapers with Eurobarometer public opinion data. After revealing strong evidence for the transfer of issue salience from media to public, it examines the role of the press in shaping public attitudes toward enlargement. The results not only provide an improved understanding of media effects in the British context but also have profound implications for the 'democratic deficit' debate in the EU.

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Ivic Sanja

European commission's plan D for democracy, dialogue and debate: The path towards deliberation?
in *Journal of Law and Conflict Resolution*, vol. 3, n. 2, february , 14-19

ABSTRACT: A number of authors in the past two decades emphasised that the problem of "democratic deficit" in the European Union could be solved by application of the principles of deliberative democracy. However, the notion of "deliberation" has not become the part of the EU policy and discourse until 2005. The problem of "democratic deficit" is officially recognised by European Commission in 2005, when the Commission supported and funded a number of initiatives for the promotion of active citizenship and deliberative democracy. This paper will analyse European Commission's Plan D for Democracy, Dialogue and Debate. It will explore whether this plan led to deliberation and more inclusive citizenship.

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Armour John, Ringe Wolf-Georg

European company law 1999–2010: Renaissance and crisis
in *Common Market Law Review*, vol. 48, issue 1 , 125-174

ABSTRACT; European corporate law has enjoyed a renaissance in the past decade. Fifteen years ago, this would have seemed most implausible. In the mid–1990s, the early integration strategy of seeking to harmonize substantive company law seemed to have been stalled by the need to reconcile fundamental differences in approaches to corporate governance. Little was happening, and the grand vision of the early pioneers appeared more dream than ambition. Yet since then, a combination of adventurous decisions by the Court of Justice, innovative approaches to legislation by the Commission, and disastrous crises in capital markets has produced a headlong rush of reform activity. The volume and pace of change has been such that few have had time to digest it: not least policymakers, with the consequence that the developments have not always been well coordinated. The recent financial crisis has yet again thrown many – quite fundamental – issues into question. In this article, we offer an overview that puts the most significant developments of



this decade into context, alongside each other and the changing patterns of corporate structure in European countries. Such developments cover, for instance, corporate mobility, corporate freedom of establishment, golden shares case law, as well as the Commission's Company Law Action Plan CLAP and Financial Services Action Plan FSAP. Harmonization of Member States' company laws on the rules governing listed companies and the facilitation of cross-border restructuring are also examined.

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Beysen Erwin, Trstenjak Verica

European consumer protection law: Curia semper dabit remedium?

in **Common Market Law Review**, vol. 48, issue 1, 95-124

ABSTRACT: The article explores the question whether, in the light of the concepts of procedural and remedial autonomy of the Member States, the case law of the ECJ on the enforcement of consumer rights derived from various Consumer Protection Directives is consistent with its case law on the enforcement of individuals' rights under other branches of EU law.

The authors begin by examining the case law of the ECJ on the concepts of procedural and remedial autonomy of the Member States in the context of the enforcement of individuals' rights derived from EU law in general. Subsequently, the authors proceed with an analysis of the application of those concepts in the most recent case law on the enforcement of consumer rights derived from the Consumer Protection Directives. This part distinguishes between cases concerning national legislation and procedures guaranteeing a higher level of consumer protection than required by those directives (e.g. cases C-509/07, Scarpelli, C-484/08, Caja de Ahorros, C-358/08, Aventis Pasteur) and cases in which national rules fall short of the minimum standards of protection provided for under those directives (e.g. cases C-489/07, Messner, C-215/08, E. Friz, C-511/08, Handelsgesellschaft Heinrich Heine, C-240/98 to C-244/98, Océano Grupo, C-473/00, Cofidis, C-168/05, Mostaza Claro, C-429/05, Rampion and Godard, C-40/08, Asturcom Telecomunicaciones, C-227/08, Martín Martín, C-243/08, Pannon GSM, C-137/08, VB Pénzügyi Lízing). It is submitted that, while the former series of cases reflects a standard application of the concepts of procedural and remedial autonomy, the latter series of cases reveals, in certain regards, a more consumer-oriented approach.

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7-36

European integration and the environment : how green is the EU ?

in **Politique européenne**, n. 33, 1, 2011, Berny Nathalie

The environmental policy of the European Union (EU) is a key domain for the analysis of European integration processes. However, existing studies on the subject, notably those concerned with Europeanization, have stressed differential impacts. Not only has European environmental policy varied in its impacts across member states, but its level of integration differs from one environmental issue to another. This special edition re-examines the scope of the EU environmental policy. It focuses on three themes crucial to debates on the greening of the EU and on the significance of policy developments, namely actor strategies, institutional factors, and the structuring of environmental issues. The



articles presented here address the three themes by focusing on the French national case and offer perspectives which are innovative on both conceptual and methodological grounds. Each develops an original analysis, drawing mainly on public policy studies and/or sociological approaches. Thus the special edition as a whole offers alternative research strategies for the study of environmental policy in the EU.

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van Vliet Olaf, Koster Ferry

Europeanization and the political economy of active labour market policies

in European Union Politics , Vol. 12, n. 2, June , 217-239

Previous studies show that reforms in labour market policies differ across countries. This may be partly owing to the impact of European integration on these policy reforms. Whereas most of these studies are qualitative case studies, the present study aims at explaining cross-national variation in expenditures on active labour market policies (ALMPs) quantitatively. Relying on pooled time-series data, the study tests whether and how Europeanization influenced activation. The analyses lead to the conclusion that the European Employment Strategy (EES) has contributed to shifts from passive to active labour market policies. Using new indicators, we trace the impact of specific mechanisms of the EES, resulting in evidence for the influence of mutual learning through the peer review programme.

Section C) Regional integration processes

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Emanuele Frixia

Europe's Geographical Space. A New Geopolitical Representation?

in Equilibri, anno XIV, n. 3, dicembre , 515-519

Putting the State on the map is an extraordinary ontological action. Cartography is the form representing modern political power through the territorial State. Geopolitical maps provide the way through which new forms of political power change the relation between spatial forms and its representation. In this regard the construction of the European Union is a clear case of study conveying the making process of a supra-national space, and the progressive overlapping of that political space on the natural European geography.

Section C) Regional integration processes

Subsection 6. The European unification process

Youngs Richard

Europe's challenge is to shake-off inertia before it becomes paralysis

in Europe's World, Issue 17, Spring

The good news is that European politicians are no longer in denial about the EU's decline. But Richard Youngs warns



that the bad news is that there are no signs of a strategy to reverse that decline.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21797/language/en-US/Default.aspx

Section C) Regional integration processes

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Rybinski Krzysztof

Europe's last chance to save the euro

in *Europe's World*, Issue 17, Spring

In just a few decades the Chinese renminbi and the U.S. dollar may be the only two reserve currencies, warns Krzysztof Rybinski. He sets out the stark choices for Europe's policymakers if the euro is to survive.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21778/language/en-US/Default.aspx

Section C) Regional integration processes

Subsection 6. The European unification process

Mayrhofer Michael

Europäische Verfassungsvergleichung durch den Verfassungsgerichtshof

in *Journal für Rechtspolitik*, vol. 18, n. 4, december , 188-193

ABSTRACT: Auch die fortschreitende europäische Integration und die Entwicklung hin zu einem europäischen Verfassungsverbund hat den Stellenwert der Verfassungsvergleichung in der Praxis des VfGH bislang kaum erhöht. Dabei kann eine komparative Perspektive insbesondere zur Klärung der Wechselwirkungen zwischen unionalem und nationalem Verfassungsrecht einen interpretativen Nutzen besitzen.

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Subsection 6. The European unification process

Schorlemmer Ingo, Steinke Joß, Sturm Roland

Europäisches Regieren in der Kartellkontrolle – Probleme und Perspektiven politischer Steuerung durch hierarchisierte transgouvernementale Netzwerke

in *Zeitschrift für Politikwissenschaft* , 20. Jahrgang (2010), Heft 3-4

The Governance of European Antitrust Policies: Problems and Perspectives

In 2004 the EU decentralised its implementation of cartel policies. It thereby created a new mode of governance. The new mode of governance, which replaced hierarchy as the central tool for political steering, is rooted in a network made up of the National Competition Authorities of the 27 member states and the Commission. This transgovernmental



hierarchical network is challenged by contradictions below its surface caused by network asymmetries and the opportunities for NCAs to co-operate to a certain degree autonomously. By exploring these topics the case study sheds new light on the workings of transgovernmental networks.

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Subsection 6. The European unification process

Verney Susannah

Euroscepticism in Southern Europe: A Diachronic Perspective

in South European Society & Politics, Volume 16, Issue 1, Special Issue: Euroscepticism in Southern Europe: A Diachronic Perspective, March , 1-29

After laying out the rationale and framework of the issue, this introductory article offers a survey of party and popular euroscepticism in European Union member states, Italy, Greece, Portugal, Spain, Cyprus and Malta and candidate Turkey, over several decades. Leonard Ray's criteria of ideological extremity, electoral unpopularity and opposition are used to assess whether South European euroscepticism has been a marginal phenomenon. The article investigates whether Maastricht constituted a turning-point for the rise of euroscepticism and accession for its decline. Finally, it asks whether euroscepticism in Southern Europe is moving towards a new 'constraining dissensus'.

Full text available at <http://www.informaworld.com/smpp/ftinterface~db=all~content=a936464186~fulltext=713240930>

Section C) Regional integration processes

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Yılmaz Hakan

Euroscepticism in Turkey: Parties, Elites, and Public Opinion

in South European Society & Politics, Volume 16, Issue 1, Special Issue: Euroscepticism in Southern Europe: A Diachronic Perspective, March , 185-208

After reviewing the emergence of Turkish euroscepticism in the context of the evolution of Turkey-European-Union relations between 1963 and 1999, the paper analyses party and popular euroscepticism after 1999. The Turkish case appears to confirm the Taggart-Sitter thesis concerning the strategic euroscepticism of opposition parties. The exception of the Kurdish nationalists suggests that strategic euroscepticism does not apply to ethnic minority parties. In Turkey there is both 'soft' euroscepticism (centre-left parties) and 'hard' euroscepticism (nationalist and Islamist parties), the latter usually based on identity. At the popular level, identity euroscepticism revolves around four key issues: national sovereignty; morality; negative discrimination; and Europe's alleged hidden agenda to divide and rule Turkey (the so-called 'Sèvres Syndrome').

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Flassbeck Heiner

Eurozone pointers to a new global monetary system

in Europe's World, Issue 18, Summer



The lessons of the global financial economic crisis in general, and the eurozone's difficulties in particular, are becoming clearer, writes Heiner Flassbeck. He outlines key elements for a new international system for financial and monetary co-operation.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21834/language/en-US/Default.aspx

Section C) Regional integration processes

Subsection 6. The European unification process

Svendsen Gert Tinggaard

Evaluating and Regulating the Impacts of Lobbying in the EU? The Case Study of Green Industries

in European Environment/Environmental Policy and Governance, Volume 21, Issue 2, March-April , 131-142

How should we evaluate and regulate the impacts of lobbying in the European Union (EU)? The current lack of transparency around lobbying activities and the absence of formal regulation mean that a hidden lobbying problem may prevail. The tentative case study of green industries in the EU is illustrative. The wind turbine industry, for example, benefits from ambitious environmental target levels for greenhouse gas reductions that will increase the future market for renewable energy. In contrast, for example, no environmental target levels exist that increase the future market shares of organic farming. Rational choice theory suggests that lobbying and group size advantages can explain the observed difference in achieving environmental target levels. The EU may learn from the US legislation as a starting point for a best-practice solution and future evaluation of impacts of lobbying in the EU.

Section C) Regional integration processes

Subsection 6. The European unification process

Semin Suvarierol

Everyday cosmopolitanism in the European Commission

in Journal of European Public Policy , Volume 18, Issue 2 2011 , 181-200

There is a rich body of literature on the functioning of the European Commission and the profile of its officials in the 1990s and early 2000s. Yet, the empirical evidence on the new generation Commission officials operating in the post-reform Commission bureaucracy is scarce. What kind of individuals end up working for the Commission? How do they think and behave on a daily basis? This article provides an insight into a crucial aspect of the everyday behaviour of Commission officials and whether national identity and categorizations play a role in the Commission. The analysis of the functions and meanings of nationality in a multinational context and the ways in which officials deal with nationality provides evidence of cosmopolitan dispositions and practices. In contrast to what has been previously argued in the literature, the empirical findings point to the effect of self-selection, selection and organizational socialization in establishing cosmopolitanism in the Commission.

Section C) Regional integration processes

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Del Vescovo Donatella



Evoluzione dell'articolo 54 della Convenzione di Schengen nell'Unione europea

in *Studi sull'integrazione europea*, Anno V, n. 3, settembre-dicembre , 717-748

The growing internationalization of crime, more and more cross-border, the discipline of criminal jurisdiction concerns situations in which various member States are competent to perform the prosecution for the same case. In addition to this, currently, it may happen more frequently that several proceedings may occur on the same case, or conflicts "positive" of jurisdiction, because the capacity of many national courts in criminal matters has been significantly increased over the last few years. The multiplicity of the processes damages the rights and interests of the individual with the danger of duplication of criminal proceedings. In an area of freedom, security and justice evolved is necessary to avoid such consequences disadvantageous, hindering the establishment of many processes on the same events. The legal limit is precisely the principle of ne bis in idem. This principle does not prevent conflicts of jurisdiction when several processes are underway in two or more member States; it may come into play only by preventing the prosecutions for the second time on the same case, when the proceedings in a member State has concluded with a decision that prevents

the opening of a new one (res judicata). The structure of this work is divided into different points. In the first place the essential characteristics of ne bis in idem

principle legislation community are summarized, and it will verify the existence of a general principle of European law that prohibits to submit to a new trial one

who has already been processed for the same facts by the courts of another State. Subsequently, it will focus on the possible assimilation of ne bis in idem "considered", while highlighting the copious decisions by a certain reluctance of the member States to a boundary excessive scope of application ne bis in idem. They will ensure that neither the practice of the Court, or the application of the ne bis in idem principle in the framework of multilateral treaties in criminal matters of the Council of Europe have led to a common standard of ne bis in idem in Europe.

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Urbinati Nadia

Ex Uno Plures: the European Road to a Cooperative Federalism

in *Federalist Debate (The)*, Year XXIV, n. 1, March

<http://www.federalist-debate.org/fdb/current/detail.bfr>

Section C) Regional integration processes

Subsection 6. The European unification process

Darren R. Halpin & Anne S. Binderkrantz

Explaining breadth of policy engagement: patterns of interest group mobilization in public policy

in *Journal of European Public Policy*, Volume 18, Issue 2 2011, 201-219

How broad do groups spread their engagement across the spectrum of public policy issues? The orthodoxy for some time has been that groups tend to focus their engagement rather narrowly. Some suggest that groups shy away from competition and pursue niche-seeking behaviour. Others argue that resource limitations constrain both the monitoring behaviour of groups and the extent to which groups can engage in policy influence activity. While there is some



consensus that groups tend to specialize, there is not a great deal of work that seeks to explain it. To date this question has tended to be explored using survey data alone, which provides generalized findings about 'interest' in policy areas. In this article we go one step further. By linking detailed survey data with the actual policy activity data of interest groups, we investigate the factors that shape the breadth of engagement by interest groups.

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Benson David, Jordan Andrew

Exploring the Tool-kit of European Integration Theory: What Role for Cooperative Federalism?

in *Journal of European Integration*, Volume 33, Number 1 / January , 1-17

More and more scholars are revisiting federal theories in an attempt to explain the functioning of the EU. Yet in-depth empirical testing of their claims remains surprisingly limited. Cooperative federalism represents one particularly promising variant of federal theory in this respect. This article extends and refines existing claims about its utility to show how EU policy-making can be fruitfully conceived of as a multi-level 'cooperative game' played out between different actor coalitions. It then uses these arguments to analyse task allocation — a critical indicator of the European integration process — within the environmental sector. Drawing on fresh empirical evidence, it demonstrates how differential patterns of task allocation have emerged from a series of interlinked 'cooperative' dynamics, which were in turn shaped by broader federal structures. Although greater testing and development is needed, it concludes that there are good reasons to add cooperative federalism to the evolving 'tool-kit' of EU integration theory.

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Glencross Andrew, Trechsel Alexander

First or Second Order Referendums? Understanding the Votes on the EU Constitutional Treaty in Four EU Member States

in *West European Politics*, vol. 34, n. 4 , 755-772

ABSTRACT: This article uses post-referendum Flash-Eurobarometer surveys to analyse empirically voter attitudes towards the EU Constitution in four member states. The theoretical model used incorporates first and second order variables for voting to ascertain whether the outcome of the vote was a reflection of either first or second order voting behaviour. It is hypothesised that the cleavage politics over integration in the European arena had a major impact on the four votes, as captured by three first order variables: 'Europhile' and 'Constitution-phile' attitudes and 'Egocentric Europeanness', respectively. The quantitative analyses – controlling for a number of dimensions – strongly supports the hypothesis when compared with a model using solely second order party identification variables. These findings establish that how voters understood the EU polity, in particular whether membership is beneficial to one's own country, was a crucial factor in all the referendums. Implications for future research include the need to discover the cues or proxies influencing first order voting within domestic politics.

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Hallerberg Mark



Fiscal federalism reforms in the European Union and the Greek crisis

in European Union Politics , Vol. 12, n. 1, March , 127-142

Based upon existing fiscal federal arrangements, this article considers the options facing the European Union to reform its own framework. There are two plausible ways the EU can stabilize the finances of its member states over the longer term. The first is to take steps that complement the market discipline of individual member states. For market discipline to play this positive role, three conditions need to be met: (1) markets need to have accurate information on member state finances; (2) the market valuation of a given state also has to be an accurate valuation of the sustainability of that state's finances; and (3) populations need to interpret market discipline as a signal about their government's competence and punish governments that face market pressure. Such a system is possible under the current Stability and Growth Pact, and indeed it appears that all three conditions held in summer 2009. Any bailout of a member state, however, undermines this type of system. More political integration would be needed to prevent a state from getting into a situation where a bailout would be an option. The Brazilian model is a precedent that the European Union could emulate.

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Douglas Stacy

For a New Europe: University Struggles Against Austerity', École des hautes études en sciences sociales/Université Paris VIII, February 2011

in Radical Philosophy, Issue 167, May/June 2011

<http://www.radicalphilosophy.com/conference-report/%e2%80%98for-a-new-europe-university-struggles-against-austerity%e2%80%99-ecole-des-hautes-etudes-en-sciences-socialesuniversite-paris-viii-february-2011>

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Mehdi Rostane

French supreme courts and European Union law: Between historical compromise and accepted loyalty

in Common Market Law Review, vol. 48, issue 2 , 439-473

ABSTRACT: Over the past few months, the relations between French supreme courts and EU law seem to have entered an era of reassuring transparency and clarity. This contribution will mainly focus on two rulings rendered by the French supreme courts ("Conseil d'Etat" and "Cour de cassation"), each dealing with an aspect of the relations between national and EU law. The Perreux ruling rendered by the Conseil d'Etat put an end to one of the oldest disputes between itself and the European Court of Justice: the obstinate refusal, since 1978, to recognize the direct effect of directives. By its Melki ruling, the Cour de Cassation made a reference for a preliminary ruling to the ECJ regarding, inter alia, the compatibility of the new French "priority preliminary ruling on the issue of constitutionality" (PPRC) mechanism with EU law. The article tries to show how, in the light of a real rule of reason, the national courts and the ECJ managed to specify the terms of a relationship structured around an unyielding necessity: the protection of fundamental rights. This virtuous dialogue is itself structured by procedural systems which contribute to strengthen decisively the coherence of



the European legal order.

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From harmonization to co-ordination? EU law in the Lisbon governance architecture

From harmonization to co-ordination? EU law in the Lisbon governance architecture

in *Journal of European Public Policy* , Volume 18, Issue 4 2011 , 504-524

The debate on the nature of law in the Lisbon Strategy has focused on the Open Method of Co-ordination (OMC), which has been defined in opposition to the Community Method, suggesting a shift from hard law to soft law. This contribution goes beyond this 'either-or' debate by analysing Lisbon as a governance architecture, composed of ideational and organizational components, affecting EU law. Although co-ordination is the central organizational device of this architecture, it has multiple meanings and cannot be reduced to the OMC. In the Lisbon Strategy, soft co-ordination is combined with hard law. The ideational and organizational components of Lisbon also have an effect on both the quantity of regulatory output and on the nature of EU law. Yet, the Lisbon governance architecture has only a very modest effect on the case law.

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CATHERINE GUISAN

From the European Coal and Steel Community to Kosovo: Reconciliation and Its Discontents

in *Journal of Common Market Studies*, Volume 49, Issue 3, May 2011 , 541-562

The purpose of this article is to contribute to the scholarly and public debates on the often-invoked but undetermined European Union reconciliatory identity. First, it articulates an interpretative analysis of the founding of the European Coal and Steel Community (ECSC) and civil society initiatives in post-World War II western Europe, which draws its conceptual framework from Paul Ricoeur and Hannah Arendt's hermeneutics. Second, it discusses whether the reconciliatory practices thus detected are still relevant for countries in conflict on the path to EU membership. Former EU Commission President Jacques Delors and Polish Member of the European Parliament Bronislaw Geremek affirm that this is the case for the Western Balkans. This article explores what this might mean in terms of policies and grass-roots initiatives between Kosovo and Serbia today.

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Kardaş Şaban

Geo-strategic position as leverage in EU accession: the case of Turkish-EU negotiations on the Nabucco pipeline

in *Southeast European and Black Sea Studies*, vol. 11, n. 1, April , 35-52

This article examines the Turkish-EU negotiations for the Nabucco Intergovernmental Agreement and the Turkish-EU membership talks to problematize Turkish leaders' tendency to establish linkages between their country's geo-strategic



value and the EU accession process. It argues that Turkey's ability to gain strategic leverage depends on the formation of a winning coalition inside the EU in favour of its membership, which among other things, depends on the presence of a joint strategic outlook on the specific issue area. In the case of Nabucco negotiations, short of such consensus, there emerged an anchor credibility dilemma which both prevented linkages between geopolitical position and the accession process, and stalled strategic cooperation in energy security

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Möllers Christoph

German Federal Constitutional Court: Constitutional Ultra Vires Review of European Acts Only Under Exceptional Circumstances; Decision of 6 July 2010, 2 BvR 2661/06,
in *European Constitutional Law Review*, Volume 7 - Issue 01 , 161-167

After the German Federal Constitutional Court's (FCC) issuance of the Lisbon decision, a judgment that is generally considered to be a verdict critical of European integration as well as a measure to widen the scope of constitutional review of EU acts, many observers wondered what would happen next. Would the German court finally begin to look for an open conflict with the EU, or would the court's bark once again be worse than its bite? This had already seemed to be the case after the Maastricht decision, the slimmer and legally more coherent predecessor of the Lisbon judgment, after which the court deliberately missed the opportunity to take a shot at the Banana conflict between the EU and the WTO

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Cesaratto Sergio, Stirati Antonella

Germany and the European and Global Crises
in *International Journal of Political Economy*, Volume 39, Number 4 / Winter 2010-11 , 56-86

Beginning with the current global and European imbalances and crises and consideration of the German reaction to them, the paper explores the political economy origins of the conservative German policy stance. It emerges that an export-oriented economy was a deliberate decision of the German elite after World War II and that the external constraint may be regarded as appropriately designed for internal discipline and efficiency in a self-reinforcing process.

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Moschella Manuela

Getting Hedge Funds Regulation into the EU Agenda: The Constraints of Agenda Dynamics
in *Journal of European Integration*, Volume 33, Number 3 / June , 251-266

Why did the issue of hedge fund regulation enter the formal EU agenda in response to the subprime crisis? Building on existing literature on agenda dynamics in the EU, this paper argues that framing and issue expansion were key in getting the issue into the formal agenda, and that issue expansion does not necessarily imply public mobilization. Going beyond existing scholarship, however, the paper also shows that framing processes are closely associated with the



characteristics of the issue for debate and that issue expansion is intimately related to the arrangements governing the specific issue domain. In other words, whereas framing and issue expansion are traditionally conceived as a strategic choice or as the outcome of an exogenous event, this paper shows that framing may also be shaped by the nature of the issue at stake and that issue expansion may result from the unintended consequences of previous governance choices.

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Villani Ugo

Gli sviluppi del Trattato di Lisbona in materia di politica estera e di sicurezza comune

in **Studi sull'integrazione europea**, Anno VI, n. 1, gennaio-aprile , 9-24

In order to provide the European Union with a "single voice" on the international scene the first innovation of the Lisbon Treaty is the establishment of the High Representative for Foreign Affairs and Security Policy; the High Representative has a double role because he shall preside over the Foreign Affairs Council but he is also a member – as a Vice-President – of the Commission. Some further elements aim at promoting a single position of the Union, such as the provisions which declare that the Union shall ensure consistency between the different areas of its external action and its other policies, and those according to which the Member States shall support the Union's policy, shall cooperate, enhance their mutual solidarity, consult one another in order to determine a common approach. The main obstacles to the achievement of a common foreign policy derive from the unanimity rule in the European Council and in the Council, but also from the lack of a democratic control and of a judicial review. As regards the common security and defence policy, however, it could be possible to overcome the problems deriving from the unanimity rule through the instruments of flexibility introduced by the Lisbon Treaty.

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Katsikas Dimitrios

Global Regulation and Institutional Change in European Governance

in **West European Politics**, vol. 34, n. 4 , 819-837

ABSTRACT: The literature on institutional innovation in European governance has been dominated by an inward-looking focus on the European integration process. However, in the context of a highly integrated and interdependent world, it is not possible to understand the evolution of European governance without taking into account developments in the international institutional environment. This article aims to contribute to the study of the interaction between global and European modes of governance by examining the impact of EU's engagement with the International Accounting Standards Board (IASB), and its predecessor the International Accounting Standards Committee (IASC) on the institutions of European accounting regulation. Following an analysis of the politics of international accounting harmonisation, it is demonstrated that EU's decisions to adopt the standards produced by the IASB, and to establish a new, differentiated European accounting regulatory mechanism, were driven by its desire to bolster European influence in the context of the IASC/IASB.



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Krätke Michael R.

Griechenland in Schuldknechtschaft

in **Blätter für deutsche & internationale Politik**, Juli, 2011 , 12-15

Griechenland und kein Ende: Vor einem Jahr wurde das Land vor der Pleite gerettet, jetzt steht es schon wieder davor. Dass es so weit kam, hat einen einfachen Grund: Den Kredit bekamen die Griechen, ebenso wie die Iren und die Portugiesen, die nach ihnen unter das Joch des „Rettungsschirms“ gezwungen wurden, nur unter der Bedingung, eine knallharte Sparpolitik zu betreiben, um das Defizit im Eiltempo zu drücken. Das hat die griechische Regierung in der Tat getan; gegen wachsenden, erbitterten Widerstand der eigenen Bevölkerung hat sie weit mehr und weit härter gekürzt, gestrichen und saniert als jede andere zuvor.

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azowski Adam

Half full and half empty glass: The application of EU law in Poland (2004–2010)

in **Common Market Law Review**, vol. 48, issue 2 , 503-553

ABSTRACT: Poland joined the European Union on 1 May 2004 and the first wave of EU-related litigation reached the Polish courts soon after. The question that this article tries to answer is whether Polish judges are willing and able to serve as EU judges and give EU law effect. The emerging picture is mixed. On the one hand, there is a growing volume of court decisions calling for praise, on the other hand some decisions are not exactly the finest hour of the Polish judiciary. The article starts with an overview of EU-related judgments of the Polish Constitutional Tribunal. It then turns to the application of fundamental tenets of EU law by other Polish courts. This is followed by a discussion of issues raised under the preliminary ruling procedure and an overview of selected references submitted by Polish courts, including problems of translation, and question of temporal scope of EU law.

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Charrin Ève

Hongrie : l'homme fort et l'Europe faible

in **Esprit**, Mars/avril 2011

No abstract available

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von Weizsäcker Ernst

**How Europe should tackle its resource constraints
in Europe's World**, Issue 18, Summer

Until a decade ago, resource prices had in real terms been falling for 200 years. Ernst Ulrich von Weizsäcker separates myth from reality, and puts forward his plan for giving Europe a headstart in the race for greater resource productivity.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21846/language/en-US/Default.aspx

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Daniels Peter, Rubalcaba Luis, Stare Metka, Bryson John

How Many Europes? Varieties of Capitalism, Divergence and Convergence and the Transformation of the European Services Landscape

in *Tijdschrift voor economische en sociale geografie (Journal of Economic & Social Geography)*, Volume 102, Issue 2, April, 146-161

The prospects for a single European economy or the existence of a variety of different European formations of capitalism are explored in the context of the enlargement of the EU in 2004 and 2007. Using evidence based on major sectoral trends, with particular reference to service industries, a comparative analysis of the 'quantitative' structure of the national economies of the EU Member States is undertaken. Convergence analysis is used to establish whether any common trajectories can be identified using the EU15 and the EU10 as the main pillars for the analysis. It is shown that a wide gap still exists between the two EU country groups, particularly in relation to the supply of the most advanced services. Catching up may occur in the long run but only if drivers such as market competition, better utilisation of information and communications technology, the introduction of innovative services, or upgrading service-specific knowledge and skills, are enabled.

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Sprungk Carina

How Policy-Shaping Might (Not) Affect Policy-Taking: The Case Of National Parliaments in the European Union

in *Journal of European Integration*, Volume 33, Number 3 / June, 323-340

There is an increasing literature which traces non-compliance with European Union (EU) law back to the decision-making stage. Yet, little attempts have been made to theorize on how and why the phase of shaping EU policies has an effect on their implementation, and to empirically demonstrate if there is a causal link between the two stages. This article seeks to fill this gap by first developing a theoretical framework which identifies three causal mechanisms linking policy-shaping and policy-taking: assertiveness, fairness and information. Second, it empirically tests their explanatory power by drawing on the case of national parliaments. The case studies of the Assemblée Nationale's and the Bundestag's involvement in the negotiation and transposition of the Water Framework



Directive show that a causal link between policy‐shaping and policy‐taking is most likely if (1) actors remain identical, (2) little time elapses and (3) the involvement of implementing actors in policy‐shaping focuses on providing information.

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Olsen Gorm Rye

How Strong Is Europeanisation, Really? The Danish Defence Administration and the Opt-Out from the European Security and Defence Policy

in Perspectives on European Politics and Society, vol. 12, n. 1, April , 13-28

The article questions how strong Europeanisation is as an explanation of administrative changes in EU member states. Denmark has an opt-out from the European cooperation on defence, and, therefore, its defence administration represents a critical or a less likely case to test the Europeanisation thesis. The article shows that in spite of the opt-out, the administrative structures and the policy processes in the Ministry of Foreign Affairs (MFA) have adapted to the common foreign and security policy (CFSP) and the European security and defence policy (ESDP). Surprisingly, the administrative structures and the decision-making processes in the Ministry of Defence (MoD) have also adapted to the ESDP. The latter example emphasises the strength of top-down Europeanisation as a possible explanation of domestic administrative changes in member states. It is argued that Europeanisation per se is not an explanation of administrative adaptation. The pressure from Europeanisation has to be propagated by actors. In the case of the Danish defence administration, the promoter is government officials embedded in a domestic political-bureaucratic environment, which is remarkably positive towards the integration process within the EU. It explains the strategic choices of the officials, and, thereby, it explains the administrative adaptations of the MoD and the MFA.

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PHILIPP GENSCHER, MARKUS JACHTENFUCHS

How the European Union constrains the state: Multilevel governance of taxation

in European Journal of Political Research, Volume 50, Issue 3 , 293–314

This article challenges the common assumption that the European Union (EU) has little power over taxation. Based on a comprehensive analysis of EU tax legislation and European Court of Justice (ECJ) tax jurisprudence from 1958 to 2007, the article shows that the EU exerts considerable regulatory control over the Member States' taxing power and imposes tighter constraints on Member State taxes than the American federal government imposes on American state taxation. These findings contradict the standard account of the EU as a regulatory polity that specialises in apolitical issues of market creation and leaves control of highly politicised core functions of government (defence, taxation, social security, education, etc.) to the Member States; despite strong treaty safeguards, national tax autonomy is undermined by EU regulation.

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Engström Viljam

How to Tame the Elusive: Lessons from the Revision of the EU Flexibility Clause
in *International Organizations Law Review*, vol. 7, n. 2, 343-373

ABSTRACT: The mechanism established in what has now become Article 352 of the Treaty on the Functioning of the European Union (formerly known as Article 235 and 308) has many names. One of the more common is to refer to the mechanism as the 'flexibility clause'. As the notion indicates, the basic purpose of the mechanism is to provide the European Union with a possibility of (flexibly) adjusting legislative powers to arising needs. Since the very purpose of the flexibility clause is to provide for the exercise of legal powers where none is to be found in the EU Treaties, the clause hereby defines the ultimate reach of EU competence. Remarkably, although use of the clause has often been contentious, the wording of the clause has remained unchanged ever since the Treaty of Rome. The aim of the article is to outline the function and development of the flexibility clause especially in light of the Treaty of Lisbon, which for the first time in the history of the EC/EU rewrites the flexibility clause.

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Allard Celine, Everaert Luc

How to breathe new life into the eurozone
in *Europe's World*, Issue 17, Spring

As well as being beset by national debt crises among its most vulnerable members, the eurozone looks to be caught in the doldrums of low growth and an aging workforce. IMF economists Luc Everaert and Céline Allard put forward their plan for infusing it with new vigour.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21791/language/en-US/Default.aspx

Section C) Regional integration processes

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Hale William

Human Rights and Turkey's EU Accession Process: Internal and External
in *South European Society & Politics*, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June, 323-333

This paper attempts to assess and explain the relative strength of internal and external factors in the improvement of Turkey's human rights regime. After 1999, the European Union, which required Turkey to conform to the 'Copenhagen criteria' of civil liberties as a precondition for the start of accession negotiations, has been by far the most important element, resulting in the passage of an impressive raft of constitutional and legal reforms between 2001 and 2004. After 2005, when accession talks officially began, the pace of reform slackened markedly, as the accession process became more problematic. Nonetheless, in 2010, another package of constitutional reforms was enacted, suggesting that the



cause of reform has now acquired a powerful internal dynamic.

Section C) Regional integration processes

Subsection 6. The European unification process

Mastroianni Roberto

I diritti fondamentali dopo Lisbona tra conferme europee e malintesi nazionali

in *Diritto pubblico comparato ed europeo*, n. 4

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Anzon Demmig Adele

I tribunali costituzionali e l'integrazione europea: da Maastricht a Lisbona

in *Diritto e società*, n. 1 , 1-36

No abstract available

Section C) Regional integration processes

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Guastafarro Barbara

Il Trattato di Lisbona tra il custode della sovranità popolare e il custode della Costituzione::la triplice riserva apposta al Trattato del Bundesverfassungsgericht

in *Rassegna di diritto pubblico europeo*, n. 1 , 157-186

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Coduti Daniele

Il cammino comunitario di regioni e comunidades autónomas

in *Archivio giuridico*, n. 4 , 497-522

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Carabelli Umberto

Il contrasto tra le libertà economiche fondamentali e i diritti di sciopero e di contrattazione collettiva nella recente giurisprudenza della Corte di giustizia: il sostrato ideologico e le implicazioni giuridiche del principio di



equivalenza gerarchica

in **Studi sull'integrazione europea**, Anno VI, n. 2, maggio-agosto , 217-244

The present essay deals with the recent ruling C-271/08 to critically review the jurisprudence of the Court of Justice in recent years in terms of conflict between the fundamental economic freedoms and the rights to strike and collective bargaining in the European Union. The author points out the neoliberal approach to this jurisprudence and shows how the principle of equivalence between the values on which rest the liberties and rights that is affirmed by the Court raises problems of conflict between Community law and thus defined the Italian constitutional order, which recognizes, among its fundamental principles, the prevalence of the right to strike and trade union freedom compared to the freedom of economic initiative.

Section C) Regional integration processes

Subsection 6. The European unification process

Lazzerini N.

Il controllo della compatibilità del diritto nazionale con la Carta dei diritti fondamentali secondo la sentenza McB

in **Rivista di diritto internazionale**, vol. XCIV, fascicolo 1 , 136-169

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Genna A.A.

Il controllo "eurodeferente" del Bundesverfassungsgericht sugli atti ultra vires delle istituzioni europee dal Lissabon-Urteil al Mangold-Beschluss

in **Rivista italiana di diritto pubblico comunitario**, n. 1 , 268-303

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Piva Paolo

Il dibattito sul federalismo dopo il Trattato di Lisbona

in **Diritto della regione (il)**, n. 5-6 , 41-60

Section C) Regional integration processes

Subsection 6. The European unification process

Costa Anna

Il difficile equilibrio tra Stato e mercato

in **Federalista (Il)/Federalist (The)**, Anno LIII, n. 1 , 17-30



<http://www.thefederalist.eu/files/PDF/IT/2000/2011-1-IT.pdf>

Section C) Regional integration processes

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Marzio Bini

Il diritto di rivalsa dello Stato per le violazioni da parte delle Regioni del diritto dell'Unione europea: uno strumento di impulso all'attività regionale o un istituto inapplicabile?

in *Quaderni Regionali* , n. 3

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Palladino Rossana

Il diritto di soggiorno nel "proprio" Stato membro quale (nuovo) corollario della cittadinanza europea?

in *Studi sull'integrazione europea*, Anno VI, n. 2, maggio-agosto , 331-356

As is well know, European citizenship as established in the Maastricht Treaty has had some strong legacies with the old approach based on the free movement of workers. In this context, the European Court of Justice has repeatedly ruled that citizenship of the Union, established by Art. 17 TEC, is not intended to extend the scope *ratione materiae* of the Treaty also to internal situation which have no link with Community law. Lacking the element of movement from a Member State to another, the rules of Community/European law could not be applied. This approach could produce "paradoxical" effects of "reverse discrimination": such term indicates that a national of a State may suffer because of the application of national rules that are less favorable than the treatment of "alien" based on the rules of European law. On 8 March 2011, the Court of Justice of the European Union (Grand Chamber) decided the case *Ruiz Zambrano v. Office National de l'emploi*. The judgment represents an important step towards extending the scope of European citizenship and the rights attached thereto. In fact, the Court applies these rights to European citizens regardless of the exercise of free movement. The Court does not arise the question of finding a link with the European law, but recognizes *de plano* the link with EU law in the existence of European citizenship. It increases the value of the right to stay, as an autonomous right of the Union citizenship. Despite the Conclusions of Advocate Sharpston, in the judgment of the Court the concept of "reverse discrimination" is never used. Nevertheless, the decision can be an important step towards the adoption of a "European solution" to this problem. In fact, recognizing the equal dignity to the right of residence in their "own" Member State than the right of residence in "another" Member State (both European citizenship's rights), the judgment makes the condition of the "static" European citizens equal to the "dynamic" European citizens. The Court's arguments are based on the increase of value of Art. 20 TFEU, read in the light of fundamental rights.

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Ziller Jacques

Il nuovo assetto dei Diritti nei trattati Europei dopo Lisbona

in *Cittadinanza europea (La)*, Fascicolo 1 - 2011



La problematica dei diritti è strettamente collegata alla natura pattizia della 'costituzione' della Comunità - ora Unione - europea come già chiarito dalla Corte di giustizia nella sentenza Van Gend en Loos del 1963. È su questa base che vanno quindi analizzate le novità del trattato di Lisbona, per quanto riguarda diritti derivanti da obblighi degli Stati membri, che sono nuovi rispetto ai previgenti trattati CE e UE. L'autore esamina come si manifesta il carattere vincolante della Carta dei Diritti fondamentali dell'Unione europea per tutti gli Stati membri, dato che il Protocollo sulla Polonia e il Regno Unito non rappresenta una deroga al sistema di diritto UE. Infine, l'autore presenta le tre più importanti conseguenze del carattere ormai vincolante della Carta, cioè la differenziazione tra diritti fondamentali e altri diritti, l'applicabilità di una riserva di legge e la possibilità di ricorso alla procedura di rinvio pregiudiziale per l'interpretazione della Carta.

Section C) Regional integration processes

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Mascherpa Gabriele Felice

Il piano Briand di "Unione federale europea"

in *Federalista (II)/Federalist (The)*, Anno LIII, n. 1 , 31-52

<http://www.thefederalist.eu/files/PDF/IT/2000/2011-1-IT.pdf>

Section C) Regional integration processes

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Burgogue-Larsen Laurence

Il principio di non discriminazione nel diritto dell'Unione. L'articolo 19 del Trattato sul funzionamento dell'Unione europea, ovvero la rivoluzione silenziosa

in *Ragion Pratica*, numero 1, giugno 2011 , 55-74

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Augenti Antonio

Il principio di solidarietà e le politiche sociali europee

in *Cittadinanza europea (La)*, Fascicolo 1 - 2011

Il contributo affronta in via preliminare il significato e il valore della solidarietà nel suo evolversi nel tempo, per capire come essa si incarna nelle coscienze individuali e nelle responsabilità collettive. La solidarietà non ha modo d'essere senza la sussidiarietà: è la linea ideologica che orienta le moderne politiche di welfare. Queste politiche sono attente ad un nuovo concetto di povertà non legato a bisogni di sopravvivenza, ma a nuovi indicatori sociali. Tutelare i diritti sociali della persona significa prendere atto che occorre investire nella conoscenza, oggi strumento principe dell'emancipazione della persona. L'ultima parte del lavoro è dedicata all'analisi di come l'Unione europea ha guardato alle questioni sociali, conformandosi al principio di solidarietà e orientando in tal senso la propria normativa. Sull'operato comunitario vengono da ultimo avanzate riserve e sollevate censure di ritardo con il quale l'Unione è intervenuta nelle politiche sociali.



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Dauderstädt Michael, Keltek Cem

Immeasurable inequality in the European Union

in *Intereconomics*, Volume 46, Number 1 / January 2011 , 44-51

Over time, the European Union has acquired more and more of the attributes of a state and, in economic terms, it can arguably be considered a single market. Nevertheless, the differences between member states are enormous. Small, rich countries, such as Luxembourg, contrast sharply with big, poor ones, such as Romania. Despite this, many indicators are published which refer to the EU as a whole, including measures of income inequality. According to Eurostat¹, the ratio between the incomes of the top and bottom quintiles is 5. But is this figure even roughly adequate? This paper will argue that it vastly underestimates the true level of inequality in the EU which, unfortunately, is immeasurable in the twofold sense that it is both hard to measure and extremely high.

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Lorenzo Striul

Iniziativa Europee di Difesa. In attesa della Presidenza di Turno polacca

in *CeMiSS - Osservatorio Strategico e Quarterly*, XIII, n. 2 , 45-49

Come tutti sanno, dal questo 1° luglio la Polonia ha oramai assunto le piene responsabilità del proprio semestre di turno di Presidenza dell'Unione Europea. Ci si propone dunque in questa sede di riassumere i punti salienti delle sfide che attendono Varsavia per questa sua importante responsabilità, ovviamente con un'ottica maggiormente soffermata sugli aspetti relativi alle relazioni esterne dell'UE come anche delle iniziative nel settore della difesa e sicurezza, e, in misura minore, degli ambiti affari esterni e quant'altro possa rappresentare ricadute d'interesse, anche indiretto, per detti settori.

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Lorenzo Striuli

Iniziativa Europee di Difesa: Una mini-NATO nel Nord Europa?

in *CeMiSS - Osservatorio Strategico e Quarterly*, XIII, n. 1 , 45-49

All'inizio dello scorso dicembre, in una lettera firmata congiuntamente dai Ministri degli Esteri di Francia, Germania e Polonia e indirizzata all'Alto Rappresentante



europeo per la
Politica Estera e di Sicurezza Comune Catherine Ashton, i tre Paesi in questione hanno
proposto la piena attuazione della clausola del
Trattato di Lisbona in materia di Cooperazione Strutturata Permanente, formula con cui
sarà possibile implementare un'Unione Europea a più velocità anche nel campo della sicurezza e della difesa.

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Christiaens Kim

**Inspirées par le Sud ? Les mobilisations transnationales Est-Ouest pendant la guerre froide
in Vingtième Siècle, n. 109**

Dans les premières décennies après la Seconde Guerre mondiale, la réaction sociale de l'Europe occidentale à la situation derrière le rideau de fer resta modeste. Malgré les efforts des exilés est-européens, les protestations à grande échelle ne firent leur apparition qu'après l'invasion soviétique de la Hongrie en 1956. Même dans ce cas-là, la constellation de pouvoir de la guerre froide mit des limites à l'idéalisme occidental et fit que le mouvement demeura éphémère. Après les accords de Helsinki en 1975, la question des droits de l'Homme dans l'Europe de l'Est gagna cependant peu à peu en importance. Dans les années 1980, la lutte de Solidarność en Pologne suscita un ralliement massif à travers toute l'Europe occidentale. Les caractères hétérogène et durable de ce mouvement s'expliquent par une « inspiration du Sud ». Les formes d'action, les réseaux et les idéologies des mouvements Est-Ouest s'inspiraient en effet de ceux des activistes Nord-Sud et des mouvements anticoloniaux.

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Morillas Pol

Institutionalization or Intergovernmental Decision-Taking in Foreign Policy: The Implementation of the Lisbon Treaty

in European Foreign Affairs Review, vol. 16, issue 2, 243-257

ABSTRACT: This article analyses the evolving nature of the foreign policy of the European Union (EU) as a consequence of the set-up of new structures such as the office of the High Representative/Vice-President (HR/VP) and the European External Action Service (EEAS). It argues that while decision-taking in Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP) remains intergovernmental for the most part, the strengthened power of initiative granted to the new services has introduced critical changes in EU foreign policy-making. The first developments under the Lisbon Treaty hint a process of institutionalization by practice in EU foreign policy initiative, which relates to the personalities at the top of new EU structures, the changes of procedures in the elaboration of policy papers and meeting agendas, and the management of crisis situations. This process of institutionalization by practice, as well as the reaction of EU Member States to it, is examined particularly with regard to the working relations between the new foreign policy structures and the Political and Security Committee (PSC) of the EU.



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Dirk De Bièvre & Jappe Eckhardt

Interest groups and EU anti-dumping policy

in *Journal of European Public Policy* , Volume 18, Issue 3 2011 , 339-360

Why did the European Union (EU) attempt yet fail to reform its anti-dumping legislation between 2006 and 2008? We analyse this attempt to reform a legislative act regulating interest groups' access to public decision-makers by relying on collective action and principal-agent theory. Contrary to approaches assuming that the European Commission enjoys a large degree of agent autonomy to implement a more liberal EU trade policy than most member state principals would want, we conceive of principals and their agents as actors responding to the relative balance between interest groups mobilizing for and against reform. Tracing interest group collective action advantages back to industry consolidation and the certainty of future losses, we argue that concentrated producer groups mobilize most intensively and persistently and successfully influence policy outcomes. On the losing side, importers and retailers, joined by producers having outsourced parts of their production, let alone consumers, fail to counter this mobilization effort.

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Krotz Ulrich, Maher Richard

International Relations Theory and the Rise of European Foreign and Security Policy

in *World Politics*, vol. 63, n. 3, July , 548-579

ABSTRACT: The historical rise of European foreign, security, and defense policy marks an important development in European politics and world politics more broadly. Long thought unlikely to amount to much, European integration in the domains of traditional "high politics" has consolidated bit by bit since the mid-1990s, under the auspices of a common foreign and security policy (CFSP) and a pan-European security and defense policy (ESDP). Accordingly, European affairs in these areas have attracted increased scholarly interest. In a variety of books as well as journal articles, scholars from diverse theoretical and intellectual backgrounds have argued that European integration in these policy areas has gained considerable substance—while offering very different causal accounts for why this has occurred. These different theoretical and empirical investigations together produce a new field of study with its own research questions, vocabulary, and search for causal explanations. IR theory is now engaging fully with European integration studies and vice versa. Paradoxically, this takes place in precisely those policy areas in which European integration had long been the weakest and least developed. This article explores and evaluates this new literature that analyzes why, compared with even the very recent past, a European foreign and security policy has emerged and apparently solidified.

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Iannello Carlo

Introduzione. Sovranità ed economia nel processo di integrazione europea

in *Rassegna di diritto pubblico europeo*, n. 1 , 11-12



No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bassanini Franco

Investimenti di lungo periodo, stabilità e crescita in Europa

in ItalianiEuropei, n. 5

No abstract available

Section C) Regional integration processes

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JONATHON W. MOSES

Is Constitutional Symmetry Enough? Social Models and Market Integration in the US and Europe

in Journal of Common Market Studies, Volume 49, Issue 4, July 2011 , 823-843

By comparing US and European efforts at market integration, this article questions the commonly held notion that Europe's market integration can continue without undermining its nation-based models of social protection. Three recent ECJ decisions (Viking, Laval and Rüffert) seem to confirm Scharpf's (2002) assertion that the EU suffers from constitutional asymmetry. By contrasting these developments with the earlier integration of US markets – where a rough constitutional symmetry can be said to exist – the article concludes that constitutional symmetry, in itself, is probably insufficient to protect the sort of corporatist arrangements that undergird northern European social models.

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Adaman Fikret

Is Corruption a Drawback to Turkey's Accession to the European Union?

in South European Society & Politics, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June , 309-321

The paper focuses on the question of whether or not the current level of corruption in Turkey constitutes a major drawback for European Union (EU) membership. After elaborating the different types of corruption in Turkey, the paper argues that a full-scale anti-corruption strategy should include not only policing-type regulations and improved institutional structures, but also systemic reforms to deal with patron-client networking, informality and tax evasion. Assuming that the EU anchor will continue to be important, the EU's impact on combating corruption in Turkey will be greater to the extent that the EU manages to better understand the full picture in Turkey with regard to corruption.

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Uwe Leonardy

Is the European Federation a Mission Impossible?: A Critical Analysis of the German Constitutional Court's



Judgment on the Lisbon Treaty

in *Regional and Federal Studies*, Volume 21, Issue 1 , 73 - 90

In its judgment on the Treaty of Lisbon, the Federal Constitutional Court of Germany stated that in establishing a European Federation the European Parliament by reason of its composition would not be a sufficient subject of democratic legitimization and that, in the event of the foundation of a European Federation, Germany would have to enact a new constitution by referendum. The article investigates these statements by analyzing the Court's understanding of an "association of sovereign national states" ("Staatenverbund"), the EU as a supranational body, the notions of 'constitutional identity' and 'sovereignty', the requirements for democratic representation in the EU, the new categorization of EU competences and the needs for their delimitation. In the final part of the article the judicial prospects for a European Federation are examined and such prospects are found not to be a 'mission impossible'

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Cosmopolitismo

L'Ue fra ambizioni globali e responsabilità regionali

in *Mulino (il)*, n. 6, novembre-dicembre, 2010 , 957-964

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Van Bossuyt Anneleen

L'Union européenne et la protection des minorités: une question de volonté politique

in *Les Cahiers de droit europeen*, Vol. 46, n. 3-4 , 425-455

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Dubos Olivier

L'Union européenne et la régulation : parcimonie et énergie...

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 549, juin , 383-390

Though control is a widely used term in speeches on European Union law, its use in positive law is rather infrequent. That paradox is probably due to the ideological and performative function of that concept, which contributes to the market elaboration. The area of energy appears, in that respect, particularly topical.

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Bernard Élise



L'Union européenne et la république de Serbie – Relations et perspectives d'adhésion

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 547, avril , 239-246

After a decade spent banished from the international community and another one dedicated to introducing market economy and establishing a democratic state of law, the Republic of Serbia has at last declared itself candidate for the European Union membership. Our contribution covers those twenty years of relationships between Belgrade and Brussels, in order to clarify the possible membership of Serbia, currently a "potential candidate" for the EU. That relationship could not be more specific and deserves specific attention. Indeed, mainly seeking to maintain the Serbian Montenegrin state, the EU's actual sole purpose is to allow a partition of the two republics in a specific and pacified legal framework. The membership of the Federal Republic of Yugoslavia was not possible. Following that successful cooperation between the Serbian and Montenegrin parties with the EU in 2002, Serbia, now a sovereign state internationally recognised as such, is now considered as a "potential candidate" for the EU, in spite of the difficulties it had and still has to address.

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Blanc Didier

L'adhésion de la Turquie à l'Union européenne – L'hypothèque constitutionnelle française

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 549, juin , 391-394

European Union territorial integration requires its enlargement towards countries that are increasingly remote from its historical centre of gravity. Thus in spite of its longstanding relationship with the European Union, the prospect of Turkey's membership renewed the debate due to specific features whose institutional repercussions raise concern to the point of prompting modifications that affect the internal legal order of some member countries. Such is the case in France, whose article 88-5 of the Constitution, which requires ratification by referendum for any membership treaty, was the subject of a new revision in order to open again the option of parliament ratification. Without reverting to the initial system entrusting the President of the Republic with discretionary power, the Constitution intention, though it does not end the ambiguity entirely, offers more favourable constitutional conditions for Turkey's membership.

Section C) Regional integration processes

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Picheral Caroline

L'apport du traité de Lisbonne aux politiques d'asile et d'immigration: de l'Européen au Commun?

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 547, avril , 225-232

In revising the provisions of the EC treaty relating to asylum and immigration, the Lisbon Treaty did not make any major change. It only provides a few answers to the many doubts that can arise as to the existence of a truly common policy on those issues. Compared with the previous state of law, the goals and bases of Europe's action are more visible; the Union's jurisdiction is greater; the decision-making process loses its intergovernmental aspect. However, in so sensitive matters, the improvement of the legal bases cannot in itself guarantee policies centered around the general interest and basic values of the Union.



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Couronne Vincent

L'autonomie procédurale des États membres de l'Union européenne à l'épreuve du temps

in *Les Cahiers de droit européen*, Vol. 46, n. 3-4 , 273-309

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Katsorchi Panagiota

L'engagement de la responsabilité non contractuelle de l'Union en matière de concurrence

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 545, février , 122-128

The possibility of exercising the European Union's non contractual liability in the area of competition is the corollary of the significant controlling and sanctioning powers held by the Commission in that area. The substance conditions established by the Court of Justice for incurring such liability, i.e. illegal behaviour, an actual loss and a casual link between the illegal behaviour and the loss, already exist in the various legal systems of the member countries. This study looks at the interpretation of such conditions by the Court's case law in the area of competition.

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Christophe Verdure

L'harmonisation des pratiques commerciales déloyales dans le cadre de la directive 2005/29/CE : premier bilan jurisprudentiel

in *Les Cahiers de droit européen*, Vol. 46, n. 3-4 , 311-336

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Guilloud Lætitia

L'inscription des actes législatifs de l'Union européenne dans les traités: une victoire à la Pyrrhus?

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 548, mai , 285-290

Back in 1958, Professor Paul Reuter stressed, in an article published in *La Revue du Marché Commun et de l'Union Européenne*, that the European institutions had a "true law-making power". Yet 50 years after the Rome Treaty became effective, the term law seems to have to remain a taboo in treaties. The Lisbon Treaty indeed gave up the terms of European Law and Framework Law while maintaining the distinction between legal texts and non legal texts found in the Treaty establishing a Constitution for Europe. Yet though that consecration of the legal power of the European Union is a breakthrough, it came without legal procedure uniformisation nor a litigation procedure adjustment. Therefore the outcome of the reform is mixed.



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Pospíšilová Anna, Krück Hans

L'émancipation difficile des eurodéputés - L'histoire et le contenu du statut des députés au Parlement européen
in *Les Cahiers de droit européen*, Vol. 46, n. 3-4 , 225-271

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Zaccaria Alessio

La Comunità europea è morta, viva l'Unione ...?
in *Studium Iuris*, n. 6 , 611-612

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Section C) Regional integration processes

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Levinet Michel

La Convention européenne des droits de l'homme socle de la protection des droits de l'homme dans le droit constitutionnel européen
in *Revue française de droit constitutionnel*, n. 86

No abstract available

Section C) Regional integration processes

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Lévinet Michel

La Convention européenne des droits de l'homme, socle de la protection des droits de l'homme dans le droit constitutionnel européen
in *Revue française de droit constitutionnel*, n. 86

No abstract available

Section C) Regional integration processes

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Guérot Ulrike

La Germania e l'Europa: un rapporto incrinato?
in *ItalianiEuropei*, n. 2



No abstract available

Section C) Regional integration processes

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Bayram Mehmet Hanifi

La Turquie et l'Union européenne : une intégration par des étapes temporisées

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 545, février , 129-138

The legal relations, since the Ankara Agreement, between Turkey and the European Union highlight the fact that the process of Turkish adhesion to the European Union evolves without precipitation. It also results from this that the Community authorities try to reinforce the bonds with Turkey on the basis of criterion of Copenhagen. The recent evolutions in the negotiation bring to light that the rhythm of the process depends largely on the reforms carried out by Turkey and on its appreciation by the European authorities. Thus the new logical of integration is focused more on the internal situation of Turkey and implies its necessary democratization according to the European concept

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Marguery Tony

La citoyenneté européenne joue-t-elle un rôle dans l'espace pénal de liberté, de sécurité et de justice?

in *Les Cahiers de droit européen*, Vol. 46, n. 3-4 , 387-423

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Fernández Alles José Joaquín

La cooperación interparlamentaria e intergubernamental de las comunidades autónomas en asuntos europeos tras la STC 31/2010

in *Revista de derecho político*, n. 79 , 61-113

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Cisotta Roberto, Viterbo Annamaria

La crisi della Grecia, l'attacco speculativo all'euro e le risposte dell'Unione europea

in *Diritto dell'Unione europea*, n. 4 , 961 - 994

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Román Escolano

La crisis del euro y la gobernanza europea

in *Cuadernos de pensamiento político*, Nr 30, Abril-Junio

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Raspadori Fabio

La democrazia partecipativa ed il diritto di iniziativa dei cittadini europei

in *Studi sull'integrazione europea*, Anno V, n. 3, settembre-dicembre , 675-690

Starting from the concept of the participative democracy, the present article underlines how a more active participation of citizens to policy can help the notion of representative democracy, that appears day by day more in crisis. The Lisbon Treaty has the merit to have introduced some instruments of the participative democracy within the European founding Treaties and, among these, the European citizens' initiative represents the most ambitious. The most part of the article is dedicated to the Proposal of the European Commission on the Regulation of the European Parliament and of the Council on the citizens' initiative, presented on 31st March 2009 and presently under discussion within the new ordinary legislative procedure of the European Union. The Author describes the contents of the most significant parts of the act, as well as the least convincing parts. The article finishes with a general appreciation of the Commission' Proposal for its innovative character, that emerges especially in comparison with the poor attention given by the national constitutions to the participative democracy.

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Hervouët François

La directive : Janus juridique parfait ou imparfait ?

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 548, mai , 291-296

The nature of the directive is set by the legal order of the European Union but its status varies depending on whether it produces effects in that order or in the states' orders. In the first case, because it is a perfect act, it is a standard like any other standard and as a result can help discover a general principle of law. On the other hand, in the second approach, because it is an imperfect act, it is likely to produce only some effects confined within the duty that it generates in the person of the receiving member countries; that it why it cannot produce a direct horizontal effect.

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Filippo Palmieri

La direttiva 2009/71/ Euratom: verso una maggiore sicurezza del nucleare?

in *Cittadinanza europea (La)*, Fascicolo 1 - 2011



No abstract available

Section C) Regional integration processes

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Milanesi Elsa

La fiscalità diretta nelle sentenze della Corte di giustizia dell'Unione europea. Una riflessione sul principio di non restrizione delle libertà fondamentali

in *Studi sull'integrazione europea*, Anno VI, n. 1, gennaio-aprile , 133-162

The article focuses on the judgments of the Court of Justice over the last ten years, that have dealt with matters that affect the field of direct taxation, such as the taxation of outbound dividends, taxation of work income and even the deduction of losses or costs when dealing with certain issues of negative income. Particular focus is paid to the rules that the courts of Luxembourg apply, when checking tax law compatibility within Member States with the fundamental freedoms guaranteed by the TFEU. This is essentially the principle of nonrestriction of fundamental freedoms (Articles 49, 56 and 63 TFEU) and the principle of nondiscrimination (Articles 18 and 45 TFEU). In jurisprudence, the two concepts of discrimination and restriction are generally placed side by side, merging within the definition of discriminatory restriction. Such principle is justified by the fact that national tax rules that restrict fundamental freedoms fall into one category or the other – into direct or indirect discriminatory measures, as, even today, the tax jurisdiction of Member States is based on the criteria of residence or origin of income. The principle of non-discriminatory restriction does not, however, remove restrictions resulting from the inevitable coexistence of separate tax systems. In accordance with the principle that the current state of European law establishes the responsibility of the Member States relating to direct taxation, direct taxes within the EU, in fact, are managed by National tax regimes that coexist with their differences and peculiarities. So some of the disadvantages that affect companies involved in crossborder transactions can be a direct and inevitable consequence of the juxtaposition of such systems. Again, these rules, however, constitute obstacles to the free movement of factors of production in the EU, as they produce deterrent effects. However, for these rules to be removed, European courts could apply the principle of non-restriction of fundamental freedom, understood in its broadest sense. The Court of Justice, however, adheres to a different approach. To eliminate distortions in economic activity caused by various tax systems coexisting alongside each other, European judges maintain intervention of European legislature to be required, hence promoting a process of harmonization. Adopting measures of tax harmonization, however, is not always possible. Article 113 TFEU provides, even today, for the implementation of such particularly rigorous legal agreement constraints, such as voting procedures, consensus unanimity and indirect taxation as a harmonizing instrument. It seems more likely in the current state of EU law that the activities of the Court of Justice in the field of direct taxation represent an effective stimulus for each Member State to work on a national action plan aimed at overcoming the barriers stemming from the diverse Member States' tax systems.

Section C) Regional integration processes

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Pliakos Astéris

La fonction communautaire/européenne du juge national mise en question

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 545, février , 79-95

When asked to review the compatibility of the Lisbon Treaty with the Constitution, the German Constitutional Court



questioned the community role of domestic judges. According to the ruling handed down on June 30, 2009, the Constitutional Court developed an unorthodox interpretation of the European Union's legal system. According to that interpretation, the European legal system, in spite of being self-sufficient, is a legal system that is derived from the German legal system. That approach supports similar positions by other constitutional judges and directly affects the principles of the precedent, direct effect and efficient implementation of the European Union's law. Nonetheless, the Court of Justice's decision to stick to it firmly seems to have prompted the German Constitutional Court to reassess its position so as to affect the domestic judge's European role less seriously.

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Cogliandro Giuseppe

**La governance economica europea: cronaca di un anno
in Federalismi**, Anno IX - Nr 8

Section C) Regional integration processes

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Balaguer Callejón Francisco

**La interacción constitucional entre Unión Europea y Estados miembros (I).. Presentación
in Revista de Derecho Constitucional Europeo**, n. 14

Full text available at:

<http://www.ugr.es/~redce/REDCE14/articulos/00presentacion.htm>

Section C) Regional integration processes

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Gabrielli Chiara

**La libertà personale dell'immigrato irregolare nella direttiva-rimpatri e la disapplicazione di norme italiane contrastanti: la sentenza El Dridi
in Studi sull'integrazione europea**, Anno VI, n. 2, maggio-agosto, 367-382

In El Dridi the Court of Justice of the European Union considers that Directive 2008/115 on the return precludes national rules imposing a prison term on an illegally staying third-country national (illegal immigrants) who does not comply with an order an effective removal and repatriation policy, based on common standards for persons to be returned in a humane manner and with full respect for their fundamental rights. A penalty such as that provided for by the Italian legislation is liable to jeopardise the attainment of the objective of introducing an effective policy for removal and repatriation in keeping with fundamental rights. National legislation providing for a prison sentence (between one and four years) in the event of refusal to obey an order to leave the territory of a Member State is contrary to the result of the Directive. It will be for the national Court, which is called upon to apply and give full effect to provisions of European



Union law, to refuse to apply any incompatible provision with the directive' standards. The principle of the retroactive application of the more lenient penalty, which forms part of the constitutional traditions common to the Member States, shall be also taken in due account.

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Subsection 6. The European unification process

Visco Ignazio

**La nuova governance economica europea
in ItalianiEuropei**, n. 5

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Sophie Lavaux

**La politique européenne en matière de lutte contre le terrorisme CBRN
in Les Cahiers de droit europeen**, Vol. 46, n. 3-4 , 337-386

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Echinard Yann, Labondance Fabien

**La politique monétaire européenne: entre principes et pragmatisme
in Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne**, n. 546, mars , 174-178

The financial crisis caused by the collapse of the American mortgage system brought out the central place of monetary policies as an adjustment tool. Indeed they played a crucial role in pumping cash into the banking system and in the restoration of trust. On that matter, the ECB showed flexibility and pragmatism. The bond crisis in Europe showed that that young institution was in a position to go beyond strict compliance with its principles to overcome the inadequacies of European economic governance. Thus those crises certainly helped remove the sacred aura of the ECB and renew the conduct of the European Monetary Policy.

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Ipsen Hans Peter

**La posición jurídica de las Comunidades
in Revista de Derecho Constitucional Europeo** , n. 14

Full text available at:

<http://www.ugr.es/~redce/REDCE14/articulos/11HPeterIpsen.htm>



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Bairati Lorenzo

La responsabilità patrimoniale dello Stato legislatore in Spagna. Elementi di riflessione per l'osservatore italiano, sulla scorta delle recenti pronunce della Corte di Giustizia U.E.

in *Diritto pubblico comparato ed europeo*, n. 4 , 1363 -1379

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Houser Matthieu

La rénovation des ressources de l'Union : entre sources de financements innovants et ressources propres

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 549, juin , 355-360

The revision of the financial framework 2007-2013 will soon represent the major political event for the years to come. The European Commission is starting to prepare this event by proposing solutions for the financing of the budget for the years 2014-2020. Different options are conceivable. The creation of innovative sources of funding (the Tobin tax, the carbon tax, the tax on banking accounts) has been put forward by the Commission. However, only the emergence of a fifth own resource will reassert the value of the budget of the European Union. But, this solution remains in midstream.

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Iannuzzi Luigi

La sentenza sul caso Küçükdeveci: la Corte di giustizia applica la Carta dei diritti fondamentali nel suo valore vincolante

in *Studi sull'integrazione europea*, Anno VI, n. 1, gennaio-aprile , 163-174

Through a commentary on the judgment of the Court of Justice of the European Union on the case Küçükdeveci, this paper focuses on the perspectives opened up by the attribution of binding force to the European Charter of Fundamental Rights by the Treaty of Lisbon and as applied by the Court. In particular, the Author underlines that the European Charter of Fundamental Rights constitutes a subsidiary instrument to identify the emergence of a general principle of European Union law and to expand the guarantees for individuals to have their rights protected by European Union law.

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Bayram Mehmet Hanifi

La situation juridique des zones de souveraineté du Royaume-Uni à Chypre au regard du droit de l'Union européenne

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 548, mai , 324-331



Since the independence of Cyprus in 1960, the United Kingdom continues to exert its sovereignty on the UK Sovereign Base Area (SBA). The question of applicability of the Treaties was truly put only at the integration of Cyprus in the European Union. The accession of the Republic of Cyprus at the EU has complicated the legal situation of the SBA with regard to the Community legal order. Indeed, the legal situation of the SBA in the EU law is primarily established by the Protocol n° 3 relative to the UK SBA, annexed to the 2003 Act of Accession of Cyprus and other candidates which is derogatory to community law and treaties. The prospect for evolution of the legal situation of the SBA depends, on the one hand, on the evolution of the integration of the island of Cyprus in European legal space, on the other hand, on Community construction.

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Buzelay Alain

La solidarité économique et financière en Europe : une valeur devenue précaire ?

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 547, avril , 260-265

The community's solidarity displayed in the Coal and Steel Community, the Common Agricultural Policy, the economic and social cohesion and community federalism, has been on a downward slope following the enlargement, budget constraints and the national withdrawal resulting from the recent crisis. The debt difficulties of Greece and Ireland and the fears for other member countries have driven an increase in solidarity more often prompted by national interests rather than community interests, which remain precarious as long as the European Union does not recover the political solidarity that caused it to emerge

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Porchia Ornella

La sussidiarietà attraverso il riordino delle competenze? Il Trattato di riforma e la ripartizione delle competenze

in *Studi sull'integrazione europea*, Anno V, n. 3, settembre-dicembre , 631-652

The present article deals with the issue of the re-organization of the EU competences' system by the Reform Treaty. To this regard, the Treaty of Lisbon confirms the relevance of the principles of the conferral of competences, proportionality and subsidiarity as cornerstones of the whole structure. However, greater emphasis is put on the first of these principles, so to dispel any doubt on the residual nature of the competences conferred to the EU. Another important element of novelty introduced by the Lisbon Treaty is the distinction between three types of EU competences: exclusive powers, concurrent or shared powers and areas of supporting actions by the EU. This distinction may help to clarify the legal framework, although not always based on perfectly consistent criteria. The article goes on taking into account the subsidiarity and the proportionality principles and seeks to clarify their scope and content. The Protocol annexed to the Lisbon Treaty specifies the obligations stemming from the subsidiarity and proportionality principles for the EU institutions, in particular the Commission, during both the pre-legislative and the legislative phase. As for subsidiarity, such a clarification, especially with regard to the pre-legislative phase, may represent a major breakthrough for the correct application of the principle. To this regard, it must be also observed that the Protocol introduces an 'early-warning' mechanism that allows national parliaments to exercise their control on the legislative proposals presented by the Commission, so to assess their conformity with the subsidiarity principle. Lastly, the article shows that the most important innovation brought forward by the Lisbon Treaty is what can be called the 'increasing



proceduralization' of the subsidiarity principle. This could have a positive impact on the effective implementation of the principle by the law-making institutions, as well help the European Union Court of Justice to exercise a more systematic control (ex post) on the respect of the principle. Furthermore, the article highlights that these mechanisms, by increasing the participation of national actors already during the drafting phase, may contribute to a better and faster implementation of EU acts.

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Antonio Ortiz y Borja Lasheras

La tambaleante arquitectura de seguridad europea

in *Política Exterior*, 141 - Mayo / Junio

Existe un desfase entre el discurso de seguridad europeo y la furia de los cambios a las puertas de Europa. La seguridad tendrá que evolucionar hacia un sistema más abierto y socializado, fomentando relaciones cooperativas regionales y subregionales.

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Gouzy Jean-Pierre

La vie politique en Europe et dans le monde

in *Europe en formation (L')*, n. 358, hiver, 2010 , 197-223

Les débuts d'année sont propices aux bilans que l'on tente de dresser surtout quand ils concernent la marche du monde. Dans notre perspective, ils sont placés sous l'angle géopolitique, voire stratégique, et sous l'angle économique et financier. Encore qu'il soit difficile de procéder à une telle analyse selon des concepts rigoureusement dichotomiques tant il existe d'interférences entre eux pour, selon les cas de figure, se renforcer ou se contrarier réciproquement. Tout d'abord, l'année 2010 s'éloigne à peine, sur toile de fond d'une crise économique et financière aux conséquences globales. Les pays émergents ont été à peine effleurés par la bourrasque partie en 2008 des États-

Unis. Dès 2010, ils ont retrouvé leur punch avec, souvent, un dynamisme accru. Pour l'Oncle Sam, 2010 restera l'année de son rétablissement, avec, cependant, des séquelles sérieuses à éliminer encore (je pense, notamment au chômage). C'est dans l'Union européenne que le plongeon de la croissance a fait sentir ses effets les plus durables et les plus inquiétants. Nous aurons l'occasion d'y revenir. Mais la crise économique avec les tensions financières qu'elle engendre ne peut pas occulter les autres aspects des réalités qui composent aujourd'hui, à l'ère électronique tous azimuts, ce qu'on pourrait appeler « notre commune blogosphère ».

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Charles Wyplosz

La zona euro y España durante 2011

in *Política Exterior*, 140 - Marzo / Abril



Los errores han sido incontables, pero la crisis todavía ofrece la oportunidad de transformar la UE con audacia. Los rescates de Grecia e Irlanda, y la perspectiva de alguno más, deberían llevar a un federalismo económico que corrija la anomalía que supone 'un euro sin Estado'.

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Azam Nicolas

Le Parti communiste français et l'intégration européenne (des années 1970 à nos jours)
in *Politique européenne*, n. 33, 1, 2011, 255-261

Cet extrait du manifeste édité par le Parti communiste français (PCF) à l'occasion des élections européennes de 1979 sonne étrangement tant le discours actuel des communistes s'en distingue. En effet, longtemps la construction européenne fut présentée dans la doxa communiste, comme une illustration supplémentaire d'une tendance présumée de la bourgeoisie à sacrifier les intérêts nationaux pour la sauvegarde de ses intérêts de classe. Elle est alors perçue à travers une grille de lecture binaire, celle de la guerre froide, puisqu'elle ne serait qu'un outil dans le dispositif mis en place par les puissances occidentales pour contrer l'irrésistible ascension du « socialisme réel ». Mais à présent, le répertoire discursif du PCF est sensiblement différent. [...]

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Beaufort Viviane de, Simon Édouard

Le Single Market Act pour revisiter l'Europe comme espace de compétitivité
in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 548, mai, 297-301

The Single Market Act project reinitiates thoughts on the European dynamics. A first proposal with 50 actions regarding the whole project was the subject of consultations and debates, with a view to elaborating in a reined version, a few strong lines - referred to as priorities. This article describes the process and all proposals relating to the Competitiveness line, and attempts to establish a link, which has been rarely done, between internal process and external application. After the Monti Report in May 2010 and the 2020 EU Strategy Communication, this concept of external section of the inside market seems to be a major area as Europe is the right level for thinking and acting within globalisation. The Single Market has to be a "base camp" for companies, which involves setting a regulatory frame furthering competitiveness, developing an industrial policy allowing to better build the market in order to develop European offers, the R&D and innovation support, the rolling of our on-line trading, financial means, targeting sector policies, and applying more broadly the reciprocity concept.

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Passarelli Giuseppina

Le asimmetrie fiscali infrastatali nella cornice del mercato unico europeo
in *Cittadinanza europea (La)*, Fascicolo 1 - 2011

L'autrice analizza il fenomeno delle asimmetrie fiscali infrastatali nella cornice del mercato unico europeo, con riguardo



ai recenti casi decisi dalla Corte di Giustizia in cui emerge un mutevole indirizzo pretorio e il tentativo di bilanciare gli assunti del libero mercato con la tutela delle specificità territoriale delle entità infranazionali. L'indagine si sofferma sulla vicenda della 'tassa sul lusso' della Regione Sardegna e si proietta, in prospettiva comparata, sulle tax laws statunitensi, giungendo ad una disamina degli ultimi tentativi di riforma. Nelle osservazioni conclusive l'autore propone un rinnovato balancing tra le varie forme della fiscalità di vantaggio e i principi sul funzionamento del mercato interno europeo.

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Lionello Luca

**Le difficoltà dell'Europa nella gestione della crisi del Kosovo
in *Federalista (Il)/Federalist (The)*, Anno LII, n. 3 , 207-212**

<http://www.thefederalist.eu/files/PDF/IT/2000/2010-3-IT.pdf>

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Sabatoukakis Ekaterini

**Le droit à la Sécurité sociale dans l'Union européenne – À propos de la nouvelle réforme des règlements de la
coordination**

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 549, juin , 368-382

Derived from internal Social Security coordination instruments of the early fifties, the European Union set up a legislative coordination system for domestic Social Security systems back in 1958. Unlike international instruments, the European system is based on two European regulations and therefore on supranational law applicable evenly to all member countries of the Union. It is a permanent and lasting system, that has been tested for over fifty years. The recent European regulation reform seems to simply Social Security access by Union citizens, even if some problems still remain, including regarding access to illness benefits.

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Soldatos Panayotis

Le glissement constitutionnel de la CE/UE vers une gouvernance duale et polyarchique

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 546, mars , 147-155

The institutional debate, in the context of the EU restructuring and systemic progress, is unsettled, increasingly uncertain, confusing, with unclear parameters, and seriously compromised by competing objectives (antagonistic goals, i.e. commercial/free trade preferences - vs. economic/political integration). Thus, the present study is aiming at clarifying the discussion by focusing on the following three analytical avenues: outlining the original supranational philosophy of the European Commission; identifying the three historical-political moments of rerouting the integration institutional apparatus towards a steadily rising intergovernmentalism (the 1965 crisis; the British admission; the introduction of the European Council); conceptualizing the present EU multipolar constitutional profile, consisting of a dual governance scheme and a polyarchic leadership. In qualitative terms, the study considers that such an institutional drift towards



intergovernmentalism is not linear nor based, as some would argue, on a pragmatic approach of EU societal needs and goals or a new integrative philosophy; it is rather determined by confused, erratic political behaviour, with the institutional pendulum loosing its equilibrium. Thus, this paper, with a "policy-oriented" focus, hopes to contribute to the restoring of the "constitutional memory" of the European integration process, with an emphasis on the underlying institutional risks of a possible systemic breakdown, transforming the EU to a large economic zone of a more commercial essence.

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Merlin Martin

Le nouveau système européen de supervision financière

in *Revue du droit de l'Union Européenne*, n. 1 , 17-37

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Santini Andrea

Le nuove figure di vertice dell'Unione europea: potenzialità e limiti

in *Diritto dell'Unione europea*, n. 4 , 909-921

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Magnifico Giovanni

Le politiche di bilancio nell'Unione monetaria europea

in *Comunità Internazionale (La)*, vol. LXV, n. 3, terzo trimestre

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Duke Simon

Learning to cooperate after Lisbon: Inter-institutional dimensions of the EEAS

in *Cuadernos europeos de Deusto*, n. 44 , 43-61

No abstract available

Section C) Regional integration processes

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Jacqué Jean-Paul

Les changements apportés par le traité de Lisbonne

in *Schweizerische Zeitschrift für Internationales und Europäisches Recht*, 19. Jahrgang, Heft 1

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Kaddous Christine

Les changements apportés par le traité de Lisbonne en matière d'action extérieure

in *Schweizerische Zeitschrift für Internationales und Europäisches Recht*, 19. Jahrgang, Heft 1

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Gilson Natacha

Les dettes souveraines de la zone euro : lourdeur des endettements et crédibilité de l'Euro

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 548, mai , 308-312

The public finances of the member countries of the Euro Zone have gone down strongly as a result of the financial crisis. The problem of public debt and deficits, which has always had a significant place in the European Economic and Monetary Union, is therefore back in the spotlight. This article is a brief reminder of the weakness of the growth and stability pact and pleads for the Euro Zone to pass a system to protect it from debt crises and allowing to better confine such events in the future. The crisis of sovereign debts observed since 2010 clearly showed Achilles' heel in the Euro Zone. However, during the recent economic crisis, the Euro probably played a role as a protective shield for member countries. Lastly, although some often consider that in a high public debt situation creating inflation can be an efficient remedy, it would be a misconception to believe that it would be a universal remedy

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Petiteville Franck

Les mirages de la politique étrangère européenne après Lisbonne

in *Critique Internationale*, N°51 - Avril/Juin

Cet article vise à évaluer les changements potentiels introduits par le traité de Lisbonne dans la politique étrangère de l'Union européenne (UE). Au-delà, il ouvre le débat avec quelques approches dominantes de l'étude de celle-ci, en interrogeant la capacité effective de l'UE à gérer les crises et les conflits internationaux. Trois apories possibles de l'évolution de la politique étrangère européenne sont ici distinguées : tout d'abord, les apports du traité de Lisbonne sont jugés peu susceptibles de modifier la grammaire d'une politique étrangère qui continue d'être essentiellement « institutionnelle » ; ensuite, il s'avère que cette politique étrangère européenne a tendance à s'épuiser dans une diplomatie du speech act sans « actes », que ce soit dans la politique de développement ou dans celle de la défense ;



enfin, est remise en cause la croyance bien établie ces dernières années selon laquelle la « puissance normative » européenne serait en mesure de se substituer à la puissance tout court dans la régulation des problèmes internationaux.

This article seeks to evaluate the potential changes introduced by the Lisbon Treaty into the foreign policy of the European Union (EU). In examining the real capacity of the EU to manage international crises and conflicts, it challenges several dominant approaches in the study of EU foreign policy. A distinction is drawn between three possible aporia in the evolution of European foreign policy: first of all, the contributions of the Lisbon Treaty are judged to not be amenable to modifying the grammar of what continues to be an essentially "institutional" foreign policy; next, it turns out that this European foreign policy tends to exhaust itself in "speech act" diplomacy not accompanied by "action", whether it be in developmental or defense policy; finally, the recent, widely held belief that European "normative power" can be substituted for power properly so-called in the regulation of international problems is called into question.

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Delcourt Christine

Les procédures de décision prévues par les traités après Lisbonne: quelle lisibilité?

in Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne, n. 549, juin , 396-402

The assessment against understandability criteria, of procedure systems specified by primary law since the Lisbon Treaty came into effect leads to the following finding: the limits of the proceedings rationalisation/clarification effort made by the new treaty are perceptible whatever the approach taken, macro-procedural (review of procedural system as a whole) or micro-procedural (attention given to the specific process of the systems key proceedings, i.e. the ordinary legislative proceedings). Continuation of unnamed procedures, unexpected number of proceedings, and form of procedural mixing showing ill-named proceedings, such are the three factors that affect the full understandability of the procedural system as a whole. The good understanding of the ordinary legislative proceedings described in article 294 TFUE is affected, firstly because of omissions or paradoxical information regarding possibilities likely to affect their process, and secondly, due to be complexity of the legal system that is to govern the qualified majority vote at the Council, a voting method formally provided for in article 294 TFUE.

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Parguez Alain

Lies and Truth About the Financial Crisis in the Eurozone. From a Banking Crisis to a Currency Crisis—The Veil of a Dramatic Structural Crisis

in International Journal of Political Economy, Volume 39, Number 4 / Winter 2010-11 , 31-55

By integrating Richard Koo's general theory of balance sheets and the general monetary circuit approach through a genuine stock flow analysis, I prove that the two financial crises in the eurozone, the banking and the currency crises, were caused by disastrous policy choices of governments imposing shock therapy policies for at least forty years. Banks played a passive role in striving to save their net worth. They also had to react to a private capitalist system more and



more tempted to play a purely predatory/parasitical role. Finally, the absurd structure of the eurozone worsened an otherwise disastrous situation. Europe is doomed to an increase in public debt and is heading toward long-term instability. Salvation is possible, but not within the straitjacket of the eurosystem aimed at the dismantling of the state.

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Holmes Michael, Lightfoot Simon

Limited Influence? The Role of the Party of European Socialists in Shaping Social Democracy in Central and Eastern Europe

in **Government and Opposition**, Vol. 46, n. 1, January, 32-55

This article looks at the role of the Party of European Socialists (PES) in its attempts to shape social democratic parties in Central and Eastern Europe (CEE) towards a West European norm. It discusses how existing views in the academic literature on the role of transnational parties are inadequate. We argue that the PES did not play a key role in encouraging the establishment and development of parties in the CEE states from the 2004 enlargement in the early stages of accession. We contend that the overall influence of party federations has been limited, and that these limitations were as much in evidence before enlargement took place as they were afterwards.

Section C) Regional integration processes

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Milne Alistair K. L.

Limited Liability Government Debt for the Eurozone

in **CEifo Economic Studies**, Volume 57 Issue 1 March 2011

The Maastricht treaty, notably the article 103 prohibition on 'bail-outs', gave a prominent role to market disciplines on fiscal policy. These were not effective, failing to prevent the Euro area government debt crisis. This article suggests that these market disciplines can be made effective through issue of 'limited liability' debt (debt with a maximum debt service obligation as a proportion of GDP), together with rules constraining bank holdings of government debt and maturity structure, and a senior liquidity facility. This proposal is supported by analysis of fiscal arrangements within single currency areas and of emerging market sovereign debt restructuring.

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Semin Suvarierol, Senem Aydin, Düzgit

Limits of Cosmopolitanism? European Commission Officials on the Selves and Others

in **Alternatives: Global, Local, Political**, Vol. 36 (2) May 2011, 155-168

With its institutional motto of "unity in diversity," the European Union (EU) officially embraces a cosmopolitan outlook. This article argues that this motto becomes reality within the institutions of the EU as the officials undergo a cosmopolitan transformation process by experiencing cultural diversity on a daily basis. This cosmopolitanism, however,



is not without limits. The discussions on Turkey's EU candidacy are a case in point. By analyzing the discourses of Commission officials with regard to their own identity as well as their discourses on the Turkish elite, this article assesses the extent and limits of cosmopolitanism in the European Commission and its general implications for the EU.

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Wendel Mattias

Lisbon Before the Courts: Comparative Perspectives

in *European Constitutional Law Review*, Volume 7 - Issue 01 , 96-137

Lisbon decisions of the constitutional courts in Austria, the Czech Republic, France, Germany, Hungary, Latvia and Poland from a comparative perspective – Democracy, sovereignty and identity – Permeability of national and supranational law – Ratification of the Lisbon Treaty and its constitutional foundations – Procedural background and legal outcome of the Lisbon decisions – Differences of institutional self-conception – Parliamentary responsibility for integration – Prior parliamentary assent to the future application of 'dynamic treaty provisions' – Different conceptions of national and multi-levelled democracy – Popular vote – Constitutional limits to European integration – Limits indicating the necessity of an amendment and limits protecting the inalienable substantial core of a constitutional order – German Bundesverfassungsgericht only court in Europe spelling out an eternity clause in a detailed, catalogue style manner – Judicial restraint – Ultra vires and identity review – Article 4.2 TEU as an integration clause of EU law and not a derogation clause – Comparative dialectics

Section C) Regional integration processes

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Faggiani Valentina

Los ordenamientos constitucionales de Dinamarca, Suecia y Finlandia

in *Revista de Derecho Constitucional Europeo* , n. 14

La autora en el presente estudio analiza las características principales de los tres "Países nórdicos" o "escandinavos" de la Unión Europea: Dinamarca, Suecia y Finlandia. Las comunes raíces histórico-institucionales, las intensas actividades comerciales y la existencia de un mínimo común denominador en muchos ámbitos del Derecho nos permiten hablar de la existencia de un "modelo nórdico" o "escandinavo". Dicho modelo tiene que ser reinterpretado desde una perspectiva multinivel. A este propósito, por un lado, hay que tener en cuenta las interrelaciones entre los ordenamientos constitucionales de Dinamarca, Suecia y Finlandia con la Unión Europea, de la que dichos Estados son parte; por el otro, la interacción entre el nivel nacional y el "nórdico" o "escandinavo". Y, por último, hay que considerar la reciproca influencia entre el nivel nacional y el nórdico-escandinavo con el Derecho Constitucional europeo en su conjunto.

Full text available at:

<http://www.ugr.es/~redce/REDCE14/articulos/05ValentinaFaggiani.htm#resumen>



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Vecchio Fausto

Los ordenamientos constitucionales de Hungría, Polonia y Eslovenia

in *Revista de Derecho Constitucional Europeo* , n. 14

El autor en este estudio analiza los rasgos principales de los ordenamientos constitucionales de Hungría, Polonia y Eslovenia y sus interacciones con el sistema de la Unión Europea. Dichos Estados, ahora miembros de la Unión Europea, desde la caída de los regímenes comunistas han atravesado un complejo proceso de transición para adaptar sus sistemas constitucionales a los estándares europeos mínimos de tutela de los derechos humanos y de las libertades fundamentales.

A este propósito, el autor pone de relieve, por un lado, la importancia de la influencia de la experiencia constitucional de los sistemas nacionales occidentales, del sistema de la Unión Europea y del sistema del CEDH en el camino hacia la consolidación de un Estado constitucional de Derecho y la integración en el sistema de la UE. Por el otro, a pesar de los avances en esta dirección, se resalta el carácter unidireccional de las relaciones entre tales Estados y la Unión Europea, puesto que no resultan particulares y específicas aportaciones a la evolución del sistema europeo de las tradiciones constitucionales comunes.

Full text available at:

<http://www.ugr.es/~redce/REDCE14/articulos/04FVecchio.htm>

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Romano Andrea

Los ordenamientos constitucionales de Letonia, Estonia y Lituania

in *Revista de Derecho Constitucional Europeo* , n. 14

El artículo compara las Constituciones de los tres Estados bálticos de la ex-URSS actualmente integrados en la Unión Europea: Estonia, Letonia y Lituania en sus aspectos esenciales. Así, analiza la protección de los Derechos Fundamentales en estos tres países: garantías, contenido esencial, reserva de ley, protección jurisdiccional y por el defensor del pueblo, en relación con la Carta de Derechos Fundamentales de la Unión Europea. Estudia las posibilidades de limitación de los derechos fundamentales y profundiza en la regulación de la igualdad de género y la presencia de la mujer en los órganos representativos, así como en la regulación de la inmigración, los derechos de los extranjeros y las acciones gubernamentales de cara a su integración.

Otros aspectos de las tres constituciones que contraponen son las fuentes del Derecho, considerando la posición de la Constitución en el sistema de fuentes, la regulación de la reforma constitucional, la relación entre ley y reglamento y entre el ordenamiento interno y el Derecho comunitario.

Analiza asimismo, en relación con los poderes del Estado, la organización del poder judicial y las relaciones entre jurisdicción ordinaria y constitucional, la regulación constitucional de la forma de Estado y de Gobierno, y las relaciones entre Gobierno y Parlamento. Por último se ocupa de la distribución territorial del poder, incidiendo siempre en el



análisis comparado y en la historia constitucional de estos tres países desde su independencia e integración en la UE en 2004.

Full text available at:

<http://www.ugr.es/~redce/REDCE14/articulos/06ARomano.htm#resumen>

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Subsection 6. The European unification process

Adriana Cerretelli

L'Europa germanica

in *Aspenia*, n. 52, aprile , 213-217

No abstract available

Section C) Regional integration processes

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Lépine Frédéric

L'Union européenne dans la crise fi nancière: À la recherche d'une gouvernance économique

in *Europe en formation (L')*, n. 358, hiver, 2010 , 173-193

The Economic and Monetary Union (EMU) of the European Union lies on a single currency, the euro, fi rst currency without state. Although its introduction is recent, this idea is present all along the history of the European integration. The turmoil of the global fi nancial crisis has touched severely the EMU, and has showed the failures and inadequacies of the system. After a brief historical presentation of the importance of the monetary union in the European integration, this article presents the different conjectural and structural answers proposed at the European level to reinforce the stability of the single currency and to solve the problems of the inadequacies revealed. This analysis, mostly political, is limited to the end of 2010.

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Van Rompuy Herman

L'accélération de l'Histoire et les défis qui en résultent pour notre Europe

in *Revue du droit de l'Union Européenne*, n. 4 , 669-677

No abstract available

Section C) Regional integration processes

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Sergio Fabbrini



L'eccezionalismo alla prova

in *Aspenia*, n. 52, aprile , 202-212

No abstract available

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De Bellis Saverio

L'interazione fra i parlamenti nazionali e le istituzioni comunitarie dopo Lisbona

in *Studi sull'integrazione europea*, Anno V, n. 3, settembre-dicembre , 609-630

The Lisbon Treaty, in the process of European integration, constitutes an important step in the involvement of national parliaments in European Union affairs. A new general article of declaratory value has been inserted in Article 12 of the Treaty on European Union, stating that "national parliaments contribute actively to the good functioning of the Union", but there are other new rules in

the Protocol on the application of the principles of subsidiarity and proportionality and in the Protocol on the role of national parliaments. This paper analyses how the Lisbon Treaty shapes the new role of national parliaments in the European Union. We will have to check how these new provisions concerning national parliaments will be applied.

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Carmen Gebharda, Per Martin Norheim-Martinsen

Making sense of EU comprehensive security towards conceptual and analytical clarity

in *European Security*, Volume 20, Issue 2 , 221-241

European leaders frequently vaunt the European Union's distinctiveness in adopting and pursuing a comprehensive approach to security. The EU's profile as an international actor is designed to span across all dimensions of security. As a result, its security policy portfolio involves a large number of institutional actors and policies that need to be coordinated. The ambition of the EU to provide security in a comprehensive manner raises challenges at the politico-strategic level, at the level of operational and policy planning and in day-to-day implementation. So far, the field is lacking an inclusive analytical framework for the analysis of providing security through a distinctively comprehensive civil-military, economic and political organisation. This article seeks to close this gap by providing suggestions for how the wide range of issues related to comprehensive security could be structured, and by framing the matter theoretically and with reference to existing conceptual work and empirical research.

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Pace Roderick

Malta: Euroscepticism in a Polarised Polity

in *South European Society & Politics*, Volume 16, Issue 1, Special Issue: Euroscepticism in Southern Europe: A Diachronic Perspective, March , 133-157



From the candidate country in the EU's 2004 Enlargement with the lowest levels of support for EU membership, the situation in Malta has changed since accession so that all mainstream political parties now support membership. After presenting factors influencing attitudes to Europe, the article analyses party euroscepticism from Maltese independence in 1964 to the present, focusing on the Malta Labour Party. The examination of public opinion focuses on the period before and after the 2003 referendum on EU membership. The significant role of the eurosceptic media is also noted.

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Boomgaarden Hajo G., Schuck Andreas R. T., Elenbaas Matthijs, de Vreese Claes H.

Mapping EU attitudes: Conceptual and empirical dimensions of Euroscepticism and EU support in European Union Politics, Vol. 12, n. 2, June, 241-266

Public attitudes towards the European Union (EU) are at the heart of a growing body of research. The nature, structure and antecedents of these attitudes, however, are in need of conceptual and empirical refinement. With growing diversification of the policies of the Union, a one-dimensional approach to attitudes towards the EU may be insufficient. This study reviews existing approaches towards theorizing EU public opinion. Based on this inventory, originally collected public opinion survey data (n = 1394) indicate the presence of five dimensions of EU attitudes: performance, identity, affection, utilitarianism and strengthening. The study furthermore shows that different predictors of EU public opinion matter to differing extents when explaining these dimensions. In light of these findings, we suggest tightening the link, conceptually and empirically, between attitudinal dimensions and their antecedents.

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Cardwell Paul James

Mapping Out Democracy Promotion in the EU's External Relations in European Foreign Affairs Review, vol. 16, issue 1, 21-40

ABSTRACT: As a non-traditional actor on the international stage, the European Union (EU) presents itself as a successful example of peaceful, democratic cooperation between its Member States. Its foreign policy, existing alongside rather than replacing that of the Member States, is not driven by military strength but backed-up with formidable economic clout. The EU's own treaty arrangements state that EU action on the international scene shall be guided by a set of principles which are central to its own existence – and the first of these is 'democracy' (Article 21(1) TEU). How, then, is the promotion of democracy carried out in the EU's relations with the wider world? Defining 'democracy promotion' is as complex a task as identifying the myriad of policy areas in which elements of exporting the EU's system of governance can be perceived. The purpose of this article is to identify and explore the instances in which a wide conception of democracy promotion can be expressly or impliedly perceived within the EU's external relations. The article widens the scope of analysis to map out aspects of EU external policies which do not expressly have democracy promotion as their aim, but nevertheless seek to export elements of a certain model of democracy. Instances of democracy promotion are categorized as express or implied and positive or negative. By casting a wide net, the extent of democracy promotion can be seen to be wider than previously thought which helps to broaden the debate about how the EU puts in place its Treaty obligations to promote democracy.



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Flassbeck Heiner

Merkels Pakt, des Euros Pleite

in **Blätter für deutsche & internationale Politik**, März, 2011 , 9-12

Lange Zeit schien die Bundeskanzlerin die Euro-Krise ganz im Sinne ihres Vorgängers Helmut Kohl lediglich aussitzen zu wollen, nun aber hat sie ihren Kurs geändert. Mit ihrem „Pakt für Wettbewerbsfähigkeit“ der Euro-Staaten, den sie auf dem letzten EU-Gipfel Anfang Februar vorstellte, will sie offenbar die Initiative in Europa übernehmen. Doch wenn es ein Beispiel dafür gibt, dass die nationale Politik und die europäischen Institutionen mit der Euro-Krise gleichermaßen überfordert sind, dann ist es dieser jüngste Sprung in Richtung „Wirtschaftsregierung“.

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Peers S.

Mission accomplished? EU Justice and Home Affairs law after the Treaty of Lisbon

in **Common Market Law Review**, vol. 48, issue 3 , 661-693

ABSTRACT: The legal framework regarding EU Justice and Home Affairs Law was changed fundamentally by the Treaty of Lisbon, so that the usual rules on decision-making, jurisdiction of the Court of Justice, legal instruments and legal effect are now largely applied to this area of law.

The various issues falling within the scope of JHA law are now set out in Title V of Part Three of the Treaty on the Functioning of the European Union, which is divided into five chapters, beginning with general provisions, followed by chapters on immigration and asylum, civil law, criminal law and policing law. This paper examines the application of the new rules in practice, in particular the impact of extending QMV; the extended legislative powers of the European Parliament; the role of the Commission as compared to the Member States; and the role of national parliaments. It concludes that this area of EU law is now fully part of the mainstream, with the exception of the special opt-outs for three Member States. However, it now follows that some of the general problems of EU law apply to JHA legislation, and there are emergent problems ensuring that JHA legislation is applied in practice by Member States, in particular from the perspective of the ECHR.

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Simina Tanasescu Elena

Modern Romanian Constitutionalism under the influence of EU Accession

in **Diritto pubblico comparato ed europeo**, n.1 , 225 - 235

No abstract available



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Christou George

**Multilateralism, Conflict Prevention, and the Eastern Partnership
in *European Foreign Affairs Review*, vol. 16, issue 2 , 207-225**

ABSTRACT: Although the European Neighbourhood Policy (ENP) contains a conflict prevention dimension, the Russia-Georgia war demonstrated the extent to which this dimension was underdeveloped, at best, and completely ineffective, at worst. Through conceptualizing multilateralism, this article critically assesses the potential contribution that the Eastern Partnership (EaP) initiative can make to the European Union (EU)'s impact on creating a climate that is conducive to cooperation and long-term stability. It is argued that the multilateral approach within the EaP certainly offers 'new' potential for long-term prevention. However, it also asserts that to be effective it must address some fundamental weaknesses within its multilateral and bilateral governance processes.

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Thomas Klau, François Godement y José Ignacio Torreblanca

**Más allá de Maastricht: nuevo pacto para el euro
in *Política Exterior*, 140 - Marzo / Abril**

La Unión Económica y Monetaria ha sido un logro extraordinario, pero la debilidad del sistema de gobierno de la zona euro ha quedado al desnudo. La creación de un Mecanismo Europeo de Estabilidad sería el primer paso certero para el futuro del euro.

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Domm Rory

**Next steps on Bosnia-Herzegovina: key elements to a revised EU strategy
in *Southeast European and Black Sea Studies*, vol. 11, n. 1, April , 53-67**

2009 and early 2010 saw a revival in international community (IC) interest in Bosnia, notably by the USA. Yet it was also another period of disappointment, with ample evidence that the country remains mired in political stagnation. This article reviews recent developments and suggests some key elements to a revised European Union (EU) strategy for Bosnia. Underlying this strategy is the understanding that Bosnia is not a regular EU enlargement country, nor is it one constitutional reform package ('Dayton II') away from being so. Instead, Bosnia is likely to retain its post-conflict status, and the particular risks associated with it, for the foreseeable future. As a consequence, the enlargement process needs to be sensitively combined with measures to address risks to stability. The policy implications that emerge are, first, that the EU must take decisive steps to enhance its credibility and the membership offer. Second, evidence from recent academic studies suggests that important measures to reduce risks to stability include maintaining an international military deterrent and promoting economic development. Additional measures, including tackling corruption, may further



reduce risks to stability. Meeting EU membership requirements is heavily dependent on a pro-EU consensus amongst governing parties, so that the ballot box is both the barometer and transmission mechanism for successful EU policy-making. For the two policy tracks identified above, the EU must take further steps to frame its interventions and requirements for a domestic political audience, in order to win over voters still more inclined to trust nationalist political options

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De Wilde Pieter

No effect, weapon of the weak or reinforcing executive dominance? How media coverage affects national parliaments' involvement in EU policy-formulation

in *Comparative European Politics*, vol. 9, n. 2, march , 123-144

ABSTRACT: This article empirically investigates how media coverage of European Union (EU) policy-formulation affects the involvement of national parliaments in these processes. The literature has variously argued that the involvement of national parliaments in EU policy-formulation is unrelated to media coverage, that media strengthen the hand of backbenchers and opposition or that media reinforce executive dominance. Using a mixed methodology research design for a longitudinal case study of debates on the EU budget in the Netherlands between 1992 and 2005, this article presents evidence for all three hypotheses, but with clear variations over time. Although institutional arrangements clearly structure parliamentary involvement limiting media effects, its explanatory power decreases as the intensity of debate increases. Limited media coverage reinforces executive dominance whereas extensive media coverage provides a weapon of the weak and strengthens the involvement of parliaments in general, and opposition parties in particular.

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Cannillo Elio

Oculus habent et non videbunt

in *Federalista (II)/Federalist (The)*, Anno LIII, n. 1 , 53-57

<http://www.thefederalist.eu/files/PDF/IT/2000/2011-1-IT.pdf>

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Muir Elise

Of ages in – and edges of – EU law

in *Common Market Law Review*, vol. 48, issue 1 , 39-62

ABSTRACT: The notions of primacy and direct effect, as well as the relationship between them, influence the fundamental dynamics of the European Union legal order. Two recent judgments of the European Court of Justice, *Mangold* and *Kücükdeveci*, trigger uncertainty regarding the theoretical model underlying the effects of EU law and the circumstances in which EU law can create obligations for individuals. They constitute new landmarks for the identification of the edges of EU law.



It is submitted that the Court's novel approach, allowing for the EU principle of equality to place new obligations on individuals, is founded upon the notion of direct effect. Although the Court does not clearly elucidate why it develops the horizontal direct effect of the principle of equality, it will be suggested that the reach of this case law may be limited to specific areas of EU secondary law (such as anti-discrimination law) actually giving effect to a general principle of EU law.

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Gavin Rae

On the Periphery: The Uneven Development of the European Union and the Effects of the Economic Crisis on Central-Eastern Europe

in Global Society, Volume 25, Issue 2 , 249-266

This paper analyses the issue of European Union (EU) enlargement in light of the present global economic crisis. It asserts that the eastern expansion of the EU occurred within the context of the historically uneven development between Eastern and Western Europe. This was temporarily disguised by the positive socio-economic performance of the new EU states, following their entry into the EU. This gave credence to the rationalist assertion that EU expansion was in the interests of all the EU countries and in particular benefited the new member states from Central-Eastern Europe (CEE). Growing imbalances within the CEE economies have been exposed by the global economic crisis, with the new eastern economies suffering the most during the downturn. A contradiction of this situation is that EU membership provides the CEE economies some form of protection in the world economy. Also, these countries have often been at the forefront of supporting further European integration in recent years. It is therefore likely that the CEE states will be most supportive of deepening Europe's policies of integration and convergence, with some of the richer Western European countries seeking their restriction.

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Gonzalez Felipe

Only a Federal Europe Can End Financial Turmoil

in New Perspectives Quarterly, Vol. 28, Issue 2, Spring , 67-69

No abstract available

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Garofalo Luciano

Ordinamento dell'Unione europea e ordinamento italiano: "prove tecniche d'integrazione"

in Studi sull'integrazione europea, Anno VI, n. 2, maggio-agosto , 245-264

Relations between Italian law and European law are currently shrouded in fog. The reasons are many: first of all, our Constitutional Court has not yet clearly defined its position on the issues arising from the amendment of Art. 117(1) of



the Italian Constitution in relation to EU law. In particular, doubts of the Italian doctrine on this particular aspect of the constitutional reform of 2001 play an important role. Scholars initially found no substantial innovations from the usual grading of the relationship between EU law and Italian law. This framework has been consolidated through a long and troubled judicial developments. So, maybe, it was feared that the new version of Art. 117 of the Italian Constitution could lead to a retreat from the judicial *acquis*. Fears concerned powers conferred upon the ordinary courts to resolve contrasts between Italian law and EU law and to set aside the former if contrasting with the latter. Nevertheless, the Constitutional Court's case-law after 2001 suggests to overcome fears: it had not questioned the judicial *acquis*, but it seems to have started a general review of the relations between national law and EU law. For the time being, it is difficult to anticipate developments. Undoubtedly, the current pattern of relations between the two systems presents some profiles of innovations that had to be carefully focused. The discussions between 'monism' theory and 'dualism' theory must be reviewed. As far as the relations between Italian law and EU law are concerned, we can no longer talk of adaptation: it would rather be better to talk of a system of 'conflict of laws'. EU law applies by its own force and also it has a very particular role in the hierarchy of Italian norms. Pending further studies, it seems nevertheless useful to reiterate an observation: the subordination of a system of production rules over another one represents the indisputable starting point of any subsequent development. From that point of view, it doesn't matter if such a subordination, on the one hand, is incomplete and limited to matters within the competence of the European Union and, on the other hand, cannot override the fundamental principles of the Italian Constitution.

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Chaltiel Florence

Où est l'Europe ?

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 546, mars , 145-146

No abstract available

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Rivosecchi Guido

Parlamenti nazionali e assemblee regionali nella costruzione europea, tra riconoscimenti del diritto positivo e sentenza Lissabon del Tribunale costituzionale tedesco

in *Rassegna di diritto pubblico europeo*, n. 1 , 135-156

No abstract available

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Jan Karlas

Parliamentary control of EU affairs in Central and Eastern Europe: explaining the variation

in *Journal of European Public Policy* , Volume 18, Issue 2 2011 , 258-273

This article addresses the puzzle of why the parliamentary control of European Union (EU) affairs varies across the ten



Central and Eastern European EU member states despite the same timing of their EU accession. The article considers four potential explanatory factors: public Euroscepticism; party Euroscepticism; general power of the parliament; and the frequency of minority governments. A comparative analysis reveals that the analysed variation can be explained by the varying power of parliaments.

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SVEN-OLIVER PROKSCH, JONATHAN B. SLAPIN

Parliamentary questions and oversight in the European Union

in *European Journal of Political Research*, Volume 50, Issue 1 , 53–79

Delegation in the European Union (EU) involves a series of principal-agent problems, and the various chains of delegation involve voters, parties, parliaments, governments, the European Commission and the European Parliament. While the literature has focused on how government parties attempt to monitor EU affairs through committees in national parliaments and through Council committees at the EU level, much less is known about the strategies opposition parties use to reduce informational deficits regarding European issues. This article argues that the European Parliament (EP) offers opposition parties an arena to pursue executive oversight through the use of written parliamentary questions. Using a novel dataset on parliamentary questions in the EP, this article examines why Members of the European Parliament (MEPs) ask questions of specific Commissioners. It transpires that MEPs from national opposition parties are more likely to ask questions of Commissioners. Questions provide these parties with inexpensive access to executive scrutiny. This finding has implications for the study of parliamentary delegation and party politics inside federal legislatures such as the EP.

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Simon Duke

Pax or Pox Europeana after the Lisbon Treaty?

in *International Spectator (The)*, Vol. 46, No. 1

The time is nigh for the EU to think more strategically about its global role. This is suggested by the confluence of changes in the international system itself and the internal changes introduced by the Lisbon Treaty. When approached via a geopolitical prism, the EU's main interests lie in its neighbourhood, to the east and south, central Asia and the Gulf. These are regions where the EU enjoys the most influence. The EU should therefore engage with other international actors, both traditional and emerging, in an intensified dialogue concentrating in particular on these areas. A Union with a clearer idea of what it is trying to accomplish on the world stage, backed by the means and determination to succeed, could herald a regional pax Europeana, while a continuation of the EU's current drift will condemn it to increasing irrelevance - a pox Europeana.

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Zaiotti Ruben

Performing Schengen: myths, rituals and the making of European territoriality beyond Europe



in *Review of International Studies (The)*, Vol. 37, Issue 2, April , 537-556

Myth-making has historically been an essential component of the modern state's quest for territorial control and legitimacy. As a sui generis post-national political entity in search for identity and recognition, the European Union (EU) seems to mimicking its more established national counterpart. By formulating and reproducing a narrative that hails Europe's border control regime ('Schengen') as a success story of European integration and by deploying evocative imagery at Europe's common borders, the EU is in fact trying to establish itself as an integral part of the European political landscape. This article argues that what we are witnessing today in Europe is indeed the emergence of the 'myth of Schengen'; however, the regime's mythopoiesis goes beyond the EU's official narrative and symbolic representations. To capture the full range of actors, locations and activities involved in the establishment and reproduction of this post-national myth, it is necessary to shift the attention to the performative dimension of this process. To support this argument, the article relies on the insights of anthropological and sociological works that have emphasised the role of rituality and performativity in constituting social structures and identities. These insights are then applied to examine the rituals and performances characterising four cases of 'unofficial' Schengen myth-making beyond Europe: a hotel in Beijing, street kids in Kinshasa, a British music band, and a group of Eastern European artists.

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Laurent Éloi, Le Cacheux Jacques

Policy options for carbon taxation in the EU

in *Revue de l'OFCE*, 2011/1 (n°116) , 393-408

Even though the EU clearly leads the global fight against climate change and despite the additional reduction in emissions due to the global crisis and European recession, the ambitious objectives flagged in the "20-20-20 by 2020" strategy and 'climate-energy package ' may be out of reach if a more resolute and consistent policy of carbon taxation is not rapidly put in place in the EU. In this paper, we detail and discuss the different options available for such European carbon taxation.

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Papantoniou Yannis

Policy prescriptions for curing "eurozonitis"

in *Europe's World*, Issue 17, Spring

\$0 The Greek debt crisis and other eurozone countries' response to it have highlighted the vulnerability of the European single currency. Yannis Papantoniou, a former Greek Finance Minister, sets out the steps now needed.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21789/language/en-US/Default.aspx

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Ansaloni Matthieu

Political control and europeanization. How is French agri-environmental policy facing up to policy evaluations in *Politique européenne* , n. 33, 1, 2011 , 63-88

In this article we examine whether the monitoring of member states' policies by the European commission is leading to greater Europeanization. With this objective in mind, we consider the processes of implementation of Agri-Environmental Measures (AEMs) in France. The European requirements for AEM evaluation have been progressively tightened. We analyse this change as an institutional transfer. First we consider its social and political processes, then its impact on the domestic debate and on the policies related to agri-environmental issues. Finally we examine the democratic legitimacy of this impact.

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Krätke Michael R.

Portugal im Würgegriff

in *Blätter für deutsche & internationale Politik*, Juni, 2011 , 16-19

Derweil sich ganz Europa voller Sorge über seinen Dauerpatienten Griechenland beugt, gerät ein anderes Land fast aus dem Blick: Portugal, das älteste europäische Imperium und der erste europäische Nationalstaat, ist als drittes Euroland unter dem Rettungsschirm gelandet. Nach monatelangem Sträuben und erst nachdem die sozialistische Minderheitsregierung mit ihrem „Programm für Stabilität und Wachstum“, dem vierten Sparplan in zwei Jahren, im Parlament gescheitert ist.

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Veen Tim

Positions and salience in European Union politics: Estimation and validation of a new dataset

in *European Union Politics* , Vol. 12, n. 2, June , 267-288

This article introduces the 'Positions and Salience in European Union Politics' dataset. The dataset comprises positional and salience estimates of more than 250 parties and governments in the European Union (EU). These estimates, which all come with measures of uncertainty, pertain to 10 important EU policy domains as well as a European integration and a left—right scale. The dataset exploits statistics from hand-coded European party manifestos provided by the 'Euromanifestos' project and uses simulation to correct stochastic error. The manifestos are scaled using a technique for count data that employs principles from psychophysics. For most European domestic parties and major European Parliament groups, the estimates range from 1979 to 2004, while for member state governments time-series between 1998 and 2007 are available. The dataset may be of use to scholars interested in European integration, Europeanization, compliance research or EU legislative decision-making.



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Andreas Dür & Manfred Elsig

Principals, agents, and the European Union's foreign economic policies

in *Journal of European Public Policy* , Volume 18, Issue 3 2011 , 323-338

In the introduction to this collection on the principal–agent approach and the European Union's (EU) foreign economic policies we briefly present the EU's institutional structure for policy-making in trade, monetary, development and international competition and financial policy. We also offer some data on the extent of the EU's involvement in the international economy. Our discussion of the principal–agent approach and how it can be applied to an analysis of the EU's foreign economic policies forms the basis of the following contributions. It allows us to formulate three questions that are of particular interest for applications of the principal–agent approach to the EU. Finally, we summarize the various studies included in this collection.

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Caroline de la Porte

Principal–agent theory and the Open Method of Co-ordination: the case of the European Employment Strategy

in *Journal of European Public Policy* , Volume 18, Issue 4 2011 , 485-503

This paper adapts and then uses principal–agent (PA) theory to conceptualize and thereafter to analyse the EU-level development of the Open Method of Co-ordination (OMC), a crucial component of the Lisbon Strategy as a 'governance architecture'. The PA model theorizes the continuous interaction and power struggle between the Commission ('agent') and the member states ('principal') in the emergence and institutionalization of the OMC. It is innovative for several reasons: first, it acknowledges that the member states and Commission interact in a PA logic prior to a contractual agreement; second, it recognizes that the 'principal' does not only control and monitor the 'agent', but also (re-)defines features of the OMC via political initiatives; third, it underlines the importance of the ideational action of the 'agent'. On the basis of the model, two hypotheses are formulated: first, that the 'agent' will be more influential in defining the OMC when it is nascent; and second, that the 'principal' will be more influential in the reconfiguration of the OMC. The model is tested and the hypotheses are confirmed via a longitudinal analysis (1992 to 2005) of the OMC in employment policy.

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Ippolito Francesca

Principio di non discriminazione e cittadini extracomunitari

in *Studi sull'integrazione europea*, Anno VI, n. 2, maggio-agosto , 279-302

Since every kind of discrimination is antithetical to the European integration process, the principle of non-discrimination is deeply embedded in European Union law. Indeed, a large body of nondiscrimination law has been developed by both legislative bodies and the European Court of Justice (ECJ). The principle of non-discrimination and/or equality of treatment emerged as a general principle of Community law and, within this concept, as a fundamental right in



Community law, extending its reach to many areas where Community law applied. This article first examines the underlying sources for an antidiscrimination concept in Community law and then moves on to analyze how the antidiscrimination concept has developed and has been used to render stability to third country nationals. In particular, it explores the possibility of the application of the principle – under which bases and to what extent – not only to those who are legally residing in the Community and their family but also to the vulnerable third country nationals who are looking for international protection in the Member States.

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Rasmussen Anne

Procedural (Dis)obedience in Bicameral Bargaining in the United States and the European Union
in *Journal of European Integration*, Volume 33, Number 3 / June , 267-283

The EU co-decision procedure gave the Parliament and the Council the possibility to reconcile differences in a conciliation committee similar to US conference committees. This article examines why important rules regulating the scope of these committees, which at first outset look similar, are applied more flexibly in the US than the EU context. Learning about the conditions under which scope rules are applied flexibly is important for EU scholars because these rules control who affects the final legislative outputs. In accordance with insights from recent institutional literature, the article argues that variation in rule ambiguity, demand for flexible rule interpretation, and bargaining power of the actors interested in modifying the scope rules can help explain these differences in rule application between the two systems. However, it also shows how flexible interpretation of even unambiguous rules may occur.

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Jensen Christian B.

Procedural Change and the Sources of Ex Ante Constraints in EU Legislation
in *Governance*, Vol. 24, n. 3, July , 495-516

With 27 member states using a variety of administrative practices and institutions to implement European Union (EU) policy, the EU has been widely used as a natural laboratory for analyzing administrative politics and institutions. This research has largely focused on the institutional relationships as they are at the time of the analysis. However, the EU has used several legislative procedures. Furthermore, there has been little attention given to the administrative and delegatory consequences of changes in the EU's legislative procedures. This article examines how legislative institutions' preferences for limits to the implementing discretion of the Commission and the member states have changed with the shift from the cooperation procedure to the codecision procedure. I find that the European Parliament (EP) responded to the codecision procedure by increasing the share of its amendments that expand the implementing discretion of member states. Furthermore, the Council significantly changed its attitude toward EP amendments restricting Commission discretion.



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Millns Susan

**Prospettive europee sulla discriminazione basata sull'orientamento sessuale
in *Ragion Pratica***, numero 1, giugno 2011 , 75-94

No abstract available

Section C) Regional integration processes

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Uba Kathryn, Ugglä Fredrik

**Protest Actions against the European Union, 1992–2007
in *West European Politics***, vol. 34, n. 2 , 384-393

ABSTRACT: In spite of the enormous amount of attention devoted to the process of European integration, the study of protest actions that take the European Union as their target is only incipient and suffers from a lack of up-to-date systematic information. This research note presents new data on protests in the member states which, directly or indirectly, targeted the Union between 1992 and 2007. These data show that the increase in protest mobilisation anticipated by previous scholars has not taken place and that the advances in formal European integration have not been matched by any corresponding increase in protests targeting the EU.

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Jan Hanousek, Evžen Kočenda

**Public Investment and Fiscal Performance in the New EU Member States
in *Fiscal Studies***, Volume 32, Issue 1 , 43-71

In this paper, we analyse the dynamics of public investment and public finance in the new members of the European Union, and also how they were affected by changes in economic freedom and corruption. We find that improvements in economic freedom tend to be associated with increases in public investment, while reductions in corruption produce effects going in both directions. Similarly, we show that increases in public investment are often linked with decreases as well as increases in corruption. In terms of the public finances, we detect mostly improvements in debt when there is less economic regulation, while results for the deficit are less conclusive. On the other hand, improvements in the corruption environment are mostly associated with decreases in the deficit as well as debt. As a general rule that follows from our results, steps aimed at reducing corruption and the degree of economic regulation should lead towards improvements in the fiscal position of most of the new EU countries.

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Emanuele Bacchiocchi, Elisa Borghi, Alessandro Missale



Public Investment under Fiscal Constraints

in *Fiscal Studies*, Volume 32, Issue 1

The new member states (NMS) of the European Union must comply with the Stability and Growth Pact (SGP) and the investment goals implied by the Lisbon Agenda. However, the SGP rules may result in underinvestment or distortions in the allocation of public expenditure. This paper provides new evidence on the effects of debt sustainability and the SGP fiscal constraints on government expenditure on fixed capital, education and health in OECD countries by estimating government expenditure reaction functions to public debt and cyclical conditions. We find that, at high levels of debt, government capital expenditure and education expenditure are significantly reduced as the debt ratio increases in all OECD countries independently of EMU (or EU) membership. By contrast, neither capital expenditure nor education expenditure is affected by the debt ratio in low-debt countries. These findings are robust to the inclusion of the government deficit in the estimated reaction functions. Hence, it appears that EU countries have been constrained in their investment decisions more by the need to ensure debt sustainability than by the rules of the SGP. In low-debt NMS countries, public investment even increases with the debt ratio, a finding that is reassuring for their growth prospects. However, a less optimistic picture emerges when we focus on expenditures on public health and education, as it appears that NMS governments cut such expenditures – even at low levels of debt – as the deficit increases. Problems in controlling total expenditure together with the preventive arm of the SGP may have penalised investment in human capital in the NMS while leaving fixed capital investment unaffected.

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Mathieu Catherine, Sterdyniak Henri

Public financial crisis and exit strategies

in *Revue de l'OFCE*, 2011/1 (n°116) , 17-60

The 2007-2009 financial crisis was caused by financial markets' greed and instability and led to a strong rise public debts and deficits in advanced economies. Financial markets and international institutions advocate a "fiscal exit strategy" through rapid cuts in public deficits and debts under large public spending cuts. However the state of public finances was generally satisfactory before the crisis; the rise in deficits was needed for macroeconomic stabilisation purposes. Exit strategies should maintain interest rates at low levels and government deficits as long as they are needed to support activity. Strengthening the SGP would be dangerous if it deprived EU Member States of policy tools that were helpful in the crisis. In the euro area public debts should be collectively guaranteed by the ECB and the Member States to avoid speculation. World economic stability is not threatened by public finance imbalances, but by growing financial speculation.

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Toshkov Dimiter

Public opinion and policy output in the European Union: A lost relationship

in *European Union Politics* , Vol. 12, n. 2, June , 169-191

The European Union (EU) is assumed to suffer from a democratic deficit. It is often posited that in the EU there is only a weak and indirect connection between public preferences and policy change. This article investigates empirically



whether any relationship exists between public support for European integration and EU policy output (1973—2008). Using a new indicator of policy output — the volume of important legislation produced in a semester — I discover a surprising relationship between public support and legislative production. Employing vector autoregression (VAR), I demonstrate that public EU support Granger-causes legislative output but not vice versa, and that the relationship is strong up to the middle of the 1990s but non-existent afterwards. The effect is robust to the inclusion of indicators of the state of the economy and government preferences. In addition, I discover that the average level of EU support in the Council of Ministers follows unemployment levels with a four-year delay.

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Potteau Aymeric

Quelle adhésion de l'Union européenne à la CEDH pour quel niveau de protection des droits et de l'autonomie de l'ordre juridique de l'UE?

in *Revue générale de droit international public*, Vol. 115, n. 1 , 77-112

No abstract available

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Potteau Aymeric

Quelle adhésion de l'Union européenne à la CEDH pour quel niveau de protection des droits et de l'autonomie de l'ordre juridique de l'UE ?

in *Revue générale de droit international public*, vol. 115, n. 1

No abstract available

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AGNES BATORY, ANDREW CARTWRIGHT

Re-visiting the Partnership Principle in Cohesion Policy: The Role of Civil Society Organizations in Structural Funds Monitoring

in *Journal of Common Market Studies*, Volume 49, Issue 4, July 2011 , 697-717

This article investigates the horizontal dimension of partnership arrangements in cohesion policy in three EU Member States: Austria, Hungary and Slovakia. The focus is on the practice of the monitoring committees (MCs), the primary institutional expression of partnership in the distribution of Structural Funds. The main findings are that in each country NGO participation in the MCs remained contentious, the working of the committees was rather formalistic, and the bodies' purpose and role conceptions were ambiguous. The implication is that partnership as currently practised does not live up either to normative expectations suggested by the EU regulation of the committees or to the expectations of civil society partner organizations themselves.



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Charalambous Giorgos

**Realignment and Entrenchment: The Europeanisation of Rifondazione Comunista
in Perspectives on European Politics and Society**, vol. 12, n. 1, April , 29-51

This study explores the impact of European integration on Rifondazione Comunista, through a conceptual approach that draws upon the Europeanisation literature and evaluates two sub-processes: (1) positional realignment towards European integration and (2) the entrenchment by the party of an EU dimension of issues and activities. The empirical evidence and analysis presented draws upon the party's functions of patterns of party competition, programmatic change and affiliations beyond the national party system. Findings show that Rifondazione gradually increased the use of the issue of European integration in an attempt to differentiate its European vision, thus presenting the EU as a necessary terrain of struggle. Second, it underwent slight programmatic and attitudinal realignment towards a softer approach. The intervening variables conditioning each sub-process reflect a nuanced picture, with most identified factors playing a role. These factors also reflect the wider patterns of Italian politics observed so far, allowing us to highlight the significance of national and party specificities in party-based Europeanisation

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Conway Gerard

**Recovering a Separation of Powers in the European Union
in European law journal**, Volume 17, Issue 3, May , 304–322

The attributed sui generis character of the EU as a polity has often been cited as the basis for not applying a classic separation of powers analysis to it. Yet it is a logical non sequitur to infer the inapplicability of a separation of powers framework to the EU on this basis: no particular proposition of political or legal morality can be automatically inferred or excluded from the attributed generic novelty of the EU relative to States. The EU certainly has some novel features, but that observation of itself does not establish that such novelty requires an entirely new conception of institutional normativity (rather, it needs to be explained how whatever particular novelty the EU possesses is such as to require the exclusion of separation of powers thinking). This article argues that a separation of powers analysis is: first, descriptively accurate, to a large extent, for much of the working of the EU apart from the law-making role of the ECJ; and, secondly, normatively attractive as a means of practically safeguarding the principles of democracy and the rule of law. This view is supported by an analysis of the substitute for a separation of powers in the caselaw of the ECJ, namely the principle of institutional balance, which it is argued is too vague and indeterminate to be a satisfactory alternative.

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Moloney Niamh

Reform or revolution? the financial crisis, EU financial markets law, and the European securities and markets



authority

in *International and Comparative Law Quarterly*, Vol. 60, n. 2 , 521-533

Since the outset of the financial crisis, the EU financial markets regime has been undergoing a period of turbulence which contrasts sharply with the period of relative stability which it briefly enjoyed over 2005–2007 and post-FSAP (Financial Services Action Plan). The FSAP reforms had been adopted. The Committee of European Securities Regulators (CESR) had emerged as an influential actor, driving some degree of supervisory coordination and co-operation and constructing a significant soft law ‘rule-book.’ And the 2007 Lamfalussy Review suggested broad political, institutional and stakeholder satisfaction with the Lamfalussy process. There was little enthusiasm for grand adventures in institutional design, albeit that supervision, an institutionally-driven concern, was presciently if belatedly emerging as a concern of the EU institutions. The Review’s main concern, however, was with strengthening the pragmatic, if somewhat haphazard, network-based, ‘supervisory convergence’ model as the means for supervising the integrating EU financial market. With respect to regulation, reflecting the wider international zeitgeist pre-crisis, ‘Better Regulation’ and the need for a ‘regulatory pause’ were the watchwords of a Commission which, once the massive FSAP regime was safely in place, espoused the benefits of self-regulation and highlighted the risks of intervention without impact assessment, extensive consultation and evidence of market failure. This was most apparent with respect to credit rating agencies, debt market transparency, hedge funds, and clearing and settlement. Institutionally, a relatively sophisticated law-making apparatus, in the form of the Lamfalussy structures, a plethora of advisory bodies and stakeholder bodies (notably FIN-NET which represents the consumer and SME interest), had been established.

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SUSANNE NEHEIDER, INDHIRA SANTOS

Reframing the EU Budget Decision-Making Process

in *Journal of Common Market Studies*, Volume 49, Issue 3, May 2011 , 631-651

This article analyses the institutional constraints for European Union finances reform and proposes a decision-making process that incorporates these constraints and provides incentives to reorient the budget towards more EU public goods. The authors propose separating the budget into a redistributive and a public good category. In order to reveal common interests, the decision of what is to be considered an EU public good is left to the negotiation process. In addition, while public goods should be financed proportionally to GNI shares, this is not necessarily the case for redistributive policies. Net balances resulting from the proposal are calculated.

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Stivachtis Yannis A., Webber Mark

Regional International Society in a Post-Enlargement Europe

in *Journal of European Integration*, Volume 33, Number 2 / March , 101-116

Enlargement has been a byword of Europe’s international relations since the end of the Cold War. But enlargement has now reached a near terminus. For NATO and the European Union, it no longer animates grand debate. For the Council of Europe and the Organization for Security and Cooperation in Europe, it is yesterday’s issue as no real scope exists for additional members. The condition of post-enlargement has considerable significance for Europe. The



English School is a valuable but so far underutilized approach for conceptualizing this condition. Here we introduce English School thinking and elaborate the notion of regional international society. This is a preliminary to the articles which follow, each of which considers a specific organizational or regional component of that society.

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Marchegiani Maura

Regolamento “Dublino II” e Convenzione europea dei diritti umani: il caso M.S.S. c. Belgio e Grecia

in Studi sull'integrazione europea, Anno VI, n. 2, maggio-agosto , 357-366

The recent judgement delivered on January 21, 2011, by the Grand Chamber of the European Court of Human Rights, in the M.S.S. case, raises the question of relationships between obligations under the European Convention on Human Rights and the Common European Asylum System (“CEAS”). Under the “Dublin II” Regulation (Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national), EU Member States and other cooperating European non-EU Member States, are required to determine, based on a hierarchy of objective criteria, which State is responsible for examining an asylum application lodged on their territory. The case concerns the decision, assumed by Belgian authorities and based on the “Dublin II” Regulation, to send back an asylum seeker to Greece, the country through which he/she had irregularly entered the EU. The purpose of this comment is to present some of the implications arising from the approach adopted by the European Court, which proceeds to the condemnation of both States concerned, for violation of Articles 2, 3 and 13 of the Convention, and to determine how that case helps to clarify the relations between the legal system of the Convention and the European Union.

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Casado-Asensio Juan, Lefkofridi Zoe

Representation in the European Union: Congruence Between Citizens and Elites in the European Parliament's Two-Level Setting

in Perspectives on European Politics and Society, vol. 12, n. 2, June , 161-179

Hitherto, the study of representation in the European Union (EU) and its member states focused on either the national or the European level. Yet, in the EU, the representation channels operate via a multi-level institutional and party organisational structure, which is likely to impact upon ideological congruence achieved between represented and their representatives. Here we ask: does congruence vary across levels of representation? To provide a first exploratory answer to this question, we employ two measures of congruence, namely absolute mean congruence and relative congruence, utilizing voter, expert and party manifesto data for Austria and Germany in the context of the 2004 European Parliament (EP) elections. Our findings demonstrate that the exclusion of either level from analyses of congruence may provide an inaccurate picture of representation in the EU.



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Bernárdez Carmela Pérez

Respuestas al sistema diplomático ante el Servicio Europeo de Acción Exterior (SEAE): el caso de la Unión Europea en la Asamblea General de las Naciones Unidas

in *Cuadernos europeos de Deusto*, n. 44 , 111-145

No abstract available

Section C) Regional integration processes

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Angulo Barturen Carmelo

Retos y oportunidades del SEAE sobre el terreno

in *Cuadernos europeos de Deusto*, n. 44 , 167-177

No abstract available

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Fischer Alex

Review Article: Lobbying: Strukturen. Akteure. Strategien; Politikberatung und Lobbying in Brüssel; Lobbying the European Union: Institutions, Actors and Issues

in *Swiss Political Science Review - Schweizerische Zeitschrift für Politikwissenschaft - Revue suisse de science politique*, Volume 17, Issue 1, April 2011 , 92-95

No abstract available

Section C) Regional integration processes

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Pinelli Giuseppe Carmine

Riflessioni sul momento costituzionale europeo, a partire dalla "crisi greca"

in *Rivista italiana di diritto pubblico comunitario*, n. 1 , 305-321

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ram Melanie H.

Roma advocacy and EU conditionality: Not one without the other?

in *Comparative European Politics*, vol. 9, n. 2, march , 217-241



ABSTRACT: This article brings together the literature on European Union conditionality and transnational NGO advocacy by considering the fundamental role non-governmental organizations (NGOs) have played in the EU's efforts to bring about reforms in countries working to join the organization. Based in part on interviews in Romania, the Czech Republic and Brussels, and focusing on the case of anti-discrimination and the Roma (Gypsies), I consider both how the EU helped NGOs achieve their objectives and how NGOs influenced the creation and effect of EU requirements on candidate countries from Central and Eastern Europe (now new Member States). While problems for the Roma have certainly not disappeared, one cannot fully appreciate the development of either advocacy or conditionality regarding the Roma without considering the mutual dependence of NGOs and the EU. The NGO role is frequently disregarded in the top-down EU accession process, but I find that neither NGOs nor the EU would have been successful at advancing or sustaining domestic change on their own.

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Costa Lobo Marina, Magalhães Pedro C.

Room for Manoeuvre: Euroscepticism in the Portuguese Parties and Electorate 1976-2005

in *South European Society & Politics*, Volume 16, Issue 1, Special Issue: Euroscepticism in Southern Europe: A Diachronic Perspective, March , 81-104

This paper approaches euroscepticism from the perspective of party positions and mass-level attitudes. It documents the nature and evolution of party euroscepticism from 1976 to 2005. Although the poles of party-based euroscepticism can be found, predictably, at the extremes of the party system, there is also a dynamic and contingent element to party positions that can only be accounted for on the basis of a strategic explanation. It also shows that, whenever parties attempted to mobilise voters on the basis of a eurosceptic discourse, voters responded to such attempts. Under those conditions, citizens' attitudes vis--vis the EC/EU, in terms of both the economic and the political consequences of integration, emerged as a relevant electoral cleavage in Portuguese politics.

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Rafael José de Espona

Rusia, la Unión Europea y la 'isla energética del Báltico'

in *Política Exterior*, 141 - Mayo / Junio

Los países bálticos son la mejor muestra de la necesidad de una política energética en la UE. La apuesta por la diversificación de energías pretende poner fin a la casi total dependencia de Rusia.

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Sakwa Richard

Russia and Europe: Whose Society?

in *Journal of European Integration*, Volume 33, Number 2 / March , 197-214

Russia's traditionally ambivalent relationship to 'Europe' is now assuming new forms. Although the country since 1991



has formally adopted the panoply of Western democratic norms, their implementation is impeded by both practical and political forms of resistance to the universalism proclaimed by its erstwhile Cold War protagonists. The unstable relationship between Russia and various levels of international society has given rise to a type of 'cold peace'. Russia does not reject the norms advanced by the main institutions of European international society, but it objects to what it sees as their instrumental application. Thus Russia has emerged as a neo-revisionist power, concerned not so much with advancing a set of alternative norms as ensuring the equal application of existing principles. Russia certainly does not repudiate engagement with international society, but at present is ready only for a relatively thin version. In this context Russia balks at being a passive norm-taker but does not present itself as a norm-innovator, and instead is trying to carve out a new role for itself as a norm-enforcer.

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Meyer Michelle

Rüffert v. Land Niedersachsen: The ECJ's Departure from Traditional European Socialism, in International and Comparative Law Review Loyola of Los Angeles, Vol. 32, issue 2 , 273-301

full text available at:

http://ilr.ils.edu/documents/4Meyer.ETE.Final_000.pdf

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Moschella Manuela

Searching for a Fix for International Financial Markets: The European Union and Domestic Politico-Economic Changes

in Journal of Contemporary European Studies , vol. 19, n. 1, march , 97-112

ABSTRACT: The paper investigates the sources of the EU position in the G20 meetings convened in response to the global financial crisis of 2007–2009. In particular, the paper investigates the factors that led the EU to campaign for strengthening the role of public authority and for giving priority to financial stability and social protection in international financial regulation. The argument of the paper is that the sources of the EU position lie in the convergence of views of the largest EU member states around a specific approach to financial capitalism. Indeed, the crisis has shifted the EU away from the 'neoliberal' towards the 'regulated' model, as attested by the content of EU financial sector policies.

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MARKUS HAVERLAND, BERNARD STEUNENBERG, FRANS VAN WAARDEN

Sectors at Different Speeds: Analysing Transposition Deficits in the European Union

in Journal of Common Market Studies, Volume 49, Issue 2, March 2011 , 265-291

This article reports on a quantitative study of 1,117 cases of transposition of directives in five EU Member States and



eight policy sectors between 1978 and 2002. It finds significant cross-sectoral performance differences, which complicate generalization from studies of only one sector. These differences can be partly explained by systematic cross-sectoral differences in transposition deadlines given, the share of Council versus Commission directives, and the legal implementation measures used.

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Hobolt Sara B., Høyland Bjørn

Selection and Sanctioning in European Parliamentary Elections

in *British Journal of Political Science*, vol. 41, issue 3, July, 477-498

ABSTRACT: Elections are inherently about selecting good candidates for public office and sanctioning incumbents for past performance. Yet, in the low salience context of 'second-order elections' to the European Parliament, empirical evidence suggests that voters sanction first-order national incumbents. However, no previous study has examined whether voters also use these elections to select good candidates. This article draws on a unique dataset on the political experience of party representatives in eighty-five national elections to the European Parliament to evaluate the extent to which voters prefer candidates with more political experience. The results show that selection considerations do matter. Parties that choose experienced top candidates are rewarded by voters. This effect is greatest when European elections are held in the middle of the national electoral cycle.

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Mappes-Niediek Norbert

Serbien nach Mladić

in *Blätter für deutsche & internationale Politik*, Juli, 2011, 24-27

Seit 2008, dem Beginn der zweiten Amtszeit von Boris Tadić, ist Serbien fest auf Europa-Kurs. Die Ergreifung des gesuchten Kriegsverbrechers Ratko Mladić ist nur eine Bestätigung dieser Richtung. Die Reaktionen der westlichen Öffentlichkeit auf die Festnahme sind allerdings geeignet, die serbischen Hoffnungen auf Europa immer mehr zu irritieren.

Section C) Regional integration processes

Subsection 6. The European unification process

Pelkmans Jacques

Single Market: Deepening and Widening over Time

in *Intereconomics*, Volume 46, Number 2 / March 2011, 64-68

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Ruggeri Antonio

Sistema integrato di fonti e sistema integrato di interpretazioni, nella prospettiva di un'Europa unita

in *Diritto dell'Unione europea*, n. 4 , 869 -908

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Dowgielewicz Mikołaj

Slashing the EU's budget won't fix the crisis

in *Europe's World*, Issue 17, Spring

The EU's proposed budget for 2014-20 has already sparked fierce wrangling between member governments, with the UK, Germany and France reportedly backing a freeze. Mikołaj Dowgielewicz argues that it will be crucial to Europe's economic development and global competitiveness.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21779/language/en-US/Default.aspx

Section C) Regional integration processes

Subsection 6. The European unification process

Diana Panke

Small states in EU negotiations Political dwarfs or power-brokers?

in *Cooperation and Conflict*, 46 (2) , 123-143

Based on a comprehensive survey conducted in 2009, this article analyses similarities and differences in the policy-shaping activities of all 27 European Union member states in the day-to-day policy-making process of the EU. It shows that some states participate more actively in EU working parties and the COREPER than others. Do bigger states use negotiation strategies more frequently than smaller states? Do the available capacities crucially influence how frequently a delegation employs negotiation strategies in a particular policy field? The article develops a set of willingness- and capacity-related hypotheses and tests them using qualitative and quantitative methods. It shows that small states can surmount size-related difficulties most importantly through the accumulation of expertise. Thus, size is what states make of it. Small states are neither per se political dwarfs nor power-brokers.

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Cerami Alfio

Social Mechanisms in the Establishment of the European Economic and Monetary Union

in *Politics & Policy*, Vol. 39, Issue 3, June , 345-372



This article investigates the reasons, the transformative processes, and the social mechanisms involved in the establishment of the European Economic and Monetary Union (EMU). Contrary to commonly accepted theories used to explain institutional change, it argues that the establishment of the EMU has not simply been the product of historical paths, the rational choices of actors, or social construction of new economic ideas and preferences, but also it has been the product of self-fulfilling prophecies that have facilitated and accelerated the process of institutional change. This article also discusses the role of context-bounded rationality, embodied institutions, reflexivity, and double contingency.

Section C) Regional integration processes

Subsection 6. The European unification process

Cossé Pierre-Yves

Sortie de l'euro : un scénario catastrophe

in *Esprit*, Mars/avril 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Raveraira Margherita

Sovranazionalità vs. sovranità (e viceversa)

in *Federalismi*, Anno IX - Nr. 11

Section C) Regional integration processes

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Ruiz Jiménez Antonia M., Egea de Haro Alfonso

Spain: Euroscepticism in a Pro-European Country?

in *South European Society & Politics*, Volume 16, Issue 1, Special Issue: Euroscepticism in Southern Europe: A Diachronic Perspective, March , 105-131

Since its accession to the European Community in 1985, Spain has been considered a pro-European country. However, in 2005 the referendum on the European Constitution revealed the existence of some fractures among parties, while Spaniards' acritical acceptance of the relationship between Spain and Europe has also been denounced. The article asks whether these developments suggest an increasing euroscepticism among Spanish political parties and citizens. It reviews the euroscepticism of Spanish parties and citizens and concludes with a reflection on the links between parties and citizens.



Section C) Regional integration processes

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Vončina Tina

Speaking with One Voice: Statements and Declarations as an Instrument of the EU's Common Foreign and Security Policy

in *European Foreign Affairs Review*, vol. 16, issue 2 , 169-186

ABSTRACT: Speaking with one voice can be considered the centre of the European Union's (EU's) aspirations for a more visible role as a global actor, including the development of numerous ways for expressing this voice within the realm of the international community. To the wider public, the most visible and accessible instruments are the declarations and presidency statements, which are somehow not sufficiently dealt with in contemporary scientific work. This article deals with the various types of declarations in use before the Lisbon Treaty and analyses the declarations published between January 2005 and the end of June 2009. The findings point to the possible use of such tools from two points of view: from the EU perspective and from academics' attempts to explain the role of the EU in the international community.

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Dimitrova Antoaneta L.

Speeding up or Slowing down? Lessons from the Last Enlargement on the Dynamics of Enlargement-Driven Reform

in *South European Society & Politics*, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June , 221-233

This article highlights the lessons from the European Union's (EU's) eastern enlargement relevant for Turkey. The EU's approach to candidates, developed during the last enlargement, was founded on asymmetry, objectivity and conditionality, with the latter evolving as the key policy tool. Clearly, some of the tools and rules of the previous enlargement cannot work as well with Turkey. The article examines the mechanisms underlying the success of conditionality and sketches some of the scope conditions needed for it to work in Turkey's case. Ultimately, the success of conditionality will depend on EU credibility and the preferences of domestic actors, which are more heterogeneous than in Central and Eastern European states.

Section C) Regional integration processes

Subsection 6. The European unification process

Urban Hans-Jürgen

Stabilitätsgewinn durch Demokratieverzicht? Europas Weg in einen neuen Autoritarismus

in *Blätter für deutsche & internationale Politik*, Juli, 2011 , 77-88

No abstract available

Section C) Regional integration processes



Subsection 6. The European unification process

Chaltiel Florence

Starsbourg, la France et l'Europe

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 547, avril , 213-215

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

KYRIAKOS MOUMOUTZIS

Still Fashionable Yet Useless? Addressing Problems with Research on the Europeanization of Foreign Policy
in *Journal of Common Market Studies*, Volume 49, Issue 3, May 2011 , 607-629

The purpose of this article is to address problems with research on the 'Europeanization' of foreign policy. The first section shows that Europeanization defined as a process of incorporation of European Union norms, practices and procedures into the domestic level is more useful than any of the other 'faces' of the concept discussed in the literature. The second section shows that while Europeanization is applicable to the study of foreign policy, the adaptational pressure model is not; that Europeanization should not be identified exclusively with socialization; and that it should be distinguished from 'uploading'. The final section shows how process tracing the observable implications of alternative explanations of foreign policy change for three dimensions of the policy-making process – the definition of the policy problem, the alternatives considered and the manner in which the latter were assessed – makes it possible to establish the causal significance of the EU.

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Subsection 6. The European unification process

GEORG MENZ

Stopping, Shaping and Moulding Europe: Two-Level Games, Non-state Actors and the Europeanization of Migration Policies

in *Journal of Common Market Studies*, Volume 49, Issue 2, March 2011 , 437-462

Europeanization is not only top-down and one-dimensional. National governments play two-level games, encountering non-state actors that seek to shape the national interest positions. Examining migration and asylum policy, a domain not yet subject to extensive scholarly attention, the role of non-state interest groups and their influence, where coalition-building is successful, is highlighted. Empirically, the article explores the genesis of the EU's family reunion, asylum qualification and the labour migration directives. In theoretical terms, the article contributes to the burgeoning literature on Europeanization, while seeking to refine it further and apply it to a somewhat neglected policy domain.

Section C) Regional integration processes

Subsection 6. The European unification process

Seatzu Francesco

Sulla primauté della Convenzione europea dei diritti dell'uomo nell'ordinamento giuridico italiano

in *Studi sull'integrazione europea*, Anno VI, n. 2, maggio-agosto , 265-278



This article explores how the Italian Council of State (“Consiglio di Stato”) and more recently the administrative judges of first instance of the region of the Lazio (“TAR Lazio”) have dealt with issues related to the primacy and direct applicability of the European Convention of Human Rights within the national legal framework of Italy. It critically assesses and evaluates to what extent the two judicial bodies have struck the right balance between conflicting considerations and values at issue in this context.

Section C) Regional integration processes

Subsection 6. The European unification process

Manners Ian

Symbolism in European integration

in Comparative European Politics, vol. 9, n. 3, July, 243-268

ABSTRACT: The role of symbolism in European integration provides one way of answering Craig Calhoun's 2003 call in Comparative European Politics for a means of transcending specific regimes of analysis in order to advance European studies. The article argues that our understanding of the integration process and the constitution of the European Union (EU) is furthered by broadly studying symbolic forms in a multiperspectival way. In contrast to much emphasis on heroic symbolic icons, the article studies more banal processes of symbolic construction that provide a deeper understanding of the symbolisation of European integration and enrich European studies more broadly. The article sets out how such processes could include the roles of physical icons such as maps or places, performative rituals such as days or museums, or discursive taboos such as mottos or texts. In this way the study of symbolism in European integration suggests a means of understanding how the EU becomes constituted as a political reality – how it is ‘always already there and still in formation’.

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Avcı Gamze, Çarko İlu Ali

Taking Stock of the Dynamics that Shape EU Reforms in Turkey

in South European Society & Politics, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June, 209-219

The aim of this introductory article is to present the objectives, contents and main findings of the special issue on 'transformative power' of the European Union (EU) in Turkey. We discuss how this publication differs in its approach to Turkish-EU relations. Finally, we examine and connect the key findings of the individual articles, with the purpose of illustrating the logic and pace of (EU-related) domestic reforms in Turkey.

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Subsection 6. The European unification process

Azrou Rachid, van Spanje Joost, de Vreese Claes

Talking Turkey: Anti-immigrant attitudes and their effect on support for Turkish membership of the EU

in European Union Politics, Vol. 12, n. 1, March, 3-19

Recent studies have shown that the most important factor explaining opinions on European Union issues is attitudes



towards immigrants. Two arguments are given to explain this effect. We contend that these arguments are both built on the idea that people with anti-immigrant attitudes frame other Europeans as an out-group. We then test the validity of these arguments by measuring how respondents in a voter survey frame the issue of Turkish membership. We find that framing the issue in terms of out-groups indeed mediates the effect of anti-immigrant attitudes on support for Turkish membership. This finding offers new insights into why levels of public support vary over different EU issues, because opposition is likely to increase when an issue is more easily framed in terms of out-groups.

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Schaffer Hannes

Territorial Cooperation: Overview and Assessment of EGTCs

in *Pace Diritti Umani*, anno 7, n. 3, settembre-dicembre

ABSTRACT: Il Gruppo Europeo di Cooperazione Territoriale (GECT) è un nuovo strumento per la cooperazione territoriale, che consente di creare strutture giuridiche congiunte attraverso i confini nazionali. L'istituzione di un GECT richiede sforzi che dovrebbero essere proporzionati ai risultati attesi. Se alla base vi sono un potenziale progetto di lungo termine e una tradizione esistente di fiducia e cooperazione, il GECT diventa un'opzione maggiormente praticabile.

Diversi vantaggi sono riconducibili a un GECT. Esso è concepito come uno strumento flessibile, e non vi sono restrizioni tematiche. Il GECT ha una propria personalità giuridica e agisce a nome dei suoi membri. Eventuali limitazioni che contrastano con tali benefici sono per lo più da ascrivere alla genericità del testo del Regolamento e alle scelte lasciate disponibili agli Stati membri, che tendono a ostacolare le differenze nelle normative nazionali.

Sono già stati istituiti quindici GECT, e molti altri sono in attesa di essere realizzati. INTERact, il Comitato delle Regioni e la Commissione Europea stanno attentamente monitorando lo sviluppo del GECT. Un emendamento del Regolamento è atteso nell'agosto 2011. Per tale ragione è stato avviato un processo di consultazione che include le opinioni di vari attori.

Nell'estate 2010 le conclusioni sono state rese pubbliche: in esse si afferma che il Regolamento va modificato. Le differenze nazionali nella legislazione producono molte difficoltà; tale situazione può essere risolta rendendo il Regolamento dell'UE maggiormente restrittivo, oppure attraverso una cooperazione più intensa tra Stati confinanti. Il Comitato delle Regioni svolge un ruolo primario nel fornire informazioni, facilitare la comunicazione e garantire assistenza tecnica; gli scambi interregionali potrebbero essere rafforzati da una piattaforma online. Il GECT è concepito per realizzare una vasta gamma di obiettivi: esso offre, in altri termini, molteplici possibilità a seconda delle competenze a esso delegate.

Le opinioni sull'inclusione di soggetti privati sono discordanti; nel caso di un ampliamento del Regolamento, devono essere individuate condizioni specifiche. Il GECT è considerato come il principale strumento giuridico in materia di coesione territoriale e può facilitare la cooperazione trans-frontaliera.



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Bohn Frank, de Jong Eelke

The 2010 euro crisis stand-off between France and Germany: leadership styles and political culture in *International Economics and Economic Policy*, Volume 8, Number 1 / April 2011 , 7-14

In this paper, we argue that the severity of the 2010 euro crisis was caused by and reveals differences in leadership styles and political culture between European countries, especially between France and Germany. We trace these differences to differences in underlying values: culture. There is a historic pattern, visible especially during the European integration process. Cultural differences explain differences in attitude towards leadership and IMF involvement, lead to a stand-off and, thereby, dramatically increase the uncertainty about the commitment of the eurozone and the EU towards Greece.

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Diez Thomas, Manners Ian, Whitman Richard G.

The Changing Nature of International Institutions in Europe: the Challenge of the European Union in *Journal of European Integration*, Volume 33, Number 2 / March , 117-138

The European Union is often compared to other political systems in order to better understand its basic features and how they structure politics. This article argues that this focus on comparative politics instils a domestic bias into the study of the EU, which also ignores the impact of enlargement. To remedy this, a comparison is suggested between the order of the EU as a regional international society and the order of the traditional, global international society as analysed by the English School of International Relations, and in particular by Hedley Bull. It is argued that the primary goal of the international order of the society of states, the preservation of states as its fundamental units, has been replaced by the goal of the preservation of peace in Europe. Consequently, the five core institutions of international order identified by Bull (balance of power, international law, diplomacy, war and great powers) have been modified or replaced. The new institutions of the European order are identified as the pooling of sovereignty, the *acquis communautaire*, multi-managerialism, pacific democracy, member state coalitions and multiperspectivity. These sustain and enlarge a regional international society that not only combines international and domestic elements, but transforms politics to such an extent that it should better be called a multiperspectival society, confounding Bull's expectation that the European integration will either lead to a European state or falter. This has potential ramifications for the organisation of international society at large, although whether the transformative potential of the EU can be realised remains to be seen, and will be decided above all in the EU's treatment of its own borders.

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Van den Brande Luc, Theunissen Hendrik

The Committee of the Region's White Paper on Multilevel Governance: Perspectives for a Partnership-based



European Union 2020-2030

in *Pace Diritti Umani*, anno 7, n. 3, settembre-dicembre

ABSTRACT: Considerando l'attuale dibattito sulla governance globale e su quella economica, appare evidente che il tema della governance risulti prioritario sia nell'agenda politica globale, sia in quella dell'Unione Europea.

Tuttavia, se guardiamo in prospettiva al 2020-2030 e alle sfide per la trasformazione dell'Unione Europea in una società a basso tenore di carbonio, digitale, coesa e basata sulla conoscenza, anche la «buona» governance costituisce un obiettivo essenziale che rivendica il proprio futuro.

In un mondo che diventa sempre più interdipendente e competitivo, i governi – insieme agli attori sociali e socio-economici – a tutti i livelli di governance hanno bisogno di cogliere insieme ogni opportunità. In questo mondo in continua evoluzione, «multi-polare» e «multi-soggettuale», è vitale che l'Unione Europea sia in grado di proporre, difendere e adattare in maniera flessibile il proprio originale modello di sviluppo, al fine di affrontare le (nuove) sfide legate alla globalizzazione.

Per queste ragioni, gli autori sostengono il progetto di una Unione Europea forte, basata su un sistema intelligente di partenariato e di governance «multilevel». Nel suo Libro bianco sulla multilevel governance, il Comitato delle Regioni dell'Unione Europea individua un primo insieme di proposte che potrebbero rappresentare il nucleo di partenza per dare forma, rafforzare e consolidare i vari strumenti di multilevel governance presenti nel processo politico dell'UE.

Dopo una generale introduzione al concetto e alla logica che sottende il paradigma della multilevel governance, tale contributo fornisce alcuni esempi concreti degli strumenti di multilevel governance. Di conseguenza, sono trattati anche alcuni ambiti politici in cui la prassi della multilevel governance potrebbe essere rafforzata. A tale proposito, vengono di scussi i cambiamenti climatici, l'impatto territoriale della crisi socioeconomica e la Strategia 2020.

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Subsection 6. The European unification process

Villalta Puig Gonzalo; Al-Hadda Bader

The Common Commercial Policy after Lisbon: An Analysis of the Reforms

in *European Law Review*, Vol. 36, issue 2, 289-302

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Stivachtis Yannis A., Habegger Mike

The Council of Europe: The Institutional Limits of Contemporary European International Society?

in *Journal of European Integration*, Volume 33, Number 2 / March, 159-177

This article traces the historical development of the Council of Europe and its role in post-enlargement Europe. The evolving structures and functions of the organization demonstrate an ongoing commitment to a homogeneous European regional international society. It is argued that the Council of Europe's liberal norm socialization process is



incomplete and that this process is essential to the organization's legitimacy as well as for the deepening of European Regional International Society, particularly in the face of non-compliant member states and the complementary work of the European Union. In the post-enlargement era, the Council of Europe has established itself as an important component of a historical project of Europeanization.

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George Soros

The Crisis and the Euro

in **Equilibri**, anno XIV, n. 3, dicembre , 455-469

In his article published in the «New York Review of Books» on July 12, 2010, George Soros, Hungarian – American philanthropist and financier, analyses the central role of the euro in the current economic crisis and questions Germany's attitude toward the European Union.

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Arestis Philip, Sawyer Malcolm

The Design Faults of the Economic and Monetary Union

in **Journal of Contemporary European Studies** , vol. 19, n. 1, march , 21-32

ABSTRACT: The basic proposition of this paper is that the economic problems which have threatened the existence of the euro have not arisen in the main through 'bad' behaviour of some member states. They rather come from 'design faults' in the construction of the euro project. These faults can be seen as present in the nature of the convergence criteria which focus on nominal rather than real variables; pay no attention to the validity of the exchange rates at which countries enter the EMU, or to the prevailing current account deficits and surpluses; nor to the differences in inflation mechanisms between countries. These 'design faults' continue with the inadequacy of a fiscal policy based on numerical targets operating at the national level. The design of the 'independent' European Central Bank has largely precluded the necessary co-ordination of fiscal and monetary policy, and has also disabled the central banking system from providing sufficient support to national governments and their budget deficits. It is concluded that a complete re-design of the Stability and Growth Pact and related policies is required.

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Meyer-Sahling Jan-Hinrik

The Durability of EU Civil Service Policy in Central and Eastern Europe after Accession

in **Governance**, Vol. 24, n. 2, April , 213-260

This article examines the post-accession durability of EU civil service policy in Central and Eastern Europe (CEECs).



Civil service professionalization was a condition for EU membership but the European Commission has no particular sanctions available if CEECs reverse pre-accession reforms after gaining membership. Comparing eight CEECs that joined the EU in 2004, the article finds that post-accession civil service developments are characterized by great diversity. The three Baltic States continued civil service reforms, while Slovakia, the Czech Republic, Poland, and Slovenia are classified as cases of post-accession reform reversal. The post-accession pathway of Hungary is identified as a case of reform reorientation. The diversity in post-accession pathways was almost exclusively the result of domestic political constellations, in particular, patterns of government alternation after accession. There were hardly any factors that could have locked in the level of professionalization that had been reached at the time of accession.

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Jorgensen Knud Erik

The EEAS and the challenges of multilateral diplomacy

in *Cuadernos europeos de Deusto*, n. 44 , 93-110

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Plechanovová Běla

The EU Council enlarged: North-South-East or core-periphery?

in *European Union Politics* , Vol. 12, n. 1, March , 87-106

This article aims to evaluate the emerging patterns of decision-making in the European Union after the first Eastern enlargement through an analysis of voting positions in the Council of Ministers. By applying three methods (cluster analysis, factor analysis and Bayesian item-response modelling), it assesses the new spatial dimensions of EU policy-making. The results show that the level of open contestation at the Council meetings has risen following enlargement, but the general coalition-building patterns remain similar to the ones in the old EU. The analysis also indicates that it is possible to identify a winning coalition that constitutes the critical mass of the qualified majority of weighted votes for the periods before and after the Eastern enlargement. Furthermore, the size of the largest coalition in relation to the qualified majority threshold becomes smaller in the EU of 25 member states, which may herald a new era of increased policy stability.

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PETR KRATOCHVÍL, PETRA CIBULKOVÁ, MICHAL BENÍK

The EU as a 'Framing Actor': Reflections on Media Debates about EU Foreign Policy

in *Journal of Common Market Studies*, Volume 49, Issue 2, March 2011 , 391-412



This article explores the EU's ability to frame the public debates about its external policies. The article begins by broadening the current discussions about the three aspects of actorness – legitimacy, attractiveness and recognition – by introducing the EU's framing power as a fourth aspect of actorness. Then it proceeds to an empirical analysis of framing, which is based on a discourse analysis of the news coverage of Ukraine (2002–07) in print media in the three biggest EU Member States (United Kingdom, Germany and France).

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Jens Blom-Hansen

The EU comitology system: taking stock before the new Lisbon regime

in *Journal of European Public Policy*, Volume 18, Issue 4 2011, 607-617

The Lisbon Treaty introduces a distinction between legislative, delegated and implementation acts and thus represents a new approach to delegated decision-making in the EU. This will lead to a reform of the comitology system. Against this background this contribution takes stock. What do we know about the comitology system? Can the existing literature help us understand the post-Lisbon changes?

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iilikainen Teija

The EU in Its Own Eyes: The EU's Power in Its Self-Understanding

in *European Foreign Affairs Review*, vol. 16, issue 2, 187-205

ABSTRACT: The European Union's (EU's or hereinafter 'Union's') self-understanding has to be perceived as one of the most essential factors shaping the EU's role in world politics. This article focuses on how the EU perceives itself as an international power. The EU's self-understanding, which first outlined European unity as a force for change in the world, moved in the Cold War context in a more state-centric direction. The protection of European security and - gradually - the EU's own territory and citizens were seen as the primary goals of the EU's power. The idea of the EU as an owner of common rights, responsibilities, and interests emerged and has been efficiently used later on in the EU's policies.

With the historical enlargement, the big power identity was all the more emphasized. In the context of enlargement, the successes of European integration started to appear as a firm source of the Union's power. The EU sees itself as a large territorial actor, whose power emanates from its economic might, political unity, and a very special system of internal cooperation. The comprehensive framework of instruments is clearly viewed as the main asset of the EU's power.

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Subsection 6. The European unification process

Steurer Reinhard, Berger Gerald

The EU's double-track pursuit of sustainable development in the 2000s: how Lisbon and sustainable development strategies ran past each other

in *International Journal of Sustainable Development and World Ecology*, Volume 18, Issue 2, April, 99-108



For almost a decade, the EU has pursued sustainable development not with one but with two overarching strategies: the so-called Lisbon Strategy and sustainable development strategies. While the Lisbon Strategy was a genuinely European policy response to global economic and social pressures, which was superseded by the 'Europe 2020' strategy in 2010, sustainable development strategies are ongoing cyclical processes that aim to better coordinate and integrate economic, social and, in particular, environmental policies at both the EU and Member State levels. This paper explores the horizontal governance linkages that existed between the two strategies. It first contrasts the Council rhetoric, emphasizing the complementarity of the two strategies with their different histories and governance arrangements. This paper then shows that the Council rhetoric of complementarity never materialized in the everyday governance routines of the two strategies, and provides three explanations for this finding. Based on these findings, this paper finally provides a brief outlook discussion on how to proceed with the governance of sustainable development in Europe.

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Subsection 6. The European unification process

Martins Bruno Oliveira

The EU, the Mirror and 'the Others'

in *Journal of European Integration*, Volume 33, Number 3 / June , 341-347

<http://www.tandfonline.com/doi/abs/10.1080/07036337.2011.558702>

Section C) Regional integration processes

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Yılmaz Kamil

The EU-Turkey Customs Union Fifteen Years Later: Better, Yet not the Best Alternative

in *South European Society & Politics*, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June , 235-249

Overall, the Customs Union (CU) has had a positive impact on Turkish economy. Through an increase in import penetration, the CU increased the competitive pressure on Turkish manufacturing industry, forcing it to improve productivity in the long-run. It also contributed to the transformation of the Turkish economy through the implementation of a competition policy. With increased productivity and competitiveness, the manufacturing industry was able to weather the storm during the 2001 economic crisis and in the wake of China's entry into world export markets. However, following the successful initial adaptation phase and the significant changes in the European Union's trade policy framework towards preferential trade agreements, the CU has recently started to generate some strains on Turkish trade.

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Annemarie Peen Rodt

The EU: A Successful Military Conflict Manager?

in *Democracy and Security*, Volume 7, Issue 2 , 99-122

Since the European Union (EU) launched its first military conflict management operation in 2003, its military endeavors



in conflict management have rapidly developed. By 2010, the EU had engaged militarily to contribute to the management of conflicts in Macedonia, Bosnia and Herzegovina, the Democratic Republic of Congo, Chad, and the Central African Republic. This article evaluates these five operations and assesses the EU's success in military conflict management to date.

Section C) Regional integration processes

Subsection 6. The European unification process

Zemanek Holger

The Euro Crisis Is Not Over!

in **Economic Affairs**, Volume 31, Issue Supplement s1 , 2-3

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

CHRISTINE QUITTKAT

The European Commission's Online Consultations: A Success Story?

in **Journal of Common Market Studies**, Volume 49, Issue 3, May 2011 , 653-674

Although depicted as an instrument oriented towards improving European governance as well as the democratic quality of European decision-making, the application of online consultations (OC) by the European Commission is accompanied by scepticism about their actual use. Based on a large-N, quantitative analysis, this article examines the application of and participation patterns in OC. With regard to the most relevant indicators applied in the study – openness, transparency and inclusiveness – the analysis reveals rather mixed results: while OC enhance the involvement of interested parties and formally offer the possibility to give qualitative input, at present, OC are far from being inclusive, nor is their practice transparent.

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Subsection 6. The European unification process

Leibfried Stephan

The European Single Market – How Far from Complete Is It or How Complete Can It Ever Be?

in **Intereconomics**, Volume 46, Number 2 / March 2011 , 78-81

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Dijkstra Hylke, Pieper Moritz, Winter Markus, Wirtz Anika

The European Union as an Actor in Arctic Governance

in **European Foreign Affairs Review**, vol. 16, issue 2 , 227-242



ABSTRACT: This article analyses the actorness of the European Union (EU) in Arctic governance. As a result of melting ice caps, this region is of increasing geopolitical and commercial importance. All Arctic coastal states have therefore recently developed policies. The EU is doing so as well as it has a direct interest in many issue areas. Maritime policy in the Arctic region affects European transport companies; environmental issues relate to the EU's policy on climate change; and border delimitations are relevant, as they determine access to new energy sources. In these different issue areas, the degree of EU actorness, however, varies. With the exception of the negotiations over the legal status of the Northwest Passage, the EU mainly plays a role regarding non-regulatory and non-binding issues. It has thus far been kept out of talks of a regulatory and binding nature. This variation across issue areas shows the limited role of the EU as an international actor in Arctic governance, despite the region's acknowledged increasing importance.

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Anton Pelinka

The European Union as an Alternative to the Nation-State

in *International Journal of Politics, Culture, and Society*, Volume 24, Numbers 1-2 , 21-30

The article describes the specific character of the European Union—its status as an unfinished federal quasi-state, the EU's potential as one global actor among others and the motivation behind the ongoing process of integration, especially the EU's antithetical character concerning nationalism. The article analyses the different theoretical approaches to explain why the Union has become what it is—and why it has not become a different entity. It also discusses the question of different interests promoting or opposing further integration. The basic argument is that the EU provides—in a period of declining state power—the possibility to reconstruct politics and government on a transnational level.

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Arne Niemann & Judith Huigens

The European Union's role in the G8: a principal-agent perspective

in *Journal of European Public Policy*, Volume 18, Issue 3 2011 , 420-442

This article examines the role of the European Union (EU) in the Group of Eight (G8) framework. We suggest that the EU in the G8 constitutes an unusual form of delegation because the principal-agent (PA) relationship is characterized by considerable degrees of informality and ambiguity. The main argument advanced in this article is that the European Commission, the agent, despite being structurally disadvantaged at the outset, managed to emancipate itself within the G8 over time. This process of agent emancipation has been reinforced, above all, by the flexibility and informality of the G8, the evolving European integration process, and the growing Commission capabilities, standing and entrepreneurship. Although the Commission has managed to move considerably beyond the original PA design intended by the principals, member states' incentives to rely on the Commission also increased over time. We argue that the Commission itself was able to manipulate these incentives, which is most evident in the sub-case of the Commission's successful quest for attaining the Western aid co-ordination mandate for Central and Eastern Europe.



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George Christou & Seamus Simpson

The European Union, multilateralism and the global governance of the Internet

in *Journal of European Public Policy* , Volume 18, Issue 2 2011 , 241-257

Whilst the global governance architecture of the Internet has evolved at pace in the last 10 years, the European Union's (EU) role and influence in its development has been relatively understudied. This article contributes to closing this gap in the literature through an exposition of how the EU has sought to shape the emerging environment for Internet governance in the context of its quest for 'effective multilateralism'. It identifies the type of multilateral governance that the EU has projected for the Internet globally and analyses how it has sought to do this through its interaction with key global Internet fora. It argues that the EU's own self-defined role as a leader with a clear, preferred model for Internet governance contrasts with several constraints and contradictions faced in becoming an effective multilateral actor in this area.

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Robert Gilsdorf

The European Union: Federal, Constitutional or What?

in *Indian Journal of Federal Studies*, 23rd Issue, 1/2011 , 1-38

The European Union constitutes a site of both claim and contestation so far as its federal characterization is concerned. If it is being seen as an important federal form by group of scholars, others contest the claim on the basis of non- federal context of the Union. The paper does not endorse the proposition that the EU represents a form of federation. While traversing through the most salient features of the EU, starting with its legal basis and then moving to its major institutions, policies and policy processes, the paper expresses serious doubts that the European Union will ever have a sovereign federation.

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Daniel Mügge

The European presence in global financial governance: a principal-agent perspective

in *Journal of European Public Policy* , Volume 18, Issue 3 2011 , 383-402

Europe is a heavyweight in global finance. But does it have a presence in global financial governance to match? This paper employs a principal-agent approach to analyse patterns of policy-making delegation in the EU to explore this question. It finds a U-shaped relationship between the extent of delegation and the 'European presence' in global financial governance: when member states either remain in control of policy or delegate extensive competencies, European stakeholders are well represented. In contrast, intermediate levels of delegation can undermine the European presence by tying member states' hands without sufficiently empowering supranational agents to fill the gap. Patterns of delegation are traced to the heterogeneity of member state interests and the pre-existence of international governance arrangements. These arguments about the origins and consequences of delegation patterns are supported by evidence



from three core domains of financial governance: banking regulation; accounting standards; and capital market regulation.

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Raunio Tapio

The Gatekeepers of European Integration? The Functions of National Parliaments in the EU Political System
in *Journal of European Integration*, Volume 33, Number 3 / June , 303-321

Parliaments have several functions that can be divided into two categories: functions related to governance and functions that focus on linking with citizens. Analysis of European Convention and COSAC documents shows that when defining a role for the national parliaments in the EU's political system, domestic MPs emphasize the function of government oversight, with functions relating to citizens receiving little attention. This choice of emphasis is arguably explained by the incentives of political parties and the institutional set‐up of European political architecture. National parliaments are increasingly seen as gatekeepers between national and EU politics, with the 'early warning system' included in the Lisbon Treaty reinforcing this perception of domestic MPs acting as gatekeepers of European integration. In terms of transparency, the main difference between domestic and EU politics concerns the role of the plenary, with European matters only seldom debated by the whole chamber.

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Dyevre Arthur

The German Federal Constitutional Court and European Judicial Politics
in *West European Politics*, vol. 34, n. 2 , 346-361

ABSTRACT: With its decision on the ratification of the Lisbon Treaty, the German Federal Constitutional Court (FCC) has handed over another landmark ruling on European integration. The ruling made Germany's ratification of the Treaty conditional upon the passage of a new law giving the Bundestag greater oversight of European affairs. This and the consequences of stronger parliamentary oversight for the German government and the way it conducts negotiations at European level have been the focus of most early comments on the decision. No less important, however, are the ruling's potential repercussions on European judicial politics. Coming after a series of highly controversial judgments by the European Court of Justice, the FCC's Lisbon decision is clearly meant as a warning to Brussels and, above all, Luxembourg. The decision could undermine the Court of Justice's authority and encourage non-compliance on the part of national courts, thus bringing about a constitutional crisis at European level. Alternatively, the decision may compel the Court of Justice to reconsider some of the most controversial aspects of its activist jurisprudence and to exert more restraint in the foreseeable future.

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Rynhold Jonathan



The German question in Central and Eastern Europe and the long peace in Europe after 1945: an integrated theoretical explanation

in *Review of International Studies (The)*, Vol. 37, Issue 1, January , 249-275

Within the field of International Relations, theoretically informed explanations of the long peace in Europe since 1945 tend to focus on Western Europe, especially the revolution in Franco-German relations. In contrast, German relations with Central and Eastern Europe (CEE) are ignored, despite the fact that this nexus was a major cause of instability prior to 1945. This article focuses on why the German question in CEE ceased to threaten the stability of Europe after 1945. The article empirically examines the development of the German question in CEE since 1945, which refers here mainly to the Oder-Neisse line and the plight of ethnic Germans expelled from CEE after World War II. It provides a theoretically integrated and chronologically sequenced explanation. First, it argues that Realism primarily explains the successful containment of the German question in CEE between 1945 and the late 1960s. Second, it argues that the Constructivist process of cultural change, which altered German intensions, was primarily responsible for subsequently increasing the depth of peace and stability between Germany and CEE, especially after the Cold War. Finally, it is argued that prior Realist factors and Liberal processes constituted a necessary, though not sufficient, condition for cultural change.

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Gürsoy Yaprak

The Impact of EU-Driven Reforms on the Political Autonomy of the Turkish Military

in *South European Society & Politics*, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June , 293-308

Turkish civil-military relations entered a new phase starting with the first European-Union-induced reforms in 1999, and have gained a new momentum since 2007. This article first introduces the amendments to Turkish civil-military relations, then asks how much the constitutional and legal amendments have affected the political autonomy of the military. The article takes the indicators of military autonomy into consideration as a whole and argues that legal amendments have not introduced any changes to one-third of the military prerogatives. In those areas where some adjustments have been made, either more reforms must follow or democratic practices must endure the test of time.

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Ruzza Carlo

The International Protection Regime for Minorities, the Aftermath of the 2008 Financial Crisis and the EU: New Challenges for Non-State Actors

in *International Journal on Minority and Groups Rights*, Volume 18, Number 2 , 219-234

This article examines the reasons why European institutions and in particular the European Commission support a range of public interest groups that exert advocacy on behalf of minority rights. It argues that supported groups are notably those that provide political legitimacy to the European project, those that provide an alternative channel of representation for politically weak minority groups thereby offering them a needed and alternative channel of representation, and those that contribute to a mythology of the European Union by emphasising the concept of human



rights and thus providing the European Union (EU) with a distinctive and needed political identity. Among the groups that fulfil these criteria are those who lobby on behalf of migrants and ethnic minorities. The article points out the role of these groups in combating racism and xenophobia and argues that this role has become more important following the financial crisis of 2008 and a related mounting rivalry within EU Member States for resources of the welfare state.

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KEVIN FEATHERSTONE

The JCMS Annual Lecture: The Greek Sovereign Debt Crisis and EMU: A Failing State in a Skewed Regime
in *Journal of Common Market Studies*, Volume 49, Issue 2, March 2011 , 193-217

The Greek sovereign debt crisis of 2010 exposed the weaknesses of governance of both the 'euro area' and of Greece. Successive governments in Athens had failed to overcome endemic problems of low competitiveness, trade and investment imbalances, and fiscal mismanagement placing the economy in a vulnerable international position. Once the market crisis erupted, the European Union's Council of Ministers and the European Central Bank failed to provide a timely and effective response. The implications are threefold: the constraints on domestic reform proved immutable to EU stimuli; the 'euro' is more vulnerable to crisis than previously acknowledged; and the early discussion on 'euro' governance reform suggests that its underlying philosophy has not shifted significantly towards more effective 'economic governance'. This article explores the antecedents and management of the crisis and assesses the outcome. At the EU level, a paradox was evident in the denial of agency and resources that might limit the obligation of states to rescue an errant peer. Domestically, within Greece, the unprecedented external monitoring and policing of its economy – though matched by some initial successes – raises in the longer term sensitive issues of legitimacy and governability, with uncertain prospects for avoiding further crises.

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Çener Erhan, Çarhan Yançiner Zeyneb

The Justice and Development Party's identity and its role in the EU's decision to open accession negotiations with Turkey

in *Southeast European and Black Sea Studies*, vol. 11, n. 1, April , 19-34

This paper investigates the identity of the Justice and Development Party (AKP) - the conservative-democratic party in power in Turkey since November 2002 - and assesses its role in the EU's decision to open accession negotiations with Turkey. It argues that the AKP leadership has successfully employed an identity-based strategy highlighting the possibility of being Muslim and sharing European norms and values at the same time and the importance of Turkey's EU membership to refute 'the clash of civilizations' thesis to get Turkey closer to the EU in the post-September 11 global political context

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Kirişçi Kemal

The Kurdish Issue in Turkey: Limits of European Union Reform



in **South European Society & Politics**, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June , 335-349

The first half of the 2000s was characterised by unprecedented political reform in Turkey encouraged by the prospects of EU membership. These reforms helped to improve the quality of democracy as well as the cultural rights of the Kurdish minority in the country. Yet, the Kurdish problem remains far from being resolved. The paper argues that it is, at least partly, the European Union that bears responsibility for the failure of the government's Kurdish 'opening', which, when launched in the summer of 2009, had aspired to solve the Kurdish problem in Turkey.

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Moscovici Pierre

The Left in Europe: What Does the Future Hold?

in **Social Europe Journal**, Volume 5, Issue 2, Winter/Spring

<http://www.social-europe.eu/2011/01/the-left-in-europe-what-does-the-future-hold/>

Section C) Regional integration processes

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Weatherill Stephen

The Limits of Legislative Harmonization Ten Years after Tobacco Advertising: How the Court's Case Law has become a "Drafting Guide"

in **German Law Journal**, Vol. 12, n. 3 , 827-864

Ten years have elapsed since the first Tobacco Advertising judgment, in which the Court for the first time concluded that the EU legislature had stepped beyond the limits of its competence to harmonize national laws which is granted by the Treaty. However, those subsequently seeking annulment of measures of harmonization have almost all been disappointed. This paper surveys the accumulated case law and finds that the "limits" of EU legislative competence, though of the highest constitutional significance in principle, are in practice imprecisely defined by the Treaty itself with the consequence that the legislative institutions enjoy wide discretion. The pattern has become circular: the Court presents a formula which defines the proper scope of harmonization and which sets out the control exercised by the principles of proportionality and subsidiarity, the EU legislature duly adopts the approved but reliably vague vocabulary and, provided the drafting is well-chosen, the Court has no plausible basis on which to set aside the legislative act. Case law dealing with the limits of EU competence has been converted into no more than a "drafting guide." The paper shows how many of these deficiencies have been maintained uncritically after the reforms made by the Lisbon Treaty, even though a major part of the reform agenda initiated by the Laeken Declaration was inspired by "competence sensitivity." Lisbon has instead put most of its reforming faith in a new recruit to competence monitoring – the national parliaments of the Member States.

Full text available at:

http://www.germanlawjournal.com/pdfs/Vol12-No3/PDF_Vol_12_No_03_827-864_Articles_Weatherill.pdf



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Adamson Fiona B., Triadafilopoulos Triadafilos, Zolberg Aristide R.

The Limits of the Liberal State: Migration, Identity and Belonging in Europe

in **Journal of Ethnic and Migration Studies**, vol. 37, n. 6, Special Issue: The Limits of the Liberal State: Migration, Identity and Belonging in Europe and the United States , 843-859

What are the contemporary 'limits of the liberal state' with respect to immigration, citizenship and the rights of ethnic and religious minorities in contemporary Europe? The papers in this special issue of the *Journal of Ethnic and Migration Studies* examine how recent developments in Europe raise new questions regarding the relationship between liberalism, migration, identity and belonging. In this introduction, we identify three major themes that run through the papers in the issue—the use of liberal norms by states for exclusionary purposes; the possibility of the emergence of 'illiberal liberalism'; and the extent to which identity politics and policy-making may be increasingly transcending and transforming the limits of the liberal democratic state in Europe. After briefly presenting these three themes, we summarise the arguments of the individual authors and suggest possible directions for future research

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Jeff Loder

The Lisbon Strategy and the politicization of EU policy-making: the case of the Services Directive

in **Journal of European Public Policy** , Volume 18, Issue 4 2011 , 566-583

This contribution explores how the Lisbon Strategy affected the politics of policy-making surrounding the Services Directive (2006). The Lisbon Strategy promoted a fundamental rethink of how to integrate service markets for enhancing the competitiveness of the European economy, without clear evidence that it was politically viable or even desired at the national level. Specifically, it examines how the Lisbon Strategy provoked the introduction of a radical policy idea without organizing a meaningful consultation with non-state actors at the preparatory stage. This mismatch between the ideational and organizational components resulted in a politicization of the process, eventually empowering the European Parliament.

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Susana Borrás & B. Guy Peters

The Lisbon Strategy's empowerment of core executives: centralizing and politicizing EU national co-ordination

in **Journal of European Public Policy** , Volume 18, Issue 4 2011 , 525-545

This paper studies the effects of the Lisbon Strategy on the way in which national executives co-ordinate EU policy at the domestic level. Comparing seven countries (Denmark, the United Kingdom [UK], Austria, Slovenia, Spain, France and Poland) it finds evidence that the Lisbon Strategy has been advancing (further) centralization and politicization in national patterns of EU policy co-ordination, empowering core executives. The Lisbon Strategy's ideational elements ('grand' goals and politically visible targets) as well as organizational requirements (Spring Council, national



programming and annual reports) are factors behind this phenomenon. These results have implications for the literature on Europeanization, international politics, and governance studies in what is eminently an empirical research agenda about how far and how changes in international governance architectures affect the redistribution of power within national executives.

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Pourchot Georgeta

The OSCE: A Pan-European Society in the Making?

in *Journal of European Integration*, Volume 33, Number 2 / March , 179-195

This article applies an English School analysis of international society to the Organization for Security and Cooperation in Europe (OSCE). It argues that in a post-enlargement Europe, the OSCE has a continuing role to play in socializing its members into norms and values consistent with a regional international society despite its lack of legal enforcement instruments, and the frequent divergence of its participating states from the rules and principles of collective engagement intrinsic to the Helsinki process. In so doing, the OSCE contributes to a thin-thick continuum of international society in a manner that is functionally and structurally relevant.

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JEAN-FRANÇOIS JAMET

The Optimal Assignment of Prerogatives to Different Levels of Government in the EU

in *Journal of Common Market Studies*, Volume 49, Issue 3, May 2011 , 563-584

In the search for an optimal institutional design in the European Union, efficiency criteria for the allocation of prerogatives to different levels of government are greatly needed. The goal of this article is to provide a comprehensive framework for the optimal allocation of prerogatives by stressing the role of economic convergence in allowing for efficient centralization of policies. Harmonization of policies can be harmful when local economies are diverging too much. However, citizens or governments may agree through deliberation on the appropriateness of making their economies converge in order to be able to implement an efficient common policy that internalizes externalities.

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Wagner Markus

The Right in the European Parliament Since 1979

in *Perspectives on European Politics and Society*, vol. 12, n. 1, April , 52-67

This article examines the development of the representation of the Right in the European Parliament (EP) since 1979. The Right in Europe has always been more complexly structured than the Left. In particular, the Right remains divided on both culture and economic policy. Developments in the past decades have not significantly weakened this



complexity. While urban-rural and church-state cleavages may have weakened, economic and centre-periphery divisions remain strong. Moreover, the Right has become more diverse with the rise of extreme parties and democratisation in Southern and Central/Eastern Europe. To what extent has this diversity been mirrored in the EP? Paradoxically, one strong trend has been the rising dominance of the European People's Party. This is because size itself has become an attraction due to (1) the growing institutional power of the EP and (2) internal rules. Declining divisions within the mainstream Right have also played a role. At the same time, the Right has remained diverse within the EP, with a plethora of smaller groups based around Liberals, Conservatives, Eurosceptics and the Extreme Right. These divisions have persisted due to the complexity of the European Right and the simultaneous fluidity of these divisions.

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Frangakis Marica

The Rising Public Debt in the EU: Implications for Policy

in Journal of Contemporary European Studies, vol. 19, n. 1, march, 7-20

ABSTRACT: The current financial and economic crisis is of unprecedented proportions and intensity. Given the piecemeal approach of the EU institutions to economic policy, their reaction to the mounting crisis has been slow and hesitant.

The much feared financial meltdown in the E.U. has been avoided. However this came at the cost of increasing pressure on public finances in most member states, leading to a public debt crisis in a number of them. Financial liberalization and the lagging financial policy reform exacerbated such pressure, bringing certain member states such as Greece to the verge of default. Even more importantly, the stability of the eurozone appears to be in danger.

This has led to an avalanche of new measures, including the newly instituted "European Stabilization Mechanism", as well as proposals for the adjustment of fiscal policy co-ordination, under the general heading of 'reinforcing economic governance in Europe' as announced by the European Commission in May 2010.

So, what next? Past experience confirms that a financial crisis is usually followed by a sovereign debt crisis. Is this what is happening in the EU? With what social and economic implications? Further, what are the implications of rising sovereign debt for economic policy?

These are some of the questions we discuss in the present article. In particular, we examine (i) the concept of the sovereign debt and its relevance to the EU and to the eurozone; (ii) the historical experience of crises; (iii) the response of the EU to the current crisis and (iv) the prospects for policy.

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Grosse Ruse-Khan Henning, Jaeger Thomas, Kordic Robert

The Role of Atypical Acts in EU External Trade and Intellectual Property Policy

in European Journal of International Law, Vol. 21, issue 4, 901-939



This article discusses atypical acts of the European Union (EU) concerning intellectual property (IP) protection within the EU's internal legal order and its external relations. Internally, atypical acts are used in IP for flexible pre- and post-regulation purposes or for soft guidance and steering. Yet in IP and elsewhere, those flexibilities come at the cost of deficits in democratic legitimacy, legality, and legal certainty. Atypical acts are also common in the external trade relations of the EU. Like more formal conduct of trade relations by means of international agreements, they focus on the enforcement of IP rights. The less formal (and legal) character of these acts often allows them to be more policy-driven and so makes it easier to address key political concerns relevant for EU external trade relations in a more flexible and current manner. Some of these policies are subsequently turned into 'hard' law – for example in the course of the negotiations over the controversial Anti-Counterfeiting Trade Agreement (ACTA). Based on the comparative analysis of the role of atypical acts in the EU's internal legislation for IP vis-à-vis their role in external action, this article explores possibilities of limiting the drawbacks while preserving the benefits of a use of atypical acts in external policies.

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PER OVE EIKELAND

The Third Internal Energy Market Package: New Power Relations among Member States, EU Institutions and Non-state Actors?

in *Journal of Common Market Studies*, Volume 49, Issue 2, March 2011 , 243-263

The article analyses the September 2007 European Commission proposal for a third internal energy policy package, agreed by the European Union in spring 2009. Compared to legislation from 2003, the proposal reflects greater will on the part of the Commission to pressure unwilling Member State governments, and shifts in Commission leverage vis-à-vis Member States as well as a shift in policy networks with clout in EU policy-making. This shift in Commission leverage would indicate stronger supranational governance in EU energy matters in the future.

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Shan Wenhua, Sheng Zhang

The Treaty of Lisbon: Half Way toward a Common Investment Policy

in *European Journal of International Law*, Vol. 21, issue 4 , 1049-1073

As a follow-up study on the external investment policy of the EU, this article attempts to analyse the relevant provisions in the Lisbon Treaty and assesses their legal implications on the international investment treaty practice of the Union and its Member States. It first briefly reviews the EU's foreign investment competence before the Treaty of Lisbon, followed by an assessment of the different views concerning the interpretation of the Lisbon Treaty provision including 'foreign direct investment' under the common commercial policy. The practical legal implications of the change are discussed in the third part, including intra- and extra-EU investment treaty practices. It is concluded that while the change is significant and will greatly enhance the treaty-making competence of the EU in external investment areas, it is only a half way success toward a full common investment policy (CIP). Potential paths to achieve the ultimate goal are also briefly explored.

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Kalaycıoğlu Ersin

The Turkish-EU Odyssey and Political Regime Change in Turkey

in *South European Society & Politics*, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June , 265-278

Turkish-EU relations have occupied the Turkish political agenda since 1959. However, it was only after the Cold War that relations gained momentum and began to have a deep running impact on Turkish socio-political developments. One such area of impact has been the political regime of Turkey. In an effort to accommodate the standards of Turkish democracy with the Copenhagen Criteria, Turkish governments have initiated several constitutional amendments. This paper analyses the context and the nature of constitutional amendments made in the last three decades, and examines the role that EU-Turkish relations played in the modification of the Turkish political regime.

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Montserrat Gibernau

The birth of a united Europe: on why the EU has generated a 'non-emotional' identity

in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 302-315

. In several respects, the European Union (EU) represents both a novel system of quasi-supranational governance and a novel form of political community or polity. But it is also a relatively fragile construction: it remains a community still in the making with an incipient sense of identity, within which powerful forces are at work. This article has three main aims. Firstly, to analyse the reasons and key ideas that prompted a selected elite to construct a set of institutions and treaties destined to unite European nations in such a way that the mere idea of a 'civil war' among them would become impossible. Secondly, to examine the specific top-down processes that led to the emergence of a united Europe and the subsequent emergence of the EU, thus emphasising the constant distance between the elites and the masses in the development of the European project. Finally, to explain why the EU has generated what I call a 'non-emotional' identity, radically different from the emotionally charged and still prevailing national identities present in its member states.

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Rose Richard

The case for pan-European referenda

in *Europe's World*, Issue 17, Spring

To strengthen the EU's democratic credentials while also ensuring that Europe as a whole can't be held hostage by national plebiscites, Richard Rose puts the arguments for EU-wide referenda on treaty changes.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21795/language/en-US/Default.aspx



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Veen Tim

The dimensionality and nature of conflict in European Union politics: On the characteristics of intergovernmental decision-making

in European Union Politics , Vol. 12, n. 1, March , 65-86

This article analyses the dimensionality and nature of political conflict in the European Union Council of Ministers between 1998 and 2007. By comparing policy platforms of member state governments, multidimensional scaling techniques are employed to make inferences about the dimensionality of the Council's political space. The dimensions are interpreted performing 1250 multiple regression analyses. The results largely corroborate the assumption that cleavages are structured along geographically defined clusters of states. After Eastern enlargement (2004), a North—South divide was replaced by an East—West cleavage. The analysis moreover suggests that there are two stable conflict dimensions within the Council's political space. The first is an integration dimension that represents the support for deepening European Union integration and the transfer of sovereignty to a supranational level. The second is a 'policy' dimension, manifested predominantly in disputes over redistributive policies.

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Verhofstadt Guy

The economic governance that the EU needs

in Europe's World, Issue 18, Summer

Yes, the eurozone crisis could have been handled better, says Guy Verhofstadt, but the real crisis facing Europe is about economic policy governance. He puts the case for bringing all its elements under a single framework, with the European Commission at the centre.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21832/language/en-US/Default.aspx

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Conley Heather A.

The end of the West: the once and future Europe

in International Affairs , vol. 87, issue 4, july , 975-984

ABSTRACT: Europe and the United States—the West—urgently need political leadership, economic fortitude and a clear vision of the future if they are to contend with the challenges posed by emerging regional powers and to resist the



downward pressures of 'relative decline', the central focus of David Marquand's book, *The end of the West: the once and future Europe*. Central to this goal will be the West's ability to 'rebalance' between its institutions and democracy; its power and commitments; and its political and moral authority. Europe must 'rebalance' on issues related to ethnicity and identity, governance and authority, and civilization and territory. EU enlargement and its institutional reform processes have exacerbated this imbalance. American foreign policy objectives currently exceed its resources and are hampered by lack of strategic clarity and intellectual vision which keeps the United States from achieving an adaptive leadership model more capable of successfully operating in an increasingly complex and multipolar world. For Europe to become internally healthy and externally productive—both politically and economically—it needs to regain balance between its utopian, institutional objectives and democratic support for its future ambitions and policy course. Strong leadership and a powerful vision of prosperity from the West will be vital to return the transatlantic partnership to global economic and political advantage.

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Calomiris Charles

The euro is dead

in *Foreign Policy*, Issue 186, January

But, if Europe's leaders play their cards right, it can rise again.

http://www.foreignpolicy.com/articles/2011/01/06/the_euro_is_dead

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Juncker Jean-Claude

The eurozone enters adulthood

in *Europe's World*, Issue 18, Summer

The euro area's 13-year history is a success story, says Jean-Claude Juncker. It's a strong currency that is also more stable than any of the national ones it replaced. He sets out the advances in governance that are now needed.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21830/language/en-US/Default.aspx

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Vitor Castro

The impact of the European Union fiscal rules on economic growth

in *Journal of Macroeconomics*, Volume 33, Issue 2 , 313-326

This paper analyses whether Maastricht and Stability and Growth Pact fiscal rules have affected growth in the European



Union negatively. A growth equation is specified for a group of 15 European Union countries (and 8 OECD countries) over the period 1970–2005 to analyse this issue. Panel estimations using fixed-effects, pooled mean group and system-GMM estimators show that the institutional changes that occurred in the European Union after 1992 were not harmful to growth. Moreover, results show that growth is slightly higher in the period in which the fulfilment of the 3% criteria for the deficit started to be officially assessed, i.e. after 1997.

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Di Federico Giacomo

The impact of the Lisbon Treaty on EU Antitrust Enforcement: enhancing procedural guarantees through article 6 TEU

in *Diritto dell'Unione europea*, n. 4 , 805 - 834

No abstract available

Section C) Regional integration processes

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Borrás Susana, Ejrnæs Anders

The legitimacy of new modes of governance in the EU: Studying national stakeholders' support

in *European Union Politics* , Vol. 12, n. 1, March , 107-126

The literature on new modes of governance suffers from a gap between the normative and the positive approaches to legitimacy. This article addresses this gap by studying the patterns of national stakeholders' support for the Open Method of Coordination (OMC). The results of our survey demonstrate that the OMC receives greater support than previously assumed and that the support of national stakeholders is largely associated with their involvement in national procedures. These findings corroborate the assumptions of normative theories of participatory democracy about the importance of involvement. Furthermore, the study's findings underline the pivotal role that national stakeholders play regarding matters of legitimacy in the EU's multi-level system of governance.

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Greenwood Justin

The lobby regulation element of the European Transparency Initiative: Between liberal and deliberative models of democracy

in *Comparative European Politics*, vol. 9, n. 3, july , 317-343

ABSTRACT: The EU's dependence upon exchanges with organised civil society as a proxy for popular participation makes its procedures for participatory governance critical for input legitimacy. The most recent of these is the European Transparency Initiative (ETI). The article examines the development of the lobby regulation element of the ETI, the detail of its operation and the concepts upon which it is founded, in order to consider its potential to contribute to wider goals of



participatory legitimacy. The main energies devoted to creating the initiative were spent in the struggle to get it established, with relatively less attention given to the implications of operational issues involved in registration. Although transparency is the main focus, a legacy of predecessor initiatives on interest group representativeness, primarily spatial in concern, remain embedded in the scheme, which place limitations on advocacy-based groups. An alternative regulatory device to representativeness is that of accountability, which can be accommodated within the EU's existing framework of liberal democracy with elements of deliberative overtones, and of which traces can be found in the Code of Conduct associated with the registration scheme.

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Taylor Paul

**The media's controversial role in the €-zone crisis
in Europe's World**, Issue 17, Spring

It's hard to know whether media reporting has fanned the flames of the eurozone debt crisis. Paul Taylor of Reuters assesses both the charges and some of evidence.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21790/language/en-US/Default.aspx

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Maystadt Philippe

**The myths that Europe's policymakers must forget
in Europe's World**, Issue 18, Summer

To promote sustainable and inclusive growth in the EU, economic policies should concentrate on productivity and innovation per se rather than on how globally competitive EU countries are, says Philippe Maystadt. He warns that success will depend on structural reform as much as on wiser government spending.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21829/language/en-US/Default.aspx

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Susana Borrás & Claudio M. Radaelli

**The politics of governance architectures: creation, change and effects of the EU Lisbon Strategy
in Journal of European Public Policy**, Volume 18, Issue 4 2011, 463-484

Governance architectures are strategic and long-term institutional arrangements of international organizations exhibiting three features; namely, they address strategic and long-term problems in a holistic manner, they set substantive



output-oriented goals, and they are implemented through combinations of old and new organizational structures within the international organization in question. The Lisbon Strategy is the most high-profile initiative of the European Union for economic governance of the last decade. Yet it is also one of the most neglected subjects of EU studies, probably because not being identified as an object of study on its own right. We define the Lisbon Strategy as a case of governance architecture, raising questions about its creation, evolution and impact at the national level. We tackle these questions by drawing on institutional theories about emergence and change of institutional arrangements and on the multiple streams model. We formulate a set of propositions and hypotheses to make sense of the creation, evolution and national impact of the Lisbon Strategy. We argue that institutional ambiguity is used strategically by coalitions at the EU and national level in (re-)defining its ideational and organizational elements.

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Dimopoulos Angelos

The validity and applicability of international investment agreements between EU Member States under EU and international law

in **Common Market Law Review**, vol. 48, issue 1 , 63-93

ABSTRACT: EU law affects the validity and applicability of intra-EU International Investment Agreements (IIAs) both under EU and international law. Although EU law and intra-EU IIAs create separate legal systems, they cover largely the same subject matter creating scope for potential conflicts. Using different tools and based on different legal principles, both EU law and international law require the determination of the specific incompatibilities between EU law and intra-EU IIAs in order to assess whether and to what extent the latter are applicable. In that regard, the provisions of intra-EU IIAs on dispute settlement and in particular investor-State arbitration present an outright incompatibility with EU law, as they violate the principle of autonomy of EU law and, thus, should be deemed inapplicable.

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Larrabee Stephen

The widening political faultline over Turkey's European destiny

in **Europe's World**, Issue 17, Spring

For 40 years or more Turkish policymakers have pursued ambitions to become part of Europe. But Stephen Larrabee says that the mid-2011 general election may well determine whether Turkish voters favour a different path.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21796/language/en-US/Default.aspx

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LH, GvdS and WTE

Thinking about elections and about democratic representation

in **European Constitutional Law Review**, Volume 7 - Issue 01 , 1-3



[Political representation] is the basis of modern representative democracy. Older and less sophisticated forms, such as direct democracy, subsist marginally, even if they keep exerting a certain attraction. But representative democracy does not carry the self-evident authority it once had. Like every modern institution it is under challenge and consequently needs to be defended. In actual politics, the defence often takes the form of discussion of the merits of one system over the other and of proposals for change. The part of this defence appertaining to constitutional scholarship is not concerned primarily with proposals and changes. It is, before all, to brush up the fundamentals underlying representative democracy, on the basis of topical issues.

There are three current issues upon which we would like to draw attention. They are: equality in structuring electoral systems, the processes of electoral reform and the rise of non-majoritarian institutions versus parliamentary democracy.

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Casier Tom

To Adopt or Not to Adopt: Explaining Selective Rule Transfer under the European Neighbourhood Policy in *Journal of European Integration*, Volume 33, Number 1 / January , 37-53

The dominant explanation for limited rule transfer under the European Neighbourhood Policy (ENP) is its weak incentive structure, in particular the absence of a membership perspective. However, a certain rule transfer has occurred, albeit in a strikingly selective and uneven way. This article formulates an alternative model for explaining the variance in rule transfer under the ENP. Refuting conditionality and asymmetrical interdependence as having insufficient explanatory value, rule transfer is explained on the basis of three interrelated factors. First, the usefulness of ENP provisions for domestic agendas. Secondly, the process of active legitimacy-seeking with the EU, driven by the subjective perception of accession prospects. Thirdly, the institutional design of the ENP itself, in particular its differentiated approach and lack of finality, which give the policy a strong political character.

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Andreas Dür, Gemma Mateo

To Call or Not to Call? Political Parties and Referendums on the EU's Constitutional Treaty in *Comparative Political Studies* , Vol. 44 (4), April 2011 , 468-492

Why did some political parties in the EU member states support and others oppose a facultative referendum on the Constitutional Treaty? The authors argue that electoral competition played a major role in determining how parties positioned themselves with respect to the desirability of a referendum. Parties that expected electoral gains supported and those that expected electoral losses opposed a referendum. The hypotheses that the authors derive from this argument draw attention to variables such as public support for the treaty, the closeness of the next elections, party size, and public demand for a referendum. An original data set that comprises the positions of 176 parties on whether to submit the Constitutional Treaty to a referendum allows the authors to examine these hypotheses empirically. Using a multilevel logistic regression model, they find support for their argument, even when controlling for party ideology and institutional constraints.



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Hertz Robin, Leuffen Dirk

Too big to run? Analysing the impact of enlargement on the speed of EU decision-making

in *European Union Politics* , Vol. 12, n. 2, June , 193-215

The article analyses how enlargements affect the speed of European Union (EU) decision-making. In line with rationalist theories of group choice, we argue that enlargements increase the costs of organizing decisions, i.e. transaction costs. Increasing transaction costs, in turn, slow down EU law-making. We test this theory by estimating Cox regression models that incorporate time-varying covariates on all directives, regulations and decisions submitted by the European Commission between 1976 and 2006. In contrast to previous analyses, we show that an increase in group size indeed slows down EU law-making.

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Daniel Laurent, Diev Pavel

Towards a European debt agency?

in *Revue de l'OFCE*, 2011/1 (n°116) , 253-275

The Greek and Irish crises have highlighted the shortcomings of Economic and Monetary Union, namely that there is no mechanism for preventing and dealing with public debt crises in the euro area (EA). In this context, we analyse the possibility of joint issuance of debt securities by euro area governments managed by a European Debt Agency (EDA). This would be a way to implement an effective mechanism of supervision and coordination of fiscal policies within the EA. Moreover, being de facto a crisis support mechanism, the EDA would improve EA financial stability; it would also increase the liquidity of EA sovereign bonds pushing down participating countries financial costs. The interest rates paid by countries would have to depend on their credit risk so as to limit moral hazard.

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Vobruba Georg

Transfer und Revolte. Die EU und das Stabilitäts-Demokratie-Dilemma

in *Blätter für deutsche & internationale Politik*, April, 2011 , 85-90

Die Europäische Union hat zurzeit viele Probleme, darunter jedoch zwei besonders markante: die internationale Finanzkrise und die Revolten in Nordafrika. Beides scheint auf den ersten Blick nichts miteinander zu tun zu haben. Doch das Gegenteil ist der Fall: Die Entwicklung der EU zu einer Transferunion könnte durch die politische Instabilität ihrer südlichen Peripherie entscheidend gefördert werden.



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Boel Bent

Transnationalisme social-démocrate et dissidents de l'Est pendant la guerre froide
in *Vingtième Siècle*, n. 109

La dissidence dans les pays de l'Est confronta les partis sociaux-démocrates occidentaux à un dilemme : comment manifester sa solidarité avec les opprimés de l'Est tout en œuvrant pour la Détente entre les deux blocs ? Alors que certains observateurs soulignent l'indifférence social-démocrate, d'autres pensent pouvoir identifier une « double stratégie », les dirigeants focalisant sur les rapports avec les gouvernements, les niveaux plus subalternes s'occupant des relations avec les dissidents. S'il est clair qu'une approche « réaliste » des relations internationales a poussé les sociaux-démocrates à donner la priorité aux relations avec les régimes communistes, il n'y en eut pas moins des efforts de la part de certains pour entretenir des relations avec les dissidents. Cela vaut aussi bien par rapport aux exilés de l'Est, que pour les oppositionnels en Pologne, en Tchécoslovaquie ou en RDA.

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Romano Roberto

Trattato di Lisbona e politica economica
in *Rassegna di diritto pubblico europeo*, n. 1 , 85-98

No abstract available

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Johansson-Noguésa Elisabeth, Jonasson Ann-Kristin

Turkey, Its Changing National Identity and EU Accession: Explaining the Ups and Downs in the Turkish Democratization Reforms

in *Journal of Contemporary European Studies* , vol. 19, n. 1, march , 113-132

ABSTRACT: The analysis of the bumpy Turkish EU accession reform process has largely been steeped either in a Rational Institutionalist logic of 'opportunity costs' both for the EU and for Turkey, or assessed as a question of the Turkish (in)compatibility with European values. We have, in contrast, chosen to focus on a different variable—the changing Turkish national identity—in the context of the Turkish EU accession and democratization reforms. Exploring the dynamics of the Turkish national identity has allowed us to gain additional and tentatively more nuanced understandings about the Turkish reform process. The article discusses the advances and set-backs which the Turkish democratization reforms have experienced in the years spanning 2002–2010.

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Rumelili Bahar

Turkey: Identity, Foreign Policy, and Socialization in a Post-Enlargement Europe
in *Journal of European Integration*, Volume 33, Number 2 / March , 235-249

This article analyzes the implications of post-enlargement European international society for Turkey in three areas: identity construction, foreign policy and political reform. First, through an analysis of post-2007 European Parliament debates on EU–Turkey relations, it argues that the construction of European and Turkish identities vis-à-vis each other is likely to remain an important arena of contestation. Second, it provides a brief overview of Turkey’s new regional foreign policy activism, and argues the recent initiatives are in fact signs of adaptation to a post-enlargement Europe, as they are building on a foreign policy role conception that stresses Turkey’s hybrid identity as both European and Asian, and Western and Islamic. Finally, it analyzes the diffusion of the norms of European international society to Turkey in the post-2007 period, in particular focusing on the critical role played by domestic political actors. While Turkish political actors are showing signs of adaptation in terms of how they utilize the political opportunity structures in post-enlargement Europe, the weakening of Turkey’s EU membership prospects is likely to slow down the diffusion of European norms to Turkey.

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Müftüler-Baç Meltem

Turkish Foreign Policy, its Domestic Determinants and the Role of the European Union

in *South European Society & Politics*, Volume 16, Issue 2, Special Issue: Turkey and the European Union: Accession and Reform, June , 279-291

This paper investigates whether Turkish foreign policy has changed in recent years, specifically in line with the EU accession process, and tries to uncover the main dynamics behind these changes. The main proposition in the paper is that domestic changes in Turkey have led to a reshuffling of foreign policy objectives with a renewed emphasis on improving relations with the country's neighbours. The paper investigates whether such a policy change is complementary to the Turkish goal of inclusion in the EU, and further proposes that the changes in Turkish foreign policy since 2002 involve an increased activism partly in line with the EU accession process and as a result of the changes in domestic politics.

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Ponzano Paolo

Un milione di cittadini potranno chiedere una legge europea: un diritto di iniziativa ‘sui generis’

in *Cittadinanza europea (La)*, Fascicolo 1 - 2011

L'articolo si propone di chiarire la natura sui generis del diritto di iniziativa legislativa dei cittadini europei introdotto dal Trattato di Lisbona, esaminando quindi il contenuto del regolamento di attuazione che disciplina la raccolta del milione di firme necessarie per chiedere alla Commissione europea l'elaborazione di una proposta di legge europea. L'articolo analizza in particolare le principali differenze tra il testo di regolamento proposto inizialmente dalla Commissione



europea e quello ufficialmente adottato il 16 febbraio 2011. L'autore ritiene che il nuovo strumento potrebbe avere a livello europeo la stessa efficacia di analoghi strumenti esistenti a livello nazionale, tanto più se, com'è probabile, la Commissione si conformerà alla pratica seguita finora nei riguardi delle richieste legislative ricevute dagli Stati membri, dalle altre istituzioni europee (Parlamento e Consiglio) e dai gruppi di pressione.

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Pistoia Emanuela

Una nuova pronuncia della Corte costituzionale sui rapporti tra diritto nazionale e diritto europeo
in *Rivista di diritto internazionale*, vol. XCIV, fascicolo 1 , 79-102

No abstract available

Section C) Regional integration processes

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Franco Mosconi

Una politica industriale europea
in *Mulino (il)*, n. 1, gennaio-febbraio, 2011 , 96-104

No abstract available

Section C) Regional integration processes

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Patrono Mario

Una predizione per l'Europa
in *Diritto della regione (il)*, n. 5-6 , 21-41

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Hermida del Llano Cristina

Una salida a los conflictos entre el Tribunal de Estrasburgo y el Tribunal de Luxemburgo
in *Netherlands International Law Review*, Vol. 58, issue 1 , 111-135

No abstract available

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Mangiameli S.

Unchangeable core elements of national constitutions and the process of European integration. For a criticism to the theory of the controlimiti (counterlimits/Schranken-Schranken)

in *Teoria del diritto e dello stato*, n. 1, 68-90

No abstract available

Section C) Regional integration processes

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Burghof Hans-Peter

Uniformity or Diversity – What Works Better for a European Banking System?

in *Intereconomics*, Volume 46, Number 2 / March 2011, 74-78

No abstract available

Section C) Regional integration processes

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Eugénia da Conceição-Heldt

Variation in EU member states' preferences and the Commission's discretion in the Doha Round

in *Journal of European Public Policy*, Volume 18, Issue 3 2011, 403-419

During the period leading up to the 2005 WTO Hong Kong ministerial meeting and the 2006 Geneva informal meeting, European Union member states became even more strongly opposed to any further concessions on agricultural issues in the Doha Trade Round. Despite this opposition, the European Commission made a further offer which included concessions on agricultural issues. Based on data collected from Agence Europe and interviews with officials from the European Commission and the Council of Ministers, this contribution shows that preference heterogeneity with two camps of nearly equal size, a vague mandate and conflicting messages from principals all give the agent more discretion at the international level.

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Breuer Marten

Verfassungsgerichte und Verfassungsvergleichung: Die Perspektive des Europäischen Gerichtshofs für Menschenrechte

in *Journal für Rechtspolitik*, vol. 18, n. 4, december, 223-229

ABSTRACT: In seiner jüngeren Rechtsprechung bedient sich der EGMR in zunehmendem Maße rechtsvergleichender Argumente. Eine Differenzierung zwischen einfachrechtlicher und verfassungsrechtlicher Rechtsvergleichung findet dabei allerdings nicht statt. Der Beitrag versucht, die vorliegende Judikatur zu systematisieren und auf diese Weise einen ersten Schritt auf dem Weg hin zum angemahnten dogmatischen Konzept im Umgang mit verfassungsvergleichenden Argumenten bei der Auslegung der EMRK zu unternehmen.



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Weisbein Julien

Vers une sociologie pragmatique de l'Union européenne ?

in *Politique européenne* , n. 33, 1, 2011 , 263-276

La sociologisation partout annoncée des études européennes s'est pendant longtemps apparentée à un arbre qui masque la forêt des types possibles de sociologie de l'Union européenne. Deux références théoriques, ou plutôt deux types de sociologies assez proches, émergent néanmoins en France depuis plusieurs années afin de sortir l'analyse de l'UE des routines dans lesquelles elle s'est parfois enlisée : la sociologie des champs de Pierre Bourdieu et l'approche configurationnelle de Norbert Elias, à la fois comme grille de lecture générale du processus d'intégration européenne et, plus modestement, comme boîte à outil pour en étudier les modalités. [...]

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Fiengo Gaspare

Verso l'adesione dell'Unione europea alla Convenzione europea dei diritti dell'uomo: prime riflessioni sugli aspetti problematici dell'attuale fase del negoziato

in *Diritto pubblico comparato ed europeo*, n.1 , 108 - 119

No abstract available

Section C) Regional integration processes

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Azzariti Gaetano

Verso un governo dei giudici? Il ruolo dei giudici comunitari nella costruzione dell'Europa politica

in *Rivista di diritto costituzionale*, 2009 , 1-28

No abstract available

Section C) Regional integration processes

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Connolly Michael

Victimising Third Parties: The Equality Directives, the European Convention on Human Rights, and EU General Principles

in *European Law Review*, Vol. 35, issue 6 , 822-837

No abstract available



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Möller Almut

Was kommt nach dem „Euro-Sprech“?

in *Internationale Politik*, 66. Jahrgang, n. 5-6, Mai-Juni

ABSTRACT: Europa kann die politischen Transformationsprozesse in Nordafrika kurzfristig nicht wirklich beeinflussen. Aber es kann sich auf die neuen Rahmenbedingungen einstellen. Dazu gehört eine neue Migrationspolitik, die es den Menschen südlich des Mittelmeers ermöglicht, für eine begrenzte Zeit nach Europa zu kommen.

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Guérot Ulrike

Welches Deutschland braucht Europa?

in *Blätter für deutsche & internationale Politik*, Juni, 2011, 93-102

The full text is free:

www.blaetter.de/archiv/jahrgaenge/2011/juni/welches-deutschland-braucht-europa

Deutschland ist ins Gerede gekommen – zumindest die deutsche Außen- und Europapolitik. Das Land in der Mitte des Kontinents, das jahrzehntelang der Stützpfeiler der europäischen Integration gewesen ist, scheint sich dieser zunehmend zu entziehen, Alleingänge zu wagen und aus Europa gleichsam herauszuwachsen. Deutschland ist isoliert und zugleich scheinbar strategielos.[1] Auch in der deutschen Bevölkerung – und vor allem bei den Eliten – ist derzeit ein eigentümlicher Stimmungswandel mit Blick auf die europäische Integration spürbar. Dies alles wird im europäischen Ausland mit Sorge verfolgt, in Berlin indes weitgehend ignoriert. Sollte Margaret Thatcher Recht behalten, die 1989 anlässlich der deutschen Vereinigung gesagt hat, Deutschland werde sich jetzt von Europa abwenden? Die neue Berliner Republik schuldet Europa eine Antwort auf diese Frage. Welches Europa will Deutschland noch? Deutschland, nicht nur das Land der europäischen Mitte, sondern auch das Land, das seinen politischen Frieden im letzten Jahrhundert letztlich durch Europa gefunden hat, braucht dringend eine neue Europastrategie.

Seit Beginn der Eurokrise im letzten Jahr gab es eine Art „unipolares Moment“ in der Eurozone: Eine Bewältigung der Krise war weder ohne noch gegen Deutschland möglich. Stattdessen aber wird Deutschlands Politik, von Libyen bis Griechenland, zunehmend als ausweichend und unvorhersehbar eingestuft. Obwohl Berlin signalisiert hat, es werde alles tun, um den Euro zu retten, sind viele in Europa besorgt über die deutsche Gangart und tief im Zweifel, wohin Deutschland eigentlich steuert.[2] Die Deutschen wiederum fühlen sich um das europäische Projekt betrogen, mit dem sie sich einst viel stärker identifizierten als jedes andere Mitgliedsland. Tatsächlich projizierten sie einst deutsche Nachkriegs-Tugenden wie finanzpolitische Korrektheit, Stabilität und Wettbewerbspolitik auf die EU, die überhaupt als *raison d'état* und als Ersatz für deutschen Nationalismus diente. Jetzt nehmen sie die EU eher als Bedrohung genau der Werte wahr, die die alte Bundesrepublik geprägt hatten.



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STEFAN EICHLER

What Can Currency Crisis Models Tell Us about the Risk of Withdrawal from the EMU? Evidence from ADR Data
in *Journal of Common Market Studies*, Volume 49, Issue 4, July 2011 , 719-739

We study whether ADR (American depositary receipt) investors perceive the risk that countries such as Greece, Ireland, Italy, Portugal or Spain could leave the eurozone to address financial problems produced by the sub-prime crisis. Using daily data, we analyse the impact of vulnerability measures related to currency crisis theories on ADR returns. We find that ADR returns fall when yield spreads of sovereign bonds or CDSs (credit default swaps) rise (i.e. when debt crisis risk increases); when banks' CDS premiums rise or stock returns fall (i.e. when banking crisis risk increases); or when the euro's overvaluation increases (i.e. when the risk of competitive devaluation increases).

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Schleicher David

What if Europe Held an Election and No One Cared?

in *Harvard International Law Journal*, Volume 52, Issue 1

Last June's European Parliament ("EP") election was widely considered a failure. Turnout was low across Europe, and, as has been the case in every EP election since they were introduced in 1979, voters responded exclusively to domestic cues in deciding how to fill the European Union's only directly elected body. Campaigns were waged entirely on domestic issues outside of the purview of the EP, and the popularity of domestic prime ministers, who were not on the ballot, was the most important factor in determining the results. The EP is supposed to provide a popular check on the other legislative bodies in the European Union ("EU"), which are either appointed or directly controlled by member state governments, and thereby reduce the EU's "democratic deficit." Instead, the failure of EP elections to generate popular feedback on EU policy allows the deficit to fester and undermines the separation of powers inside the EU.

This paper argues that the problems of EP elections are much like the problems in a variety of American state and local elections. Election laws ensure that national parties are on the ballot, and both legal limitations and strategic considerations make it difficult for these national parties to develop separate localized identities, or in the case of EP elections, Europeanized ones. Rationally ignorant voters who know little about the individual figures in these European bodies rely on the party heuristic that is available on the ballot, as it is the only relevant information that they have. Moreover, they do so even though it is unclear how closely preferences on European or local policies track preferences about national issues. The result is that national party preference ends up being reflected in these elections, despite the fact that the winners will decide policies at another level of government. Put another way, there is a "mismatch" between the institutional role the EP is asked to play in the EU's separation of powers—the voice of European citizens about EU policies—and the level of party competition at which EP elections are contested.

Mismatch problems are endemic in federal systems and are generated by constitutional structures that ask more of voters than they are capable of providing. However, they can be solved or at least mitigated with election law tools. Following a procedure used in a variety of developing countries, the EU could pass a law that the EP will only seat



members from those parties that both won seats from a given EU country and received a certain percentage of the vote in a quarter of EU member states. This would force the coalitions formed in the EP—the so-called “Euro-parties”—onto EP ballots, as parties would need to contest elections across Europe. Voters thus would have access to a European rather than national heuristic on the EP ballot, which would better allow them to use these elections to express preferences about EU policy.

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Givanni Federico

When did European markets integrate?

in *European Review of Economic History*, Volume 15 - Issue 01 , 93-126

This article argues that market integration should be measured as σ -convergence over the largest possible sample of markets. Its focus is the European market for wheat, rye and candles from the middle of the eighteenth century to the eve of the first globalization. Price dispersion for cereals remained constant until the outbreak of the French Wars, then it increased abruptly. It began to decline after the end of the wars, and the process continued steadily until an all-time low was reached in the 1860s. Domestic and international integration contributed in roughly the same proportions to integration in the long run, but the latter was much more important in accounting for medium-term changes. These results suggest that the level of integration was determined for most of the period by war and political events, with a substantial contribution from a fall in transport costs in the second quarter of the nineteenth century. By contrast, there is very little evidence of integration in the market for candles.

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Pliakos Asterios, Anagnostaras Georgios

Who is the Ultimate Arbiter? The Battle over Judicial Supremacy in EU law

in *European Law Review*, Vol. 36, issue 1 , 109-124

No abstract available

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JÜRGEN GERHARDS, SILKE HANS

Why not Turkey? Attitudes towards Turkish Membership in the EU among Citizens in 27 European Countries

in *Journal of Common Market Studies*, Volume 49, Issue 4, July 2011 , 741-766

Turkey has made significant efforts to fulfil requested accession criteria through socio-economic and cultural convergence with EU Member States. However, Turkey's eventual membership in the EU depends on the support of current EU citizens. This article therefore analyses citizens' attitudes towards Turkish accession in the 27 EU Member States. The analysis shows that a clear majority of citizens reject the idea of Turkey joining the EU. Four factors work



rather well to explain this rejection: the economic benefit of Turkish accession, cultural differences, political ideology and general attitudes towards the EU.

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Healey Timothy

Will Clayton, Negotiating the Marshall Plan, and European Economic Integration

in *Diplomatic History*, vol. 35, n. 2, April , 229-256

Will Clayton, a principal architect of the United States' post-1945 plans, was committed to trade liberalization as a path to economic recovery. This article examines Clayton's efforts to secure early commitment from Western European nations to economic integration, as he negotiated details of the United States' offer of Marshall Plan aid to Europe in 1947. It focuses on his attempts to persuade an unwilling Britain to assume leadership of this cause. It examines the contradictions between the practicalities of achieving closer European economic integration and the non-discrimination provisions of the proposed International Trade Organization. Tensions are examined between Clayton and his colleagues over the priority to be accorded to closer European economic integration. It concludes that, although Clayton was not successful in obtaining a clear commitment from the Europeans to economic integration, he did much to further the intellectual arguments and establish the climate where this became a reality within ten years.

Section C) Regional integration processes

Subsection 6. The European unification process

Goyens Monique

Will the European Single Market Finally Become a Reality for EU Consumers? Lessons to be Learnt from Two Decades of Hesitations

in *Intereconomics*, Volume 46, Number 2 / March 2011 , 69-74

No abstract available

Section C) Regional integration processes

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KATHARINA HOLZINGER, THOMAS SOMMERER

'Race to the Bottom' or 'Race to Brussels'? Environmental Competition in Europe

in *Journal of Common Market Studies*, Volume 49, Issue 2, March 2011 , 315-339

The theory of regulatory competition in environmental policy predicts a 'race to the bottom' of standards. This article tests the theory using environmental output data for 24 countries from 1970 to 2005. It finds a clear 'race to the top' and a search for international harmonization when competition is imminent.

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JULIAN CLARK, ALUN JONES



'Telling Stories about Politics': Europeanization and the EU's Council Working Groups

in *Journal of Common Market Studies*, Volume 49, Issue 2, March 2011 , 341-366

Recent years have witnessed much debate on Europeanization. Scholarship from a variety of different disciplinary perspectives has been conducted on this topic using the analytical approaches of new institutionalism, including studies made of the interrelations between formal European Union (EU) institutional rules and procedures and informal norms and beliefs on individual actor behaviour. Yet using new institutionalism to examine Europeanization's interconnections with and effects upon the EU's distinctive model of internationalization is not without problems, as recent analyses confirm. Drawing on recent critiques of March and Olsen's logics of appropriateness and consequentiality that together provide the foundations of the new institutionalism, this article examines how political elites mediate Europeanization through their EU decision-making and decision-taking. Using interviews with United Kingdom (UK) negotiators centrally involved in EU trade, agriculture, environment and foreign policy, their personal 'lived' experiences of Europeanization are gauged. This empirical analysis shows that current understandings of March and Olsen's two logics do not adequately capture the juxtaposition of different behavioural reasoning and stances adopted by UK policy elites negotiating in the EU. In turn, the alleged transformative nature of Europeanization is questioned.

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Manent Pierre, Crépu Michel , Paoli Paul-François

"L'Europe évoque un empire sans empereur" (interview)

in *Revue des deux mondes*, Janvier

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Gosalbo Bono Ricardo

État de droit et droit de l'Union européenne - Deuxième partie

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 545, février , 96-116

The second part of this article includes a comparative study of the western concept (European and American) of a state of law and of the state of law concept in the rest of the world. That comparison study leads us to identifying items in domestic legal systems that could be part of a possible universal definition of state of law. One of such items, i.e. the issue of whether the state of law requires compliance with basic rights, is greatly controversial; yet reviewing international law and practice provides a universal accepted - and positive - answer to that question. Lastly, the second part of the article allows to initiate a thought on the role of the state of law in the European Union's foreign actions in light of the universal definition of the state of law that is offered in it.

Section C) Regional integration processes

Subsection 6. The European unification process

Gosalbo Bono Ricardo

État de droit et droit de l'Union européenne – Troisième partie



in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 546, mars , 156-173

The third and last part of this column deals with the State of Law in the framework of the European Union's Common Foreign and Security Policy and the United States' foreign action. It compares the strategies of the European Union and of the United States in the area of state of law and answers the question of whether the European Union are allies or competitors in their respective strategies. The column ends with a proposal for a universal definition of the State of Law that could be adhered to by the international community as a whole.

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Subsection 7. Inter-regional Cooperation

Holden Patrick

A New Beginning? Does the Union for the Mediterranean Herald a New Functionalist Approach to Co-operation in the Region?

in *Mediterranean Politics*, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?, March , 155-169

The UfM is building on an already extensive policy acquis to support regionalism and regionalization. Regionalism is understood here as the elaboration of formal trade and economic integration agreements between governments; whereas regionalization refers to the development of relations beyond the governmental level (trade, FDI, joint ventures between businesses; and links between other elements of society). These interconnected processes play a major role in the EU's vision for the region. The EMP envisages bilateral and multilateral free trade agreements while the ENP encourages further regulatory harmonization. There has also been strong proactive support for regionalization with aid and co-operation policies to foster co-operation between businesses, technocrats, social organizations and cultural and educational institutions. Apart from developing common institutions, the UfM is less directly focused on economic regionalism, and more on a form of regionalization via support for joint projects in core sectors. There appears to be a kind of functionalist ethos of flexible, bottom-up project formation. This poses important questions. Does the UfM signal a break with the essentially neo-liberal thrust of EU policy and a move to a more functionalist and interventionist approach to supporting development and co-operation? What is the potential for this to foster regionalization and development in the area? From the information available, there is little reason to believe that the UfM will be more successful than previous efforts at encouraging regionalization. In terms of our understanding of it, we must bear in mind that the UfM does not replace the EU's core 'trade and integration' policy. Therefore it is more of an addition to EU policy than a change of direction.

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Haekkerup Hans

A checklist for Europe in Asia

in *Europe's World*, Issue 18, Summer

Whether Europe will find itself largely sidelined in this 'Asian Century' is very much up to the Europeans themselves, says Hans Haekkerup. He sets out a to-do list for European policymakers.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21824/language/e



n-US/Default.aspx

Section C) Regional integration processes

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Guigou Elisabeth

**A genuine Euro-Med region could be the EU's bridge to Africa
in Europe's World**, Issue 18, Summer

The Arab world's upheavals and Europe's persistent economic crisis are making European-Mediterranean Union more crucial than ever, argues Elisabeth Guigou. France's former EU minister sees a genuine partnership with the Arab countries as paving the way for an eventual Euro-African framework able to exert global influence.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21871/language/en-US/Default.aspx

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Gillespie Richard

Adapting to French 'Leadership'? Spain's Role in the Union for the Mediterranean

in Mediterranean Politics, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?, March , 59-78

One might have expected Spain to have been less than enthusiastic about President Sarkozy's Mediterranean initiative of 2007-08, given that it implied criticism of the Barcelona Process in which Spain had been so prominent. Yet Franco-Spanish rivalry has not come to the fore as a result of it. Acceptance, adaptation and eventual support have been the keynotes to the Spanish response, notwithstanding some ongoing differences in outlook between the two countries. A political accommodation has been reached, with France guaranteeing Spain a visible, though not substantial, role in the Union for the Mediterranean (UfM). This builds upon earlier Franco-Spanish collaboration in the context of EU Mediterranean Policy, as well as close bilateral co-operation in various other policy domains, including migration and counter-terrorism. Collaboration with France also finds explanation in the wider EU context where it is now more difficult for any single country (even France) to achieve strategic policy changes. Besides analysing Spanish reactions to the assertion of French 'leadership' in the Mediterranean, this contribution considers Spain's potential to exert influence on the UfM in the future by looking at its EU Presidency during the first half of 2010.

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Moisseron Jean-Yves

**Après les révolutions arabes : changer de paradigme dans le partenariat euro-méditerranéen
in Confluences Méditerranée**, n. 77



Face aux changements dans le monde arabe, il est nécessaire de refonder le partenariat euro-méditerranéen et de changer de paradigme. Un bilan objectif du processus de Barcelone depuis 1995 s'impose pour redéfinir une stratégie qui ne pourra être que l'expression d'une volonté bipartite exprimée par des gouvernements représentatifs. La tâche est d'autant plus difficile que la rive sud a exprimé plusieurs fois une fatigue institutionnelle devant l'empilage des projets européens (Processus de Barcelone, Nouvelle Politique de Voisinage, Union pour la Méditerranée). Il est temps de refonder ce partenariat en mettant l'accent sur la culture et en abandonnant le référentiel méditerranéen qui se révèle peu mobilisateur au sud. Il faut aussi faire preuve d'ambition et, pourquoi pas, reconsidérer les avantages d'une perspective d'adhésion de la Tunisie dans l'Union Européenne.

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Vickers Brendan

Between a Rock and a Hard Place: Small States in the EU–SADC EPA Negotiations

in Round Table (The): the Commonwealth Journal of International Affairs, Volume 100, Issue 413 , 183-197

This article explores the role and effectiveness of small state trade diplomacy in the negotiations to conclude Economic Partnership Agreements (EPAs) between the European Union (EU) and the African, Caribbean and Pacific (ACP) group of countries, focusing specifically on the Southern African Development Community (SADC). Given the vast power asymmetries between the EU and the ACP, small states have had limited bargaining power to shape the process and the outcome of the negotiations. Unlike most other ACP EPA negotiations, the SADC small states were also caught between a rock (EU) and a hard place (South Africa), with both parties competing to promote their visions for regional integration. In the end, the EPA process split SADC into four sets of separate trade regimes with the EU, undermining the established regional integration project. The article explains this divisive outcome of the SADC EPA process by analysing the negotiation behaviour of the main parties, specifically the 'weaker' players. The article concludes with key lessons for small states' future trade negotiations.

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Cheon Seongwhun

Changing Dynamics of US Extended Nuclear Deterrence on the Korean Peninsula

in Pacific Focus, Volume 26, Issue 1, April , 37–64

Extended nuclear deterrence has been a cornerstone of US defense and foreign policy and a foundation of ROK–US security ties. This paper analyzes the changing dynamics of US extended nuclear deterrence on the Korean peninsula since the eruption of the North Korean nuclear crisis. It focuses on the negative security assurance and explains how US extended nuclear deterrence for South Korea is adversely affected by the new negative security assurance of the Obama administration. It also investigates the history of security guarantees to North Korea provided by the USA and emphasizes how the USA's repeated security guarantees – in its attempt to denuclearize North Korea – have weakened the nuclear umbrella over South Korea. In addition, the paper points out that some policies of the USA at the negotiations to resolve the North Korean nuclear crisis can only be explained by US politicians' drive for a positive political legacy. Therefore, some safeguard measures are necessary to supplement the diminishing US nuclear umbrella



on the Korean peninsula. The unique threat to South Korea makes it a suitable place to actively apply the new concept of regionally tailored deterrence architecture and implement a dual-track approach to negotiations for resolving the North Korean nuclear crisis by preparing to redeploy US tactical nuclear weapons to South Korea. Finally, the paper explicates South Korea's non-nuclear weapon policy and proposes a new concept of the South Korean alliance security assurance.

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Geeraerts Gustaaf

China, the EU, and the New Multipolarity

in *European Review*, Volume 19 - Issue 01 , 57-67

The world within which the EU and China have to deal with each other is changing. The unipolar moment is definitely fading and slowly giving way to an international system characterized by multilayered and culturally diversified polarity. This development has far-reaching consequences for the EU–China relationship; the more so since the EU and China have distinctive identities and define their value preferences differently. China is no longer the developing country it once was and is becoming more assertive by the day. Beijing is at the head of the world's most successful economy and will weigh more and more heavily on global governance.¹ Three decades of impressive economic growth have boosted the self-confidence of the Chinese leaders significantly. In Beijing, the notion that China should start taking on an attitude befitting a great power is gaining ground. China is taking up ever more space within various multilateral organizations and is setting up diplomatic activities throughout the globe. Moreover, Beijing has become more active in setting up its own multilateral channels to further its national interests and own norms. China no longer considers itself an outsider that should crawl back into its shell and steer clear of a global political system dominated by the West. All this puts into question the EU's conditional policy towards China, which is based on the assumption that China can be socialized and persuaded to incorporate Europe's post-modern values. The way ahead seems to be for Europe to opt for a more pragmatic approach, which takes stock of the changes in the underlying power and identity relations between the EU and China. The analysis of this paper will be developed at three levels. First, it examines the changes in the structure of international politics. To what kind of structure are we evolving and where do China and the EU fit in? Second, it takes a closer look at the respective identities of China and the EU and explicates the major differences between them. Finally, this study appraises the implications of the emerging multilayered and culturally diversified polarity for the further development of the EU–China relationship.

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Ferchen, M.

China–Latin America Relations: Long-term Boon or Short-term Boom?

in *Chinese Journal of International Politics (The)*, Volume 4 Issue 1 Spring , 55-86

'The mixture of illusions, plans, hopes, and fears that arise out of [the China–Latin America] relationship are as powerful in their impact on [Latin America] as are the deals and events themselves...the greatest impact of China will come from what it leads the region to dream, and what Latin America finds when it awakens.' This statement, part of a recent but growing wave of academic, media, government, and business interest in China's burgeoning economic and political relations with regions of the developing world from Latin America to Africa to Southeast Asia, captures an important but



often underappreciated idea. Specifically, the perceptions and expectations of government and business leaders as well as everyday citizens of countries in Latin America will play a crucial role in determining the development of economic and political relations between their countries and China. For its part, China has consistently and positively characterized its expanding trade and investment relations with regions of the developing world, in particular with Latin America, Africa, and Southeast Asia, as 'win-win.' Through official diplomacy and media outlets, China has emphasized that mutually beneficial ties with these regions are a logical outcome of relations with China, itself a developing nation. Such a win-win scenario, China contends, should thus be lauded as a natural outgrowth of 'South-South' interaction. However, within Latin America and Africa, as well as for other interested observers from around the world, perceptions of developing country relations with China span a wide range. At one end of the spectrum is optimism that China constitutes a new and alternative driver of trade and investment for developing countries. Such optimism is sometimes linked to the notion that China also serves an alternative model of economic development and international diplomacy.

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Carrapatoso Astrid

Climate policy diffusion: interregional dialogue in China-EU relations

in *Global Change, Peace & Security*, vol. 23, n. 2 , 177-194

ABSTRACT: National climate change policies are becoming similar, which can be interpreted as being a result of policy diffusion processes. Many of those policies are inspired by EU climate strategies. The EU actively promotes these policies in its external relations, such as in its partnership on climate change with China. This leads us to three sets of questions. Does the EU act as a transformative power in interregional cooperation on climate change? Can we identify a climate change policy diffusion process in EU-Chinese relations, and, if so, which communication channels as well as diffusion mechanisms can be identified? And, finally, is interregional cooperation on climate change a building block or a stumbling block in the global climate change regime? This article argues that the policy diffusion process depends on the scope of the interregional communication process between the EU and China, and the willingness and national responsiveness of China to adopt policy innovations.

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Zank Wolfgang

Cooperation or Silent Rivalry? The EU and the USA in the Mediterranean – The Case of Egypt

in *Perspectives on federalism*, Vol. 2, issue 3 , E 130-164

For decades the US has had a hegemonic position in the Middle East. A key country in this respect has been Egypt. However, in recent decades the EU has made itself increasingly felt in the region. Due to enlargements the EU came geographically much closer, and the Internal Market has generated a gravitational pull which goes beyond economic problems. Furthermore, the EU has gradually built up a coherent policy on many fields. The EU has become the "reform anchor" and most important cooperation partner for Egypt. The progress towards increasing Egypt's "Stake in the Internal Market" places cooperation on an increasingly institutionalized basis.

In terms of military cooperation the US is still the partner for Egypt. But outside the military sphere institutionalized cooperation is comparatively weak. In particular the failure of the US to conclude a free-trade agreement has been crucial. But it would be wrong to see the US and EU as rivals. Their roles are rather complementary.



The article explores developments in a long-term perspective. Internal and structural developments have had a heavy impact, but at important junctions ideas and strategies for gaining political legitimacy were powerful factors too

Full text available at:

<http://www.on-federalism.eu/index.php/essays/84-cooperation-or-silent-rivalry-the-eu-and-the-usa-in-the-mediterranean-the-case-of-egypt>

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Sharma Kamalesh

Democracy and the Commonwealth

in **Round Table (The): the Commonwealth Journal of International Affairs**, Volume 100, Issue 412 , 39-49

In this article, the author takes a wide-ranging look at the ways in which the Commonwealth has been working towards the realisation of its core values and examines the areas where further work needs to be done.

<http://www.tandfonline.com/doi/full/10.1080/00358533.2011.542291>

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Euikon Kim

Denuclearization of Northeast Asia and the USA's Choice: Introduction

in **Pacific Focus**, Volume 26, Issue 1, April

As former US Secretary of State James Baker once stated that East Asia was the last remaining “glacier of the Cold War”, Northeast Asia in the 21st century still experiences confrontation, ideological strife, crises, and armed skirmishes reminiscent of the Cold War era. Not to mention the rising tension between the USA and China, and China and Japan, North Korea's unbridled nuclear ambitions are undermining the fundamental structure of regional peace and stability and threaten to ignite nuclear proliferation. As the drama of North Korea's second nuclear crisis is being played out, the major powers (the USA, China and Japan) and the two Koreas are deeply embroiled in the diplomatic brawl to end the crisis peacefully. All profess their benign intention and sincere desire to denuclearize the Korean peninsula, but as the crisis drags on and periodically flares up in armed clashes between the Koreas, conflicting interests manifest themselves and the divide between them is clearly visible. The Six-Party Talks (among the USA, China, Russia, Japan, and North and South Korea) that first began in 2003 have been suspended.

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Hugo Toledo

EU-GCC free trade agreement: Adjustments in a factors proportion model for the UAE

in **International Review of Economics and Finance**, Volume 20, Issue 2



The EU-GCC Free Trade Agreement would likely cause price changes across industries with subsequent effect on output and factor price adjustments. With higher levels of trade, the rising income will be redistributed among winner and loser industries and factors of production. This paper simulates the magnitude of these adjustments with a factors proportion model of production and trade for six different labor categories and capital in four sectors of the UAE economy. Results show a large impact on sector specific factors but for mobile factors, the shocks would be smaller suggesting a policy to increase factor mobility in

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Jong-Han Yoon

Effect of US Foreign Policy on the Relationship Between South and North Korea: Time Series Analysis of the Post-Cold War Era

in *Journal of East Asian Studies* , Volume 11, Number 2, May-August

In this study, I examine the effect of US foreign policy on the relationship between South Korea and North Korea. In particular, I analyze whether two different foreign policy approaches—the hard-line approach and the soft-line approach—have played a role in advancing or slowing steps toward peace in the Korean peninsula. I use the Integrated Data for Events Analysis dataset for the period 1990–2004. By employing a Vector Autoregression model, which analyzes the behavioral patterns of South and North Korea and the United States, I find that US foreign policy affects the relationship between the two Koreas by affecting North Korea's behavior toward South Korea. The triangular relationship between the United States, North Korea, and South Korea shows a reciprocal behavior pattern. This finding suggests that a soft-line and reciprocal US foreign policy toward North Korea is critical to maintaining peace in the Korean peninsula.

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PAUL JAMES CARDWELL

EuroMed, European Neighbourhood Policy and the Union for the Mediterranean: Overlapping Policy Frames in the EU's Governance of the Mediterranean

in *Journal of Common Market Studies*, Volume 49, Issue 2, March 2011 , 219-241

This article uses the language of governance to explore the relationships between the EU and the states around the Mediterranean. Against the background of multiple legal, policy and institutional arrangements which have been created by the EU since 1995 to frame Euro-Mediterranean relations, the article considers how seemingly different priorities and methods come together. Of particular interest is the EU's stated goal of a 'partnership' across the Mediterranean, which is promoted by the EU at the same time as it seeks to project its own values in the countries just beyond its borders. The article considers the changing nature of 'the Mediterranean' within EU policy-making, as well as the EU's changing priorities, which suggests incoherency but which instead underlines the central role of the EU in a Euro-Mediterranean system of governance. The positive connotations of the language of governance (identified in the first part of the article) are not fully present in the overlapping policy frames since the stated 'partnership' between the two sides of the Mediterranean in a system of governance is not borne out in practice.



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Prestowitz Clyde

**Europe is not so much sidelined as playing a different game to the Asians
in Europe's World**, Issue 18, Summer

For centuries a key player in Asia, Europe has had no geo-political role there for 50 years. Clyde Prestowitz warns, though, that neither the EU nor the U.S. is playing by the same rules as Asia's emerging giants.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21825/language/en-US/Default.aspx

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Delgado Mireia

France and the Union for the Mediterranean: Individualism versus Co-operation

in Mediterranean Politics, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?, March , 39-57

Mediterranean policies are necessary for the European Union as a whole. However, a game of relations and interests exists, where different actors attempt to position themselves on the map. Some are able to occupy a central role, while others are pushed into the background. The Union for the Mediterranean (UfM) is a good example of this, with France being the visible head but not able to decide all questions of shape and content. This contribution addresses the kind of role played by France during the process of presentation and development of the UfM, focusing on the relative degrees of individualism and co-operation at different stages of this Mediterranean project.

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Schumacher Tobias

Germany and Central and Eastern European Countries: Laggards or Veto-Players?

in Mediterranean Politics, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?, March , 79-98

Germany, Poland, Hungary and the Czech Republic have always been loyal members of the Euro-Mediterranean Partnership (EMP). Yet they have never shown enthusiasm for it or displayed noteworthy activism within a co-operation framework that is perceived by their foreign policy elite as a necessary concession to southern EU member states in order to secure the latter's support for continuing pro-active EU engagement in eastern Europe. With this in mind, this study provides a comparative analysis of the foreign policy of Germany, Poland, Hungary and the Czech Republic toward the southern Mediterranean and discusses in particular the different responses of their governing, economic and societal elites to plans to create a Mediterranean Union (UM).



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Saidi Nasser

**How Europe should douse the Arab firestorm
in Europe's World**, Issue 18, Summer

The unrest sweeping through the Arab world carries serious risks for Europe's security and prosperity. Former Lebanese economy, trade and industry minister Nasser Saidi sets out his recommendations for an ambitious new EU support strategy.

http://manager.federalism-bulletin.eu/Bollettino/index.php?PAGE=Bollettino/Bollettino2_Details&MODE=NW

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Pardo Sharon

**How the EU could lend its weight to the Israeli-Palestinian peace process
in Europe's World**, Issue 17, Spring

European public support for Israel over the Palestinian issue is waning fast, although a very substantial majority of Israelis admire the EU and even aspire to membership. Sharon Pardo sets out his recommendations for a new EU policy stance that could help resolve the conflict.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21782/language/en-US/Default.aspx

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Ansah Akuffo Edward

**Human security and interregional cooperation between NATO and the African Union
in Global Change, Peace & Security**, vol. 23, n. 2 , 223-237

ABSTRACT: The emergence of the human security norm in global security studies continues to attract debates among international relations experts and security analysts. One of the dimensions of the debate is centred on the security focus of the newly created African Union (AU) that replaced the Organisation of African Unity on 26 May 2001. In view of the impact of violent conflicts on socioeconomic development of African states and peoples, the African Union has made the pursuit of peace and security one of its central functions. The security focus of the AU is fostering intra-regional cooperation as well as interregional cooperation to develop the AU's capacity to intervene in conflicts. This article explores the interregional security cooperation that is emerging between the North Atlantic Security Organization (NATO) and the African Union with regard to the building of the capability of the African Standby Force (ASF). I argue that the AU-NATO security cooperation is a unique relationship in the history of regional organisations in Africa and that this relationship has been fostered by a shared 'militarised' understanding of human security and the threat that insecurity in Africa poses to global security.



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MARIA GARCIA

Incidents along the Path: Understanding the Rationale behind the EU–Chile Association Agreement
in **Journal of Common Market Studies**, Volume 49, Issue 3, May 2011 , 501-524

Relying on process-tracing, this article shows how changing institutional settings help to explain the unexpected decision for the European Union to negotiate its most extensive Association with Chile, and reveals the explanatory power of historical-institutionalist approaches as an optimum framework for the understanding of seemingly inconsistent policy decisions.

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Satu P. Limaye

Introduction: America's Bilateral Relations with Southeast Asia — Constraints and Promise
in **Contemporary Southeast Asia: A Journal of International and Strategic Affairs**, Volume 32, Number 3, December , 309-316

First, the Obama administration took office with a declared commitment to improve relations with the Association of Southeast Asian Nations (ASEAN) as an organization and moved with alacrity to implement a number of policy decisions to that end. Second, and in parallel, the administration highlighted opportunities for broader and deeper bilateral relations with specific ASEAN member countries. In fact, the Obama administration's policy of improving bilateral relations across Southeast Asia and with ASEAN as an institution is integrated and necessary — not least because of ASEAN's own decision to expand its membership in the 1990s. Four of the countries considered in this special issue constitute the "new", expanded membership of ASEAN and are countries with whom the opportunities for improved relations with the US are greatest. Together, this focus on Southeast Asia is an important element of the current administration's overall focus on US relations with the Asia Pacific — a focus which represents one of the most significant periods of US regional activism in decades.

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Ikuo Yamahana

Japan's new global health policy and ASEM initiative
in **Asia Europe Journal**, Volume 8, Number 4, April , 819-824

No abstract available

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Bazán Víctor



Justicia constitucional, sistema interamericano de protección de los derechos humanos y control de convencionalidad

in *Federalismi*, Anno IX - Nr 12

The, in San José, Costa Rica, is an autonomous judicial institution of the established in 1979, and whose objective is the application and interpretation of the

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Il Federalista

La Tunisia, l'Egitto e l'Europa

in *Federalista (II)/Federalist (The)*, Anno LII, n. 3 , 169-171

<http://www.thefederalist.eu/files/PDF/IT/2000/2010-3-IT.pdf>

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Bosetti Giancarlo

La scossa araba che cambia l'agenda europea

in *Reset*, Numero 124, Marzo / Aprile

Il potere nell'antennina

Il potere che ha liquidato i rais in Tunisia e in Egitto e che ha aperto le pagine finali, e sanguinose, della dittatura di Gheddafi «sta nelle antenne» della tecnologia che portano alle orecchie e agli occhi di tutti quel che una volta non si vedeva e non si sentiva. La «società della rete» e della «auto-comunicazione di massa», che ci è diventata familiare nella vita quotidiana e che Manuel Castells ha battezzato e analizzato non consente più al potere di raccontare impunemente quello che gli pare: una costellazione di attrezzi digitali comunissimi sta sgretolando il racconto che il potere fa di se stesso. E questa è una buona notizia anche per noi.

La rivoluzione dell'11 febbraio

Nei paesi arabi il desiderio di libertà e di futuro covava certo da tempo, ma non era ancora riuscito a rappresentarsi compiutamente e a socializzare in maniera esplosiva. Questo '89 arabo segna una data destinata a cambiare il volto del Mediterraneo e anche l'agenda europea, facendo fiorire speranze e problemi nuovi. Ci riflettono sopra Silvio Fagiolo e Seyla Benhabib, e si confrontano in un forum a «Reset» Emma Bonino, Sergio Romano e Karim Mezran. Avevamo dunque ragione nell'aprire una discussione sul perché non c'è (stata finora) democrazia araba, due numeri fa, novembre 2010, quando la cronaca ancora non dava segni in quel senso. E l'abbiamo fatto non perché dotati di visione profetica, ma semplicemente perché, avendo aperto dialoghi con quei mondi negli anni scorsi, ci siamo accorti da tempo che sotto il coperchio delle dittature non c'era solo islamismo, terrorismo o odio per l'Occidente, come nella vulgata corrente di tanta stampa italiana, ma molta voglia di svoltare verso la democrazia sia in forme semplicemente laiche sia in forme ispirate alla cultura e alla religione musulmana. Il contagio di un certo «desiderio di Turchia» – l'esempio politico islamo-democratico dell'Akp di Erdogan – viene ormai analizzato come fenomeno politico e culturale che spiega molto di



quel che accade e che sta già cambiando la percezione che l'Occidente e l'Europa hanno di questi paesi (il punto è approfondito da Hugh Pope intervistato da Guido Rampoldi).

L'agenda italiana resta sequestrata

Mentre l'agenda internazionale si apre, per forza di cose, su una scena sorprendentemente nuova e carica di responsabilità (l'Europa non potrà consentire che Gheddafi, di massacro in massacro, tenti di riconquistare un potere e un credito che non ha più), l'agenda italiana continua a essere sequestrata dalle vicende giudiziarie del suo Primo ministro e da un abisso di discredito che ha toccato il punto di maggior profondità. Nel numero scorso Alessandro Ferrara ha rivolto una domanda ai cattolici italiani, chiedendo loro se il collasso dell'ethos pubblico non sia anche un loro problema. Avere sul proscenio per tanto tempo un leader e un ceto politico irresponsabili, che da una parte regolano conti con ricatti e dossier, comprano deputati e ragazze all'ingrosso per radunare maggioranze e intrattenere il leader, e dall'altra consegnano il primato politico al partito xenofobo e anti-europeista delle camicie verdi, ha come conseguenza sghignazzi globali e perdita di influenza. Ma ha anche qualche conseguenza sullo spirito pubblico nazionale, sul quale bisognerà tentare un bilancio.

Una nazione prigioniera del presente

Per questo abbiamo chiesto a Mons. Vincenzo Paglia, vescovo di Terni, e a Giuliano Amato, ex primo ministro, di riprendere il loro dialogo «postsecolare». Le domande sul collasso morale di una classe dirigente sono una sfida sia per i laici che per i religiosi. Ne vien fuori «un paese prigioniero del suo presente», un paese che fino a quando è stato culturalmente forte ha avuto troppi futuri su cui litigare e che ora sembra essere capace di dividersi solo sul presente (Amato), e una società bisognosa di ritrovare «un'autonomia dei gruppi dirigenti e di quelle che converrebbe ricominciare a chiamare élite». Compiti nuovi e ardui da affrontare per ritrovare un desiderio di futuro e la capacità di formulare un disegno comune, capace di produrre coesione.

Section C) Regional integration processes

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Filippi Laura

Le relazioni tra Europa e Stati Uniti

in *Federalista (Il)/Federalist (The)*, Anno LII, n. 3, 200-2006

<http://www.thefederalist.eu/files/PDF/IT/2000/2010-3-IT.pdf>

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Courtin Christophe

Les programmes de l'Union européenne vers les sociétés civiles africaines

in *Revue Tiers Monde*, n. 205, 117-134

Les accords de Cotonou mettent en avant les acteurs de la société civile dans les programmes de développement



menés sur les Fonds européens de développement. Outre le fait que le concept de société civile est équivoque, les modalités d'élaboration et de gestion des programmes qui visent à renforcer les acteurs de la société civile, faute d'une réflexion approfondie sur la nature politique des processus sociaux en oeuvre dans les pays concernés, ne peuvent atteindre les objectifs qui visent à considérer les acteurs de la société civile comme des acteurs de plein droit et autonomes.

The Cotonou Agreements bring civil actors to the fore in development programs carried out with European Development Funds. Although the concept of civil society is equivocal, the way programs aiming to strengthen civil society actors are developed and managed, without an in-depth and political reflection about the nature of the social processes in force in the countries concerned, means that they cannot attain objectives that aim to consider civil society actors as rightful and independent actors.

Section C) Regional integration processes

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Giuliani Jean-Dominique

L'Union Européenne et la Méditerranée

in *Revue du droit de l'Union Européenne*, n. 1 , 5-15

No abstract available

Section C) Regional integration processes

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Frattini Franco

Marshall Plan for the Arab world

in *Europe's World*, Issue 18, Summer

Few European policymakers now doubt the impact that Arab unrest and conflict could have on EU countries' stability and economic well-being. Italy's foreign affairs minister Franco Frattini outlines his thinking on a far-reaching growth and security framework that would benefit all concerned.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21835/language/en-US/Default.aspx

Section C) Regional integration processes

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Martines Francesca

Norme sull'origine dei prodotti e applicazione territoriale dell'Accordo di Associazione con Israele al vaglio della Corte di Giustizia

in *Studi sull'integrazione europea*, Anno V, n. 3, settembre-dicembre , 691-716

In the case discussed in this comment (Case C-386/08 Firma Brita GmbH c. Hauptzollamt Hamburg-Hafen) the Court of



Justice rules that goods originating in the Israeli settlements located in (West Bank) occupied territories cannot be considered of Israeli origin and therefore cannot be eligible for preferential customs treatment under the EC-Israel Association agreement. The reasoning of the Court – which clarifies some issues related to the application of rules of origin – is not totally convincing when the Court applies the international law rules on the effect of treaties on third countries to settle the question of the territorial scope of the EC-Israel Association Agreement, the actual question of the case. The distinction between the territorial spheres of competence of the two agreements made by the Court correctly excludes the application of preferential treatment to goods produced in the Israeli settlements under the EC-OLP association agreement but seems to exclude as well exports of Palestinian products into the EU through certificates of origin issued by Israeli authorities which control the occupied territories. This conclusion could be considered a sanction for Israel although this is not verbalized by the Court which is clearly aware of the consequences of its judgment in a very delicate international context) but could result in a severe penalization for Palestinian exports.

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Subsection 7. Inter-regional Cooperation

Lorena Di Placido

Organizzazioni Internazionali e Cooperazione Centro-Asiatica. Rinnovati contatti con l'Unione Europea in CeMiSS - Osservatorio Strategico e Quarterly, XIII, n. 1 , 67-71

Il 2011 si è aperto con interessanti incontri bilaterali tra l'Unione Europea e Turkmenistan e Uzbekistan, due elementi di rilievo nello scenario centroasiatico dai punti di vista energetico e di sicurezza. Sarà interessante seguire gli ulteriori sviluppi sia del rilancio della cooperazione in ambito energetico sia dell'eventuale rinnovato indirizzo delle relazioni con l'Uzbekistan, tenuto sotto particolare attenzione per quanto riguarda l'ambito dei diritti umani. Entrambi i paesi rivestono una particolare importanza strategica per il supporto logistico ad ISAF.

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Danglin François

Pacte démocratique entre puissances du Sud in Monde Diplomatique (Le), mars

En décembre 2010, l'Afrique du Sud a finalement rejoint les pays du groupe BRIC — Brésil, Russie, Inde et Chine. Nul doute qu'un tel élargissement a été facilité par les travaux d'une autre structure, qui rassemblait déjà Brasília, New Delhi et Pretoria : l'IBAS, créé sept ans plus tôt. La coopération Sud-Sud s'accélère.

<http://www.monde-diplomatique.fr/2011/03/DANGLIN/20200>

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Del Sarto Raffaella A.

Plus a change...? Israel, the EU and the Union for the Mediterranean

in Mediterranean Politics, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?, March , 117-134

The patterns characterizing relations between Israel and the European Union comprise, firstly, repeatedly tense political ties that contrast with constantly deepening economic relations. Secondly the practice of bilateral relations markedly differs from their rhetoric. Thirdly, disagreements usually revolve around Middle East peacemaking. Finally, unlike the EU, Israel prefers disconnecting bilateral ties from regional politics. These patterns explain Israel's position and strategy toward the Union for the Mediterranean (UfM) and permit an assessment of the relevance of the latter for EU-Israeli relations. The conclusion is that the UfM is unlikely to alter the basic patterns of bilateral ties.

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Sigal, L.

Political Prospects for a Nuclear-Weapons-Free Zone in Northeast Asia

in Pacific Focus, Volume 26, Issue 1, April

A Northeast Asian nuclear-weapons-free zone (NWFZ) or a Japan–South Korea NWFZ could help entice the DPRK to carry out its commitment in the September 2005 Six-Party Joint Statement to “abandoning all nuclear weapons and existing nuclear programs”. There are two possible scenarios for the nuclear future of North Korea, and in turn, the security of South Korea and Northeast Asia: containment, in which North Korea remains nuclear-armed with a growing stockpile of nuclear weapons and gradually improving delivery capabilities; and gradual rapprochement with the USA, South Korea, and Japan. In either of these cases a Northeast Asian NWFZ or a Japan–South Korea NWFZ would improve prospects for regional stability and a denuclearized Korean peninsula and could make a significant impact in light of North Korea's nuclear arming and other recent changes in the security environment in the region. An NWFZ has implications for the future role of nuclear weapons in the regional balance of power.

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Langan Mark

Private sector development as poverty and strategic discourse: PSD in the political economy of EU–Africa trade relations

in Journal of Modern African Studies , Volume 49, Issue 1, March , 83-113

Private sector development (PSD) has emerged as a core component of donor strategies aimed at making free markets work for ‘the poor’ through assistance to business sector capacity in low-income states. PSD initiatives cannot be understood, however, as technical exercises aimed solely at promoting development through business competitiveness. Instead they serve as normative concessions through which developmentally questionable market-opening has been rationalised by donors in pursuit of lucrative commercial opportunities in emerging economies. Examining the European Union's (EU) PSD framework in bilateral relations with the African, Caribbean and Pacific (ACP) states, the article examines the utilisation of PSD discourse in the ‘development branding’ of Economic Partnership Agreements (EPAs). PSD discourse is seen to facilitate a ‘double-veiling’ of asymmetric ACP–EU trade ties via legitimising images of



equitable market-opening and the trickle-down of business wealth to 'the poor'. Nevertheless, the reality of reciprocal trade structures combined with Europe's anaemic PSD resources bears little resemblance to the strategic illusions of PSD. In particular, the interventions of Europe's Centre for the Development of Enterprise (CDE) in cotton and textiles sectors in East Africa are seen to have dubious outcomes for 'development' in ACP former colonies.

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Clapp, P.

Prospects for Rapprochement Between the United States and Myanmar

in Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 32, Number 3, December , 409-426

Held in a virtual state of suspended animation for the past twenty years, US relations with Myanmar have received fresh scrutiny as the country undergoes a political transition from martial law to quasi-parliamentary governance. As a result, the Obama administration has fashioned a new policy of "pragmatic engagement" to balance US sanctions against Myanmar's military regime, to reinvigorate America's relations with ASEAN and to create a more flexible policy structure for fashioning US responses to a variety of possible outcomes in Myanmar's transition process. Whether this will lead to "rapprochement" between the two governments is uncertain, because the barriers to better understanding remain formidable on both sides. Furthermore, the shift in US policy over the past year has failed to produce a positive response from Naypyidaw. On the contrary, the Myanmar government's determination to manipulate the 2010 elections to disadvantage non-government parties, particularly the National League for Democracy (NLD), to pursue closer relations with North Korea and to allow rumours of a nascent nuclear weapons programme to persist have been interpreted in Washington as signs that Naypyidaw has no interest in engagement with the United States at this stage. Because US policy is influenced by a variety of constituencies both inside and outside government, the future direction of the new engagement policy will crucially depend on whether Myanmar's elections result in genuine political and economic reform. In the absence of near-term progress, those promoting further sanctions are likely to exert pressure on the US government to take new measures, such as championing an international commission of inquiry into crimes against humanity by Myanmar's current top military leaders.

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Brown, F. Z.

Rapprochement Between Vietnam and the United States

in Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 32, Number 3, December , 317-342

he improvement of bilateral relations between Vietnam and the United States has added a fresh dynamic to the geopolitics of Southeast Asia. This article discusses the laborious process of normalization of political relations between 1976 and 1995. It describes the course of economic normalization from the signing of the Bilateral Trade Agreement in 2001 and granting of Permanent Normal Trading Relations in 2006 to Vietnam's accession to the World Trade Organization in 2007. It reviews current bilateral economic and trade issues and analyses domestic political norms and historical experiences which have acted as powerful forces shaping the foreign policies of both countries. The United States criticizes Vietnam's human rights record, and Vietnam has lingering qualms about alleged US designs for "regime



change". The Vietnamese-American community, now 1.8 million strong, and the US Congress are major players in the expansion of bilateral relations. The article discusses the heightened visibility of ASEAN in US policy and implications for regional security. The article notes other positive factors at work in US-Vietnam relations: 13,000 Vietnamese now study in the United States; the sensitive Agent Orange issue is being addressed seriously; and there is bilateral cooperation on global warming, the environment, human trafficking and the Mekong River basin. The article concludes that US-Vietnam rapprochement is on a positive, mutually beneficial track but that its dimensions and durability have yet to be established.

Section C) Regional integration processes

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Hoang Anh Tuan

Rapprochement Between Vietnam and the United States: A Response

in Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 32, Number 3, December , 343-349

Vietnam is perhaps the only country in the world to have engaged in so many intensive and marathon negotiations with the US over the past few decades. These include the Paris peace talks of 1968-73, negotiations on the normalization of bilateral diplomatic ties (1992-95), the Bilateral Trade Agreement (BTA) (1996-2000) and on Permanent Normal Trade Relations (PNTR) (2003-06) which paved the way for Vietnam's entry into the World Trade Organization (WTO) on 1 January 2007. These negotiations underscored the complexity of the relationship, yet were also instrumental in helping Vietnam and the US to better understand each other. It is difficult to appreciate how far and how quickly the Vietnamese-US relationship has evolved without having a good grasp of the difficulties bilateral ties have experienced over the years.

In his article, Professor Brown presents a detailed and comprehensive account of the decades-long rapprochement process in which the national interests — including strategic interests — of both the US and Vietnam influenced the nature and intensity of negotiations.

In assessing the history of this rapprochement, it is important to understand Vietnam's perspectives.

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CHOI Seokyoung

Seoul e Bruxelles, un patto per il futuro

in Limes, QS - Corea, la guerra sospesa

La Repubblica di Corea e l'Unione Europea hanno sottoscritto uno storico accordo di libero scambio. Resta però molta strada da fare, a cominciare dalle rispettive ratifiche, perché il trattato entri definitivamente in vigore.

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De Perini Pietro

Setting Human Rights at the Centre of the Euromediterranean Agenda: From the Promotion of Intercultural Dialogue in the Region to the Recognition of Euromediterranean Citizenship Rights



in *Pace Diritti Umani*, anno 7, n. 3, settembre-dicembre

ABSTRACT: L'articolo ipotizza che lo sviluppo di una strategia organica e condivisa per la promozione e la protezione dei diritti umani nella regione euromediterranea possa introdurre innovazioni sostanziali per il raggiungimento di una potenziale integrazione regionale, consentendo, nel lungo periodo, il riconoscimento formale di specifici diritti di cittadinanza per tutte le persone che vivono nei Paesi membri dell'Unione per il Mediterraneo.

Dal momento che un'iniziativa di questo tipo non è prevista nell'agenda euromediterranea, nonostante i diritti umani siano considerati obiettivo ed elemento fondamentale nelle diverse tappe del Processo di Barcellona, l'articolo individua un interstizio possibile per la sua realizzazione negli sforzi regionali per la promozione del dialogo interculturale.

Basandosi sul profondo legame esistente tra l'approccio interculturale e il paradigma internazionale dei diritti umani, viene quindi proposta l'adozione, in seno all'Unione per il Mediterraneo, di una nuova Carta regionale per i diritti umani nella quale siano riconosciuti e protetti, attraverso un approccio inclusivo, i valori comuni delle persone che vivono in questa regione nel rispetto delle diversità di ciascuna delle culture che esse rappresentano.

Nella prima parte, l'articolo considera e analizza la posizione riservata ai diritti umani nel più ampio Processo di Barcellona e l'impegno formale dei partner euromediterranei nei confronti dei trattati regionali e internazionali in materia. In seguito, l'attenzione è posta sul legame tra diritti umani e dialogo interculturale e sul peso che gli elementi culturali eserciterebbero nella concettualizzazione della proposta Carta euromediterranea dei diritti umani. Infine, l'articolo cerca di delineare i principali elementi e le basi concettuali di una potenziale cittadinanza euromediterranea e di suggerire come specifici diritti di cittadinanza potrebbero essere identificati e inclusi nella Carta regionale proposta.

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Wysoczańskaa Karolina

Sino-Indian co-operation in Africa: Joint efforts in the oil sector

in *Journal of Contemporary African Studies*, Volume 29, Issue 2, April , 193-201

Sourcing sufficient supplies of energy to meet rapidly growing domestic demand is a major challenge for both China and India. The choices these two giants have made to meet that challenge in recent years will have long-term repercussions for the rest of the world. Although efforts to join forces in a global search for energy security are unlikely to overcome deeply ingrained Indian suspicions of China, both countries have already signed a series of energy co-operation agreements indicating the two states are seeking each other as strategic partners. This study provides an overview of the incentives for Sino-Indian co-operation in satisfying domestic oil demands. It will also examine the implications of such collaboration on regional and global orders.

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Alastair Iain Johnston

Stability and Instability in Sino-US Relations: A Response to Yan Xuetong's Superficial Friendship Theory



in **Chinese Journal of International Politics (The)**, Volume 4 Issue 1 Spring , 5-29

Yan Xuetong's recent article is a smart effort to explain why, after 30 years of diplomatic relations Sino–US relations are still unstable, indeed becoming more so. He develops the concept of 'superficial friendship'. While he does not explicitly say so, this appears to be a theory of excessive and failed expectations. That is, leaders on both sides mistakenly believe the relationship is more cooperative than it really is. Thus, when they receive negative signals from the other side, their expectations come crashing down; they react more strongly than they otherwise would have, had their expectations been more realistic.

Some might argue that this sense of disappointment has been especially obvious in the Obama–Hu interaction. Unlike previous presidents, Obama came to power without bashing China in the US presidential elections. He proposed close cooperation on a number of global governance issues. According to a leaked US State Department cable distributed by Wikileaks, in 2009 China's chief foreign policy official, Dai Bingguo, described the interactions between the two as being like that of 'old friends'. The two sides agreed at the Hu–Obama summit in November 2009 to be careful not to challenge core interests. By January 2010, less than two months after the successful summit meeting, but after a US decision to approve old arms sales and a set of new arms sales to Taiwan, some Chinese scholars were reporting that Obama was now being referred to as a 'false gentleman' (weijunzi 伪君子; 伪君子), someone who is hypocritical and shameless. Anecdotally, 'disappointment' seems to be an appropriate summary of how the US viewed relations in 2010. The Washington Times even called one of the alleged factions in the US–China policy process the 'sad and disappointed' faction.

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Chafer Tony

The AU: a new arena for Anglo-French cooperation in Africa?

in **Journal of Modern African Studies** , Volume 49, Issue 1, March , 55-82

At their 1998 Saint-Malo summit, the UK and French governments promised to set aside a century of rivalry and cooperate more closely on Africa. They also signalled their intention to develop a continent-wide focus on Africa, which would include building up the capacity of regional organisations. They were helped in this latter goal by the winding up of the OAU and its replacement by the AU in 2002. This article therefore examines the extent and nature of Anglo-French cooperation vis-à-vis the AU. It sets out briefly the history of UK and French neglect of the OAU, reviews the key developments that pushed for a more coordinated stance on the AU, and then – drawing on extensive interviews in London, Paris, Brussels, Addis Ababa and Dakar – evaluates the extent of Anglo-French cooperation. It concludes by noting the uneven nature of Anglo-French cooperation vis-à-vis the AU and assesses the reasons for this.

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Koch Christian

The Arab spring is a real opportunity for Europe

in **Europe's World**, Issue 18, Summer

The EU was taken by surprise when the Arab world awoke, says Christian Koch. But if it acts with resolve and



imagination it can create for itself a leadership role in North Africa and the Middle East.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21837/language/en-US/Default.aspx

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Holland Martin, Chaban Natalia

The EU as an Agent for Democracy: Images of the EU in the Pacific Media ‘Mirror’

in *Journal of European Integration*, Volume 33, Number 3 / June , 285-302

The Pacific is a major recipient of EU assistance under the Cotonou Agreement and target for EU development actions (including the reinforcement of democracy and human rights). Positioning its inquiry within the diffusion theory, this study focuses on one of the Union’s ‘normative’ profiles communicated externally, namely the EU’s international performance as a promoter of democracy, rule of law and human rights. This paper considers a particular case study, namely the EU’s metaphorical imagery in media discourses in Fiji, a South Pacific state experiencing an ongoing democratic crisis. These external media framings of the EU are then compared with the auto-images the Union has about itself when interacting with the Pacific. The conclusions indicated a mismatch in external and internal EU imagery potentially ripe with miscommunication and counterproductive for EU–Pacific relations in general (and EU–Fiji relations in particular).

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JONATHAN HOLSLAG

The Elusive Axis: Assessing the EU–China Strategic Partnership

in *Journal of Common Market Studies*, Volume 49, Issue 2, March 2011 , 293-313

This article evaluates whether the Sino–European partnership can be considered strategic. At the discourse level it is found that both sides fail to identify common interests, joint priorities continue to be concentrated in the business sector, and China and Europe have not been able to determine what the relevance of their relationship is compared to other powers. In practice this is even more problematic. The strategic vacuum renders the partnership vulnerable to setbacks and means that China will be even more tempted to capitalize on Europe's internal divisions while Member States will feel less inclined to close ranks.

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Brosig Malte

The Emerging Peace and Security Regime in Africa: The Role of the EU

in *European Foreign Affairs Review*, vol. 16, issue 1 , 107-122



ABSTRACT: This article focuses on the role the European Union (EU) is playing in peacekeeping and conflict prevention in Africa. In this article, it is argued that the EU's peacekeeping approach is not only shaped by the interests of European Member States or EU institutions to deploy and maintain peacekeepers but is responsive to an emerging African peace and security regime. The majority of peacekeeping operations on the continent build upon some kind of inter-organizational arrangements between the United Nations (UN), the EU, and the African Union (AU) or in some cases other regional African organizations. This article will show how the existing forms of inter-organizational interaction between international organizations (IOs) in Africa impact on the EU's engagement in peace operations in the continent. This article demonstrates the EU's role in the multi-actor game of peacekeeping in Africa and how the EU's involvement in these emerging international cooperation structures influences its peacekeeping strategy for Africa.

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Carbone Maurizio

The European Union and China's rise in Africa: Competing visions, external coherence and trilateral cooperation

in *Journal of Contemporary African Studies*, Volume 29, Issue 2, April , 203-211

This study analyses the impact of China's rise in Africa on the European Union (EU). Contrary to conventional wisdom, it argues that the EU's renewed interest in Africa is not the result of China's new assertiveness in the continent, but is a consequence of the EU's ambitions to become an influential global actor and the consequent search for a more coherent external policy. Africa, thus, represented an ideal venue in which different EU actors could simultaneously pursue traditional development goals together with new political objectives. Moreover, the existence of three competing visions within the EU negatively affected its ability to constructively engage with China: the European Commission sought to affirm the EU's aspiration to become an influential global actor; the European Parliament projected its preference for a value-based development policy, blended with paternalistic overtones; the Council of the European Union was driven more by the emotional reactions of some member states, who did not want to lose their position as Africa's main reference point. Unsurprisingly, the result has been a confused message, which China has found hard to follow, never mind Africa, since they were not effectively involved in the process and were sceptical about the whole idea of 'trilateral cooperation'.

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De Cock Geert

The European Union as a Bilateral 'Norm Leader' on Climate Change vis-à-vis China

in *European Foreign Affairs Review*, vol. 16, issue 1 , 89-105

ABSTRACT: The Copenhagen climate summit was widely reported as 'another failure for EU climate diplomacy', focusing in particular on its failure to persuade China to commit to binding emission reduction targets. To balance this narrative, this article focuses on the bilateral dialogue between the EU and China on energy and environmental issues, in particular, their 2005 'Partnership on Climate Change'. Using constructivism as overall theoretical framework, it draws



specifically on the literature on norms and the socialization processes leading to normative change in international politics. In particular, this article explores the EU's contribution to the process of 'social learning' among Chinese policy makers on climate change. Its main finding is that the EU helped to overcome the traditional understanding in China of the environment and the economy as competing concerns and enabled the diffusion of the 'business case' for a low-carbon economy.

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ANDREAS KERN, ALEXANDER SALHI

The Euro–Mediterranean Partnership: A Macroeconomic Governance Perspective

in *Journal of Common Market Studies*, Volume 49, Issue 4, July 2011 , 871-894

Drawing on the idea of the European Union (EU) representing a natural 'anchor' for macroeconomic policy measures, this article assesses the current and upcoming challenges in terms of growth and labour markets and the finance and growth nexus in the region. The structural problems concerning financial intermediation in the region turn out to be one of the major impediments for further economic development. From a political economy point of view, Mediterranean Partner Country (MPC) governments try to maximize short-run pay-offs in order to sustain political support and to trade these financial returns against a minimum of policy reform. The EU, on the other side of the bargaining table, tries to reap the benefits from policy reform, whereas its willingness to fund these compensation schemes can be assumed to be limited. Given these trade-off rationales on both sides of the Mediterranean Sea, both actors free-ride where possible which leads to suboptimal results. Therefore, this ostensible economic problem is analysed in its political economy context in order to suggest a macroeconomic co-operation scheme that explicitly takes into account political constraints and institutional deadlocks, hampering the development of a deeper economic co-operation within the Euro–Mediterranean Partnership (EMP) framework.

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Towns Ann

The Inter-American Commission of Women and Women's Suffrage, 1920–1945

in *Journal of Latin American Studies* , Volume 42, Issue 04, November , 779-807

In studies of the international dimensions of women's suffrage, the role of international organisations has been overlooked. This article examines the suffrage activities of the Pan-American Union (PAU), and in particular those of the Inter-American Commission of Women (IACW), between 1920 and 1945. Attentive to historical context, the examination suggests that international organisations can be both bearers of state interests and platforms for social movement interests. The article also argues that while not independent bureaucracies, the PAU and IACW nevertheless had some importance for suffrage that cannot be attributed either to their state members or to the suffragist movements.

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Spieler Paula

The Maria da Penha Case and the Inter-American Commission on Human Rights: Contributions to the Debate



on Domestic Violence Against Women in Brazil

in *Indiana Journal for Global Legal Studies*, vol. 18, issue 1, winter , 121-143

No abstract available

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Schlumberger Oliver

The Ties that do not Bind: The Union for the Mediterranean and the Future of Euro-Arab Relations

in *Mediterranean Politics*, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?, March , 135-153

What impact does the Union for the Mediterranean (UfM) have on the future evolution of Euro-Arab relations? This contribution first reflects on Arab reactions to the UfM, and subsequently analyses what alterations the UfM brings to existing Euro-Arab relations in terms of actors, institutional arrangements, and policy contents. In sum, the UfM caters well to Arab regimes' priorities, namely the maintenance of authoritarian rule: The UfM tends to exclude societal voices and leads to a re-governmentalization of relations; the institutional set-up elevates Arab regimes to become formal veto-players, and the prioritized policy areas have - from an Arab regime perspective - the advantage of being de-politicized and stripped of any ambitious macro-political goals such as democratization. The UfM can thus be considered a triple victory for authoritarian Arab rulers in re-shaping their relations with Europe, and casts serious doubts on the hypothesis of the EU acting as a norm entrepreneur.

Section C) Regional integration processes

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Hunt Diana

The UfM and Development Prospects in the Mediterranean: Making a Real Difference?

in *Mediterranean Politics*, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?, March , 171-192

Can the UfM make a distinctive contribution to development in the Mediterranean region? How innovative are its priority project themes? In an attempt to answer these questions, this contribution examines the relationship between the priority project themes of the Union for the Mediterranean and the substance of the Euro-Mediterranean Partnership (EMP) and the European Neighbourhood Policy (ENP) which preceded it. It explores the extent to which, by establishing the six priority project themes, the UfM has broken with the previous focus of the economic reform programmes and projects promoted by the EMP and the ENP. It then reviews the potential contribution of the themes to economic development and examines selected factors which may influence project implementation and goal attainment, including funding access and the impact of the UfM's institutional innovations on the effective pursuit of project themes. The conclusion is that there is scope for the UfM to enhance development in the Mediterranean region but outcomes so far have been limited and future outcomes depend on a range of variables including geo-political tensions, national priorities of partner states and funding availability.

Section C) Regional integration processes



Subsection 7. Inter-regional Cooperation

Hollis Rosemary

The UfM and the Middle East 'Peace Process': An Unhappy Symbiosis

in Mediterranean Politics, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?, March , 99-116

This contribution explores differing theories on how the failure of the 'peace process' featured in the design and goals of the UfM, drawing on lessons from the period when the EMP was pursued in parallel with the peace process. In each case, institutional overlaps are identified, as well as commonalities in the approaches of the actors to both pursuits. Crucially, however, the persistence and intensification of the Arab-Israeli conflict, in combination with the shift from multilateralism to bilateralism embodied in the UfM, has politicized the latter at the expense of the functionalist aspirations of its architects.

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Subsection 7. Inter-regional Cooperation

Johansson-Nogués Elisabeth

The UfM's Institutional Structure: Making Inroads towards 'Co-Ownership'?

in Mediterranean Politics, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?, March , 21-38

The Union for the Mediterranean (UfM) has been furnished with a more ambitious institutional structure compared to the Barcelona Process, in the hope that this will provide non-EU partners with a greater say over co-operation processes. This contribution examines the different components of the institutional structure and explores the UfM's potential for achieving its stated ambition to reinforce co-ownership. The essay concludes, nevertheless, that a host of obstacles currently stand in the way of making inroads into co-ownership in Euro-Mediterranean relations.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Bicchi Federica

The Union for the Mediterranean, or the Changing Context of Euro-Mediterranean Relations

in Mediterranean Politics, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in Euro-Mediterranean Relations?, March , 3-19

This contribution analyses the set of conditions that made the Union for the Mediterranean (UfM) possible, highlighting the change vis-à-vis the Euro-Mediterranean Partnership (EMP) and the European Neighbourhood Policy (ENP). First, it develops a conceptual framework for the analysis of the actors contributing or opposing the initiative, according to their attitude, motivation and resources invested in the process. Second, it examines the institutional logics that underpin the UfM. It suggests that the UfM was launched because a very small group cajoled an uninterested majority into yet another initiative for the Mediterranean. The outcome represents a shift away from regionalism as conceived in the EMP. At the same time, the Arab-Israeli conflict has politicized and disrupted the agenda of the UfM, as national interests have come to the fore and democracy and human rights have receded.

Full text available at <http://www.informaworld.com/smpp/ftinterface~db=all~content=a934944839~fulltext=713240930>



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Mahbubani Kishore

**The lessons that smug Europe should learn from Asia
in Europe's World**, Issue 18, Summer

It has taken Europe's leaders some time to adjust to Asia's rise, and the implications of that for EU policymaking. Kishore Mahbubani remembers Brussels' condescensions and counsels a fresh EU approach.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21822/language/en-US/Default.aspx

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Serrano Katharina

The trade–development nexus in EU–Pacific relations: realism, dependence or interdependence?
in **Global Change, Peace & Security**, vol. 23, n. 1 , 89-112

ABSTRACT: For almost 40 years, relations between the European Union and African, Caribbean and Pacific (ACP) countries centred on trade and development policy. The partnership survived various challenges and evolved into an institutionalised model for North–South relations. In reaction to internal and external forces of change, in the Cotonou Agreement (2000) the EU introduced to its relations with the developing world a new trade–development paradigm to be implemented via Economic Partnership Agreements. The latter are intended to be innovative foreign policy instruments, functioning as development tools and trade liberalisation mechanisms. Against the background of current internal restructuring of EU foreign policy and an increasingly politicised development agenda, this article undertakes an enquiry into the nature of the trade–development nexus in EU–Pacific Island countries (PICs) relations. The analysis is based on a theoretical framework which employs assumptions and findings related to IR theory, referring in particular to realism and dependency theory. A critical examination of EU policies shaping the trade–development nexus reveals that it is a rather flexible foreign policy tool, equipped with an auto-adjustment mechanism to ensure the balance of EU trade and development objectives. From PICs' perspective, its predictability and therefore developmental value, may, however, be diminished.

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Darbouche Hakim

**Third Time Lucky? Euro-Mediterranean Energy Co-operation under the Union for the Mediterranean
in Mediterranean Politics**, Volume 16, Issue 1 - Special Issue: The Union for the Mediterranean: Continuity or Change in
Euro-Mediterranean Relations?, March , 193-211

Energy co-operation has appeared as a priority area on the EU's Mediterranean policy agenda since the promulgation of



the Euro-Mediterranean Partnership (EMP) in 1995. The Union for the Mediterranean (UfM) has pledged to do more than previous policy frameworks in the area of energy co-operation, and has specifically identified renewable, particularly solar, energy as a possible catalyst. This study aims to assess the prospects for Euro-Mediterranean energy co-operation within the framework of the UfM. To this end, it will examine the reasons behind the failure of both the EMP and the ENP to achieve meaningful progress in their equally sanguine enunciated policy objectives in this area, comparing their respective approaches with that of the UfM. It will be argued that the prospects for Euro-Mediterranean energy co-operation under the UfM will hinge more on the shifting priorities of European consumers and SMC producers, informed in particular by concerns over climate change, the need to diversify sources of primary energy supply and the depletion of proven conventional fossil fuel reserves, than on the attributes of the UfM per se.

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Subsection 7. Inter-regional Cooperation

Palacio Ana

**Time the EU got its act together on the 'Arab Spring'
in Europe's World**, Issue 18, Summer

The European Union's mish-mash of policy initiatives and strategies has largely abandoned its original democracy and human rights objectives, warns former Spanish foreign minister Ana Palacio. She sets out the planks of a policy re-think that would restore the EU's political leadership.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21836/language/en-US/Default.aspx

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Murphy, A.M.

**US Rapprochement with Indonesia: From Problem State to Partner
in Contemporary Southeast Asia: A Journal of International and Strategic Affairs**, Volume 32, Number 3, December ,
362-387

Over the past decade US relations with Indonesia have undergone a dramatic rapprochement such that today officials in both countries claim relations are at an all time high. Indonesia's transition to democracy and its adoption of effective counter-terrorism strategies laid the basis for the rapprochement. At a time when the Bush Doctrine advocated democracy as an antidote to terrorism, the Indonesian experience appeared to vindicate the logic of US policy. Under the Obama administration, policy towards Indonesia has been driven not only by shared democratic values and interests, but also by recognition that Indonesia is an emerging power that will play an increasingly influential role in global governance. The US and Indonesia are building a Comprehensive Partnership that creates a framework for enhanced security, economic and educational engagement, as well as cooperation on transnational issues such as climate change. For the relationship to reach its full potential, however, a series of obstacles must be overcome.

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Subsection 7. Inter-regional Cooperation

Meidyatama Suryodiningrat

US Rapprochement with Indonesia: From Problem State to Partner — A Response

in *Contemporary Southeast Asia: A Journal of International and Strategic Affairs*, Volume 32, Number 3, December , 388-394

Much has been made about the positive state of US-Indonesia ties. The election of Barack Obama as US President in 2008 and the promulgation of the Comprehensive Partnership Agreement (CPA) has ushered in a new chapter in relations between the world's second and third largest democracies. Historical impediments are slowly being removed and political prejudices are gradually dissolving, laying the foundation for a stronger cooperative framework. However, nearly half-way into Obama's presidential tenure, and a year past President Susilo Bambang Yudhoyono's resounding reelection, the enthusiasm towards the bilateral relationship built up since Obama's election seems to have waned. Irrespective of progress on the political front, perceptions of the bilateral relationship has not grown with equal zeal. As explained further in this paper, the multiple cancellations of President Obama's visit to Indonesia, and the decline of the US as a primary destination of study for Indonesian students show that Indonesia-US ties are still a long way from being the envisioned partnership. Despite the optimism generated, US-Indonesia ties are proving yet again to be full of potential, without ever being fully realized.

The preceding paper by Dr Murphy has accurately highlighted the developments, undercurrents and potentials in the bilateral relationship, and there is little, if any, that can be faulted from the facts and conclusions presented. The political enthusiasm of re-engagement is evident in the flurry of diplomatic activity over the past year to flesh out the CPA. Yet while the CPA and other diplomatic gestures are significant, they cannot fully explain the true nature of the relationship.

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Subsection 7. Inter-regional Cooperation

Carlyle A. Thayer

US Rapprochement with Laos and Cambodia

in *Contemporary Southeast Asia: A Journal of International and Strategic Affairs*, Volume 32, Number 3, December , 442-459

his study analyses the process of rapprochement in United States relations with Laos and Cambodia. It discusses the key domestic and international factors that influenced decision-making in Washington, Vientiane and Phnom Penh to initiate this process. US-Lao rapprochement has evolved gradually since the mid-1980s. Lao assistance in accounting for US servicemen missing-in-action during the Vietnam War was a key driver. After ambassadorial relations were restored in 1992 both sides sought to address the concerns of the other and this led to an expansion of political, economic and military relations. US relations with Cambodia, experienced ups and downs due to the repressive policies of the Hun Sen government. Domestic upheaval in 1997 led the US to suspend economic assistance for a decade. Nevertheless, trade relations followed an upward trajectory as the US became Cambodia's most important market. In contrast to Laos, military-to-military relations developed considerably with a high point in 2009 with the visit of the Cambodian Defence Minister to Washington. This study highlights the importance of domestic factors driving rapprochement, with the role of the US Congress and Lao diaspora playing important roles. But external factors have also influenced this process, particularly after Laos and Cambodia became members of ASEAN and the Obama administration began to stress multilateral engagement. The upward trajectory of bilateral relations will continue to be constrained by the authoritarian nature of the Lao and Cambodian political systems and human rights abuses. But this factor will be mitigated somewhat by US geostrategic rivalry with China.



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Subsection 7. Inter-regional Cooperation

Vatthana Pholsena

US Rapprochement with Laos and Cambodia: A Response

in Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 32, Number 3, December , 460-466

Professor Thayer cites three main areas of cooperation that have influenced US rapprochement with Laos: the Missing in Action/ Prisoner of War (MIA/POW) issue, reduction of opium production and counter-terrorism. As he rightly contends, the MIA issue remains at the top of America's agenda in Laos. To date, 240 sets of remains of American service personnel have been found and identified; the search, led by US teams with Lao logistical support, for a further 355 MIAs continues. Positive collaboration on this issue has unquestionably helped to improve relations between the two countries. However, another legacy — unexploded ordnance (UXO) — of the war constitutes a greater concern for the Lao government. In 2009, the United States committed around \$5 million to UXO clearance and training programmes. Though the funding represents one of the largest US aid budgets in Laos in that year and an increase from the previous year's \$3.5 million, it still falls short of what is required. As recently as July 2010, in a letter to Secretary of State Hillary Clinton, a group of former US Ambassadors to Laos called on the United States to make an annual commitment of \$10 million over the next ten years for UXO removal in Laos. It may well be true that Laos agreed to cooperate with the US on the MIA issue in order to get the latter's assistance to clear the country's rural areas of UXO, although one may argue that Laos has the moral right to request this help. From 1964 to 1973 US aircraft dropped over two million tons of ordnance during nearly 600,000 bombing missions over the country. At the end of the war, it was estimated that 78 million unexploded cluster bomblets littered the country's rural areas. A recent survey by the National Regulatory Authority (NRA) for the UXO/Mine Action sector in Laos indicates that some 50,000 people were maimed or killed by UXO between 1964 and 2008.

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Subsection 7. Inter-regional Cooperation

Price Gareth

Unione europea e India: un ritardo da colmare

in ItalianiEuropei, n. 1

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Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Harn Yawnghwe

United States-Myanmar Relations: On the Threshold of Rapprochement? A Response

in Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 32, Number 3, December , 427-433

Priscilla Clapp's article very clearly describes the pragmatic new US policy approach to Myanmar adopted by the Obama



administration, and the very deep-seated obstacles in both countries that stand in the way of genuine rapprochement. The paper accurately concludes that there is realistically no chance of this happening in the near future, even after the elections scheduled for 7 November 2010.

The deep-seated obstacles include the fact that, for the past twenty years, the focus of US policy has almost exclusively been on the personal leadership of Daw Aung San Suu Kyi framed in terms of democracy and human rights. The objective of US policy was to remove the military dictatorship and replace it with the parliament elected in 1990 under the leadership of Suu Kyi. While this policy focus has shifted slightly under Obama, Suu Kyi is still central to US policy on Myanmar. As recently as 24 September 2010, the US government reiterated that the elections could not be seen as credible as long as Daw Aung San Suu Kyi remained under house arrest. 1

For Myanmar's ruling State Peace and Development Council (SPDC), this validates their claim that Suu Kyi is being used by colonial forces (British) and neocolonial forces (US) to subjugate Myanmar: Suu Kyi was not allowed to compete in the 1990 elections; she was under house arrest; political prisoners were not released; the election campaign was not "free and fair" by any standards; and the media were as restricted then as now. Yet the US and the international community hailed the 1990 elections as credible. From the military's point of view, what has changed to make the 2010 elections illegitimate? Was it because Suu Kyi's National League for Democracy (NLD) won in 1990 and has no chance of winning in 2010?

The regime will certainly not release Suu Kyi before the elections, let alone allow her to compete. This means that Washington will not be able

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Subsection 7. Inter-regional Cooperation

Maxwell Simon

Why the EU's aid effort must escape the budgetary axe

in *Europe's World*, Issue 18, Summer

European development aid is undergoing a policy re-think, and looks set to emerge leaner and stronger. Simon Maxwell assesses the factors at work and points to reforms and new measures that are still needed.

http://www.europesworld.org/NewEnglish/Home_old/Article/tabid/191/ArticleType/articleview/ArticleID/21840/language/en-US/Default.aspx

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Burgorgue-Larsen Laurence, Úbeda de Torres Amaya

"War" in the Jurisprudence of the Inter-American Court of Human Rights

in *Human Rights Quarterly*, vol. 33, number 1, february , 148-174

ABSTRACT: How have the Inter-American human rights bodies dealt with the notion of war, which has been transformed over time into the notion of (internal and international) "armed conflicts"? This question has guided the first part of this study, which sets out the various types of conflicts that have occurred in the American continent. These situations (armed conflicts, internal strife, State terrorism) have produced a wide range of legal qualifications, used by



both the Inter-American Commission and Court of human rights in their case-law. This conceptual delimitation carried out by these two bodies is all the more important as it affects the law that applies to armed conflicts. Indeed, by analyzing this question, the everlasting debate on the relationship between International Law on Human Rights and International Humanitarian Law reappears. The second part of this study therefore focuses on the issue of discovering whether and in which way *ius in bello* has found its place in the Inter-American Human Rights bodies' case-law. As the active political life of Latin American societies has shown, the study of the different applicable legal regimes also requires looking into the "state of emergency" Law, an issue which has been shaped by the Inter-American Court and Commission's work.

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Subsection 7. Inter-regional Cooperation

Slot Piet Jan, Tezcan Narin

À la recherche d'un cadre légal approprié pour les relations UE-Russie

in *Revue de l'Union européenne/Revue du Marché Commun et de l'Union européenne*, n. 546, mars , 179-193

This article aims to shed some light on the legal framework in which EU-Russia relations take place. Since "energy" is the most crucial aspect of these relations, this article focuses on EU and Russia's respective energy policies and how energy shapes their relations with one another. The article begins by focusing on the development of EU energy policy and identifying the legal basis of EU action in the energy field. Then it looks at current and future energy consumption projections in the EU which predict further dependency on external suppliers. Russia being the most important current and future energy supplier for the EU, the following part of the article focuses on the existing legal and institutional frameworks created to facilitate a more stable and predictable relationship between the two parties. The centrality of energy issues comes to fore as the purpose and effectiveness of the following initiatives are examined; the Energy Charter Treaty, the Partnership and Cooperation Agreement; the common strategy on Russia, the EU-Russia Energy Dialogue and four common spaces policy. Finally, the article shifts its focus on Russia's use of energy policy as a geopolitical tool to strengthen its grip on its immediate neighbourhood and to thwart the EU's long term plans of diversifying its energy supply.

Section D) Federalism as a political idea

Subsection 1. Federalism

Manna Paul, Ryan Laura L.

Competitive Grants and Educational Federalism: President Obama's Race to the Top Program in Theory and Practice

in *Publius: The Journal of Federalism*, vol. 41, n. 3, Summer , 522-546

We use the Obama administration's Race to the Top (RTTT) program to address two questions about competitive grants. First, what does RTTT and its competitive approach reveal about the current state of educational federalism? Second, and more generally, how do large federal grant programs operate when state governments compete for funds? Our analysis indicates that although RTTT has expanded federal involvement in state education policy, its success still depends crucially on subnational implementation. We also note the important role of state capacity in predicting states' abilities to apply to and perform well in the RTTT competition. We conclude by suggesting implications for educational federalism during the coming years and offering more general insights about the operation of competitive federal grants to states.



Section D) Federalism as a political idea

Subsection 1.Federalism

Rabe Barry

Contested Federalism and American Climate Policy

in *Publius: The Journal of Federalism*, vol. 41, n. 3, Summer , 494-521

Climate change has routinely been framed as an issue to be addressed through an intergovernmental regime guided by a set of large nations. The evolving reality of climate change policy development, in the U.S. and abroad, relies heavily on sub-national initiative. This article reviews the American climate policy odyssey, examining distinct periods in which respective intergovernmental roles have shifted. It devotes particular attention to the substantial expansion of state involvement between 1998 and 2007 and the more recent experience in which high state and federal engagement has produced a period of contested federalism. It concludes by exploring the growing likelihood that this arena will continue to be dominated in coming years by either state policy or some blending of state and federal authority.

Section D) Federalism as a political idea

Subsection 1.Federalism

Trumellini Luisa

Europeismo e federalismo

in *Federalista (II)/Federalist (The)*, Anno LIII, n. 1 , 58-65

<http://www.thefederalist.eu/files/PDF/IT/2000/2011-1-IT.pdf>

Section D) Federalism as a political idea

Subsection 1.Federalism

De Schutter Helder

Federalism as Fairness

in *Journal of Political Philosophy*, Vol. 19, Issue 2, June , 167-189

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9760.2010.00368.x/abstract>

Section D) Federalism as a political idea

Subsection 1.Federalism

Trumellini Luisa

Federalismo ed emancipazione umana

in *Federalista (II)/Federalist (The)*, Anno LII, n. 3 , 172-191

<http://www.thefederalist.eu/files/PDF/IT/2000/2010-3-IT.pdf>



Section D) Federalism as a political idea

Subsection 1. Federalism

Conlan Timothy J., Posner Paul L.

Inflection Point? Federalism and the Obama Administration

in *Publius: The Journal of Federalism*, vol. 41, n. 3, Summer , 421-446

Major elements of the Obama administration's health care, education, economic recovery, climate change, and financial reform initiatives have important intergovernmental consequences. This article reviews this broad intergovernmental agenda and analyzes its potential to shape the contours and future direction of American federalism. Utilizing a policy instruments framework, it examines trends in fiscal federalism, federal mandating, preemption, and other policy tools. We conclude that the most significant feature of President Obama's approach to intergovernmental relations thus far may be his hybrid model of federal policy innovation and leadership, which mixes money, mandates, and flexibility in new and distinctive ways. At the same time, political constraints on the scope and sustainability of the Obama administration's intergovernmental policies may limit this strategy's future development.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Kwan Jonathan

Nationalism and all that: Reassessing the Habsburg Monarchy and its legacy

in *European History Quarterly*, Volume 41, n. 1, January , 88-108

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Polgar Paul J.

"To Raise Them to an Equal Participation": Early National Abolitionism, Gradual Emancipation, and the Promise of African American Citizenship

in *Journal of the Early Republic*, Volume 31, Number 2, Summer , 229-258

The first organized abolition movement in America championed black citizenship and incorporation into the greater body politic instead of colonization or exclusion from the civic sphere of the fledgling nation. The same natural rights Revolutionary ideology that made American antislavery possible also presented slaves themselves as the very antithesis of the independent, virtuous citizenry necessary to uphold representative government and maintain the new nation's experiment in republicanism; therefore making abolition itself a problematic process. Out of their quest to solve this paradox, early national abolition society members advocated gradual emancipation coupled with a program of free black uplift based on the tenets of environmentalism and the diffusion of republican educational mores. Through these reformist initiatives, abolition societies sought to prove black capacity for freedom by gradually integrating African Americans into the American republic and making them virtuous and independent citizens, fully capable of productively exercising their liberty within greater white society. Predicated on an enlightenment idealism that viewed white prejudices towards blacks as conquerable, antislavery societies believed that their abolitionist program would disprove a principle argument against slave emancipation: African Americans' alleged incapacity for freedom. Thus for early national antislavery activists the movement to abolish slavery and the cultivation of African American citizenship were



inextricably interwoven. Although abolition societies of this period ultimately failed in overturning white prejudice and integrating former slaves into American society as equal citizens, they did establish several guiding principles of antislavery reform that later abolitionists would inherit long after Northern emancipation was achieved.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Winter Elke

'Immigrants Don't Ask for Self-government': How Multiculturalism is (De)legitimized in Multinational Societies in *Ethnopolitics*, Volume 10, Issue 2 , 187 - 204

In the 1990s, Canadian scholarship produced internationally accepted differentiations between minority nations and immigration-induced ethnic minorities. Charles Taylor's concept of Quebec and First Nations' 'deep diversity' (versus other Canadians' 'first level' membership in the polity) and Will Kymlicka's liberal theory of 'multicultural citizenship' are just two of the most common examples. However, in these theories, as well as in much of the subsequent scholarship, the relations between different types of national and ethnic struggles for rights and recognition have remained unexplored. Drawing on the results of a study on Central Canadian English-language newspaper discourses during the 1990s, this article examines whether and how images of Quebec minority nationalism affect legitimizations and delegitimizations of multiculturalism in the public space. The analysis thereby challenges the widespread assumption that the accommodation of historically grown national minorities and ethnic groups of more recent immigrant origin happens in hermetically closed 'silos' with little interaction. On the contrary, the article demonstrates that relations between different categories of groups and diversity accommodations are both theoretically plausible and empirically traceable.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Spence J.E.

A Tribute to the Editor-in-Chief of Nations and Nationalism, Professor Anthony D. Smith. Opening address at the 15th anniversary conference of Nations and Nationalism in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 317-319

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Rubin Eric S.

America, Britain, and Swaraj: Anglo-American Relations and Indian Independence, 1939-1945 in *India Review*, Volume 10, Issue 1, January , 40-80

In the years before and during the Second World War, the Roosevelt Administration played an important and often overlooked role in encouraging Britain's disengagement from the Indian subcontinent. Roosevelt's motivations in pressing for Indian independence were varied. They included a mix of principled opposition to colonialism, practical concern for the outcome of the war and pragmatic jockeying for influence with post-colonial nations when the war was



won. Churchill's government was wary of being pushed by Washington to move more quickly to "quit India" than it thought prudent. U.S. policy and actions clearly influenced the direction of events toward independence, but U.S. caution as the war ground on led to disillusionment among nationalist leaders. This reaction would have consequences once swaraj was won and India came into its own, at a time when the Cold War was becoming the dominant factor in America's view of the world.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Itçaina Xabier

Appartenances linguistiques, identités collectives et pratiques culturelles en Pays Basque

in Cultures & Conflits, n. 79-80, automne-hiver , 19-36

This article goes back to an investigation undertaken in 2004-2005 in the French Basque country within the Basque Autonomous Community and in Navarra around the following themes: Identity and Basque culture at the beginning of the 21st Century. The investigation, the conditions in which it was produced, and its reception can lead to a two-level analysis. The first concerns the results themselves, which confirm the territorial fragmentation of Basque-Navarrian territories. The second level of analysis concerns the applied methodology: how to measure ethno-linguistic identities ? Are the quantitative methods relevant, even when balanced by discussion groups ? How to single out political dimensions within representations ? These indicators can be only understood by taking into account the contrasts between collective mobilisations and the degree of institutionalisation of linguistic and cultural policies within each of these three territories. The current evolving situation of the French Basque country will illustrate this debate.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Yusin Jennifer

Beyond nationalism: The border, trauma and Partition fiction

in Thesis Eleven, vol. 105, n. 1, May , 23-34

This article aims to rethink the trauma of the 1947 Partition of British India through the figure of the border. It is at the border that we can see how the present is as much constituted by the concentration of new realities that call for shifting frameworks of understanding as it is by past events that continue to haunt memory. It undertakes this task through a close reading of the trope of borders in Saadat Hasan Manto's 1953 short story, 'Toba Tek Singh'. Partition fiction serves as a fruitful ground for developing new approaches to that history because, in part, literature is uniquely situated between representation and theory, between what a text represents and how it represents. In Manto's story, the border is embodied in its central protagonist, Bishan Singh, who experiences an ontological struggle between being and belonging that exceeds the particular historical, geographical, and national context of the Partition. I suggest that the division of British India signaled a unique rupture within the subcontinent in which the creation of borders became the defining traumatic event of that history. This article thus moves away from the familiar nationalist rhetoric that has otherwise dominated conversations about the 1947 Partition of British India. It focuses instead on the geographical border as a conceptual figure that is at once spatially and corporeally oriented to a collective identity that exceeds nationalist frameworks of reference.



Section D) Federalism as a political idea

Subsection 2.Nationalism

Sheng Ding

Branding a Rising China: An Analysis of Beijing's National Image Management in the Age of China's Rise
in *Journal of Asian and African Studies* , 46, No. 3, June , 293-306

National image is not only a channel to wield a state's national power, but also an important national power resource. It has become critically important for China as it tries to rise in a relatively favorable international environment. Following a theoretical discussion on national image management in international relations and a historical review of China's national image management, this article examines China's strengths and weaknesses in its national image management. On the one hand, China's national image benefits from its strong commitment to cultural diplomacy, effective employment of information and communication technologies in international broadcasting, and close connections with the Chinese diaspora around the world. On the other hand, China's national image management is constrained by such hurdles as weak political credibility, reviving popular nationalism, and various missteps in its foreign policies. This study concludes that China's national image management will remain an uphill battle in the long run.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Major Julia

Constructions of the Tongue: Language, Nationalism, and Identity in South Asia
in *India Review*, Volume 10, Issue 2, April , 185-200

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Caspersen Nina

Democracy, nationalism and (lack of) sovereignty: the complex dynamics of democratisation in unrecognised states

in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 337-356

Unrecognised states are among the least likely candidates for democratisation: they tend to be driven by ethno-nationalism, many are marked by the legacy of war and most are facing international isolation. Nevertheless, the claim to democracy has become a central part of their legitimising narrative. This article examines this apparent paradox and finds that neither ethno-nationalism nor non-recognition represents insurmountable barriers to democratisation. However, what we tend to find in these entities is a form of stagnated 'ethnic democratisation'. These findings throw new light on the relationship between democracy and nationalism; they highlight the importance of (lack of) sovereignty; and they are used to evaluate Sammy Smooha's concept of 'ethnic democracy'.

Section D) Federalism as a political idea

Subsection 2.Nationalism



Stroschein Sherrill

Demography in ethnic party fragmentation: Hungarian local voting in Romania

in *Party Politics*, Volume 17, Number 2, Special Issue, Ethnic Parties, March , 189-204

When and where might ethnic party outbidding occur? This article examines potential outbidding dynamics via a study of local elections in Romania, where the dominant Hungarian UDMR/RMDSz (Democratic Alliance of Hungarians in Romania) was recently challenged by a rival party, the MPP (Hungarian Citizens' Party). A comparison of election results is made across cities and counties that differ according to demographic characteristics. Two primary findings emerge. First, Hungarian unity in the form of the RMDSz remained strong except under enclave conditions — where the ethnic minority is the local majority. Outbidding is more likely to be a luxury of enclave regions, where fragmentation will not involve a loss of power to another ethnic group, as could happen to a local minority or with 'split' demographics. Second, when majority-minority demographics are clear, cross-ethnic formal or informal coalitions are more likely to emerge. Cross-ethnic coalitions are rare under conditions of 'split' demographics, which exhibit a logic of ethnic polarization.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Vasilev George

EU Conditionality and Ethnic Coexistence in the Balkans: Macedonia and Bosnia in a Comparative Perspective

in *Ethnopolitics*, Volume 10, Issue 1 , 51 - 76

In this article, the practice and theory of conditionality as it has applied to Bosnia and Macedonia is explored. The goals are twofold: first, to analyse how the EU uses conditionality to bring about favourable changes in the relationship between ethnic groups; second, to shed light on why the effectiveness of conditionality has been so variable between each context. The author argues that whereas the EU's main focus in previous eastward enlargements was on the production of normative policy outcomes, its primary focus in Bosnia and Macedonia has been to generate normative procedures. In addition, attention is drawn to the transformation of ethnic preferences that has occurred in Macedonia and the hardening of ethnic preferences that has occurred in Bosnia in the course of accession politics. These divergent outcomes are explained on the basis of several factors: power-shifts, framing strategies, reform parties and external agents.

Section D) Federalism as a political idea

Subsection 2. Nationalism

José María Marco

El nacionalismo español de Manuel Azaña

in *Cuadernos de pensamiento político*, Nr 29, Enero-Marzo

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Sullivan Gavin



Emotional foundational-ism? Critical remarks on affect and collective emotion in the phenomenological-psychoanalytic account of ethno-national identity

in *Ethnicities*, Vol. 11, n. 1 , 123-130

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Aiyar Sana

Empire, Race and the Indians in Colonial Kenya's Contested Public Political Sphere, 1919-1923

in *Africa: The Journal of the International African Institute*, Volume 81, Number 1, Special Issue: Print Cultures, Nationalisms, and Publics of the Indian Ocean, February , 132-154

This article explores the connection between three political movements that broke out amongst Africans and Indians within the public political realm across the Indian Ocean — the Khilafat/non-cooperation movement initiated by Gandhi in India between 1919 and 1922, the 'quest for equality' with European settlers amongst Indians in Kenya from 1910 to 1923, and the anti-settler movement launched by Harry Thuku in protest against unfair labour ordinances between 1921 and 1922. Moving away from the racial and territorial boundaries of South Asian and Kenyan historiographies, it uses the Indian Ocean realm — a space of economic, social and political interaction — as its paradigm of analysis. A variety of primary sources from archives in Kenya, India and Britain have been studied to uncover a connected, interregional history of politics, race and empire. In an attempt to highlight the importance of the Indian Ocean realm in understanding the interracial and interregional concerns that shaped the political imaginary of Indians and Africans in Kenya, the article reveals the emergence of a shared public political space across the Indian Ocean that was deeply contested.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Jolivet Simon

Entre nationalismes irlandais et canadien-français : Les intrigues québécoises de la Self Determination for Ireland League of Canada and Newfoundland

in *Canadian Historical Review (The)*, Volume 92, Number 1, March , 43-68

In May of 1920, the Self Determination for Ireland League of Canada and Newfoundland (SDIL), an Irish republican organization, was founded in Montreal. The League opposed the actions of the British government of David Lloyd George at the time of the Anglo-Irish War (1919–1921), but it primarily presented itself as a Canadian organization. This article will describe the founding and evolution of this association still neglected by Irish-Canadian historiography. Deliberately focused on the experience of the SDIL in Quebec, the article highlights that two former Irish nationalist traditions clashed in the province: one, constitutional autonomist, and the other, republican. Despite this division of Irish-Quebec nationalist forces, the involvement of French-Canadian elites in the SDIL contributed to making the League a success in Quebec. At the time, journalists and politicians like Omer Héroux, Armand Lavergne and Henri Bourassa effectively supported the goals of the SDIL. This pragmatic agreement between Irish and French-Canadian coreligionists who had often clashed at the beginning of the twentieth century (especially on the subject of French education in Canadian schools) incidentally constituted one of the original elements of the business of the SDIL.



Section D) Federalism as a political idea

Subsection 2. Nationalism

Birnir Jóhanna Kristín, Waguespack David M.

Ethnic inclusion and economic growth

in Party Politics, Volume 17, Number 2, Special Issue, Ethnic Parties, March , 243-260

Is ethnic social diversity relevant to cross-national variation in economic development, or is the inclusion or exclusion of said groups in political decision-making the more salient factor? We argue that deleterious policy effects resulting in diminished economic growth are caused by exclusion of mobilized ethnic groups from the policy process and not just ethnic social diversity per se. Conversely, a positive impact of ethnicity as more groups are included in the policy process with increasing access to cabinet is due, first, to the fact that a population finding its preferences represented in the policy process likely supports implementation of resultant policy. Second, the policy quality likely improves with greater variety in input. Third, a greater number of included ethnic groups in cabinet increases the number of ethnic partisan veto players in the policy process — thereby generating increased policy stability in the long term. We test this idea first on long-run growth in democracy and, second, on annual indicators of growth. We find that increasing ethnic social fragmentation still negatively impacts on the economy. However, cabinet diversity offsets some of these negative effects as it improves growth of GDP per capita.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Ishiyama John

Ethnic parties: Their emergence and political impact

in Party Politics, Volume 17, Number 2, Special Issue, Ethnic Parties, March , 147-149

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Ragaru Nadège

Faire taire l'altérité. Police de la langue et mobilisations linguistiques au temps de l'assimilation forcée des Turcs de Bulgarie (1984-1989)

in Cultures & Conflits, n. 79-80, automne-hiver , 73-96

In examining the 1984-1989 forced assimilation campaign against the Turks in Bulgaria, this article seeks to achieve two purposes. First, it aims to reconstitute the process through which minority language and names came to be constructed as political and security issues in socialist Bulgaria. Second, this paper endeavors to explore the daily experiences and the changing meanings invested by Bulgaria's Turks in both their mother tongue and the official language, as they faced increasingly repressive state policies. Drawing primarily on archival material, the author argues that the so-called 'Revival process' is rooted in the complex interweaving between a unitary vision of the nation-state that dates back to the 19th Century and a communist modernization-homogenization project, which relied on (promethean) social engineering. The extension of nationalizing policies to minority languages also needs to be set against a historical



background where language and ethnicity, in addition to religion, a decisive criterion of belonging in the Ottoman Empire acquired new significance in the course of Bulgaria's nation-building process, thus becoming loci of nationalizing practices. Although the assimilation process led many a Turk to turn the use of Turkish into an act of resistance, one cannot assume that daily language practices are necessarily fraught with political significance and constitute mere responses to state policies. In order to make that point, the paper engages with the historical ways in which social and linguistic hierarchies have developed in Bulgaria before and during socialism. It also shows how and why contention over language has decreased since 1989. The Bulgarian case study thus provides a welcome reminder that political, economic and identity stakes are not bound to be framed in linguistic terms and to become sites of interethnic friction.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Rice Roberta

From the ground up: The challenge of indigenous party consolidation in Latin America
in *Party Politics*, Volume 17, Number 2, Special Issue, Ethnic Parties, March , 171-188

To predict the electoral fate of the new cohort of indigenous-based political parties in Latin America, and the impacts on their respective party systems, we need to understand their prospects for consolidation. The central task of this article is to determine whether indigenous peoples' parties are developing solid party roots in society or if they are merely benefiting from a protest vote against the system. The study of political party consolidation requires an examination of local level successes and failures. Based on a quantitative analysis of municipal election results in Ecuador (1996—2004) and Bolivia (1999—2004), the author finds mixed support for indigenous party consolidation. Clearly, the governing indigenous-based Movement Toward Socialism (MAS) party in Bolivia has solidified its base of support. Ecuador's indigenous-based Pachakutik (MUPP) party, however, has lost its support at the national level, though it continues to make impressive gains at the local level. As such, it represents a case of incomplete consolidation.

Section D) Federalism as a political idea

Subsection 2. Nationalism

La Disparition de l'Armée de l'espace nationale

Guelton Frédéric

in *Revue des deux mondes*, mars

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Bertz Ned

Indian Ocean World Cinema: Viewing the History of Race, Diaspora and Nationalism in Urban Tanzania
in *Africa: The Journal of the International African Institute*, Volume 81, Number 1, Special Issue: Print Cultures, Nationalisms, and Publics of the Indian Ocean, February , 68-88

This essay considers the role of Hindi films in urban Tanzania in writing new chronologies of Indian Ocean world history. Examining films and movie theatres through overlapping local, national and transnational lenses, the article contributes



to our understandings of the encounter between the Indian diaspora and nationalism in East Africa, and extends the history of Indian Ocean world connections into the second half of the twentieth century. In order to escape the historiographical dialectic between nation and diaspora which splits scholarship on Hindi films overseas, cinema needs to be denationalized, and everyday social histories of urban cinema halls can then be framed within the Indian Ocean world. To do so successfully, however, we must challenge scholarship which asserts the collapse of this world in the early modern or colonial period (at the latest), in order to extend an Indian Ocean scale to capture the vibrant twentieth-century creation of a regional popular culture. The history of Bombay films in urban Tanzania thus enables a viewing of the transnational production of culture, and the ways in which cross-cultural flows are part of the construction of important categories like race and nationalism across the history of East Africa.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Giesen Bernhard

Intellectuals and politics

in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 291-301

By imagining their audiences, intellectuals invented and constructed the collective identities of nations and transnational communities like Europe or humankind. Four ideal types of intellectuals are outlined by describing them in their relation to politics: the intellectual as cosmopolitan ascetic; the intellectual as enlightened legislator; the intellectual as revolutionary; and the intellectual as the voice of a traumatic memory. These ideal types change over time in response to their focus of attention and their mode of communication. Because of changes in their media (from handwritten to printed books) and changes in their written language (from Latin to French and Italian, and further to vernacular languages), intellectuals were able to change views on past, present and future times. Today, they are involved in (civic) resistance but rarely in politics per se. By renewing the tension of the sacred and profane – the so-called axial-age revolution – contemporary intellectuals in Eastern Europe are decoupled from direct political power.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Hofmeyr Isabel, Kaarsholm Preben, Frederiksen Bodil Folke

Introduction: Print Cultures, Nationalisms and Publics of the Indian Ocean

in *Africa: The Journal of the International African Institute*, Volume 81, Number 1, Special Issue: Print Cultures, Nationalisms, and Publics of the Indian Ocean, February , 1-22

The emergence of the Indian Ocean region as an important geo-political arena is being studied across a range of disciplines. Yet while the Indian Ocean has figured in Swahili studies and analyses of East and Southern African diasporic communities, it has remained outside the mainstream of African Studies. This introduction provides an overview of emerging trends in the rich field of Indian Ocean studies and draws out their implications for scholars of Africa. The focus of the articles is on one strand in the study of the Indian Ocean, namely the role of print and visual culture in constituting public spheres and nationalisms in, across and between the societies around the Ocean. The themes addressed unfold between Southern and East Africa and India as well as along the African coast from KwaZulu-Natal through Zanzibar and Tanzania to the Arab world. This introduction surveys debates on print culture, newspapers and nationalism in African Studies and demonstrates how the articles in the volume support and extend



these areas of study. It draws out the broader implications of these debates for the historiographies of East African studies, Southern African studies, debates on Indian nationalism and Islam.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Bekerman Zvi, Habib Ayala, Shhadi Nader

Jewish-Palestinian Integrated Education in Israel and its Potential Influence on National and/or Ethnic Identities and Intergroup Relations

in *Journal of Ethnic and Migration Studies*, vol. 37, n. 3 , 389-405

This paper reports on a second round of interviews conducted with students in an integrated bilingual (Arabic-Hebrew) Palestinian-Jewish school and with similar-age students in standard monolingual schools in Israel. Our research looks at the potential influence of integrated bilingual education on national and/or ethnic identities and perceptions of intergroup relations and conflict. The interviews demonstrate the children's perceptions of ethnic and/or national identities as these are shaped through school interactions and within larger communal contexts, and provide insight into how these children envision the conflict and their present and future relations with the 'other'.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Touzé Sébastien

La « quasi nationalité », réflexions générales sur une notion hybride

in *Revue générale de droit international publique*, vol. 115, n. 1

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Benraad Myriam

L'impossible réconciliation nationale irakienne?

in *Revue internationale et stratégique*, 2011/1 (n° 81) , 44-53

As Iraq enters its last year of occupation, the "national reconciliation" process which was launched in the summer of 2006 remains at an impasse. The March 7, 2010 elections which were expected to consecrate the rebuilding of a national pact between Iraqis on the eve of the U.S. military withdrawal have appeared to have led to an even greater fragmentation of the sociopolitical landscape. The power sharing ultimately retained also foresees tensions to come. After the essence of the Iraqi "nation" had been debated at length and then subjected to continued deconstruction from dictatorship, embargo and recent conflict, it will likely take several decades before a genuine national reconciliation occurs.

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Subsection 2. Nationalism



Pantelic Bratislav

Memories of a time forgotten: the myth of the perennial nation
in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 443-464

This article questions the persistent view of the Balkans as a place where ethnic and national identities were sustained over centuries of Ottoman and Habsburg rule. It concentrates on the Serbian historical narrative and challenges the picture of the Serbs as an ethnic community who gathered around their bards and priests to cherish memories of their ancient kingdom. Rather, it is argued that we can speak of two competing narratives, one ecclesiastical and the other vernacular, neither of which was even remotely national or historical, and that the Serbs, as we know them today, are not the product of centuries of cultural formation but were carved out of a Slavic mass as were the Croats, relatively recently.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Hillman Susanne

Men with Muskets, Women with Lyres: Nationality, Citizenship, and Gender in the Writings of Germaine de Staël
in *Journal of the History of Ideas*, Volume 72, Number 2, April , 231-254

In lieu of an abstract, here is a preview of the article.

On 23 May 1812 Germaine de Staël (1766–1817), Europe's best-known enemy of Napoleon Bonaparte, set out from her estate on Lake Geneva to escape to England. In her reminiscences, she reflected on the pivotal event as follows: [A]fter ten years of ever-increasing persecutions [. . .] I was obliged to leave two homelands as a fugitive, Switzerland and France, by order of a man less French than I. For I was born on the banks of the Seine, where his only claim to citizenship is his tyranny. He saw the light of day on the island of Corsica, practically within Africa's savage sway. His father did not, like mine, devote his fortune and his sleepless nights to defending France from bankruptcy and famine; the air of this beautiful country is not his native air; how can he understand the pain of being exiled from it, when he considers this fertile land only as the instrument of his victories. Where is his patrie? It is any country that accepts his domination. His fellow-citizens? They are whatever slaves obey his orders. 1

In this passage, de Staël deliberately links nationality and citizenship. In her view, citizenship status was acquired simply by being born on French soil. Her family's tireless labors on behalf of the nation added another irrefutable proof of Frenchness. In addition, growing up in France and breathing the country's invigorating air had created an emotional attachment that a person raised elsewhere simply could not fathom. We thus have a triad of birth/service/sentiment that connects the deserving individual to his or her nation (in this case la grande nation). In this essay I explore de Staël's understanding of the twin concepts of nationality and citizenship through the lens of gender. Nationality and citizenship were of perennial concern

Section D) Federalism as a political idea

Subsection 2. Nationalism

Desmons Éric

Mourir pour la Patrie

in *Revue des deux mondes*, mars



No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Leoussi Athena S.

National Identity in Old and New Europe

in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 219-222

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Smith Anthony D.

National identity and vernacular mobilisation in Europe

in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 223-256

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Roesler Jörg

Nationalism and Economic Disparities Lessons from the Dissolution of Yugoslavia and Czechoslovakia and the Secession of the Baltic States

in *Debatte: Journal of Contemporary Central and Eastern Europe*, vol. 18, n. 3 , 341-354

The author argues that without consideration of the economic development neither the mass support for the independence movement nor the timing of the separation can be fully explained. The 1980s were years of economic crises in the three federations. The autonomy movements in the federal units began to feed their people with nationalist slogans accusing the central governments of misusing their power over the command economy. Economic warfare between periphery and centre precluded secession. The question, whether independence fulfilled the popular dreams of renewed economic prosperity within the borders of the new states is answered in the final part of this article.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Hayes, P.; Scott B.

North Korean Nuclear Nationalism and the Threat of Nuclear War in Korea

in *Pacific Focus*, Volume 26, Issue 1, April , 65-89

This essay reviews the status of nuclear threat in Korea and analyzes the appropriate policy response to the emergence of the DPRK as a nuclear-armed state. We suggest that as of 2009, the DPRK made the ROK the main target of its nuclear strategy rather than the USA, as was the case from 1991–2009. The sinking of the ROK corvette Cheonan in



2010 provides a mini-case-study of the collision of ROK and DPRK historical trajectories, and portends continuing clashes involving nuclear threat that need to be managed to avoid escalation to nuclear next-use. The artillery attack on Yeonpyeong Island in November 2010 may be the second in what proves to be a series of such risky provocations. We conclude the paper by outlining the advantages of a ROK–Japan-only nuclear-weapon-free zone relative to alternative ROK responses to the threat posed by the DPRK nuclear breakout. In an Epilogue, we reflect on the methodological difficulties posed by the DPRK in interpreting its nuclear statements.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Basedau Matthias, Moroff Anika

Parties in chains: Do ethnic party bans in Africa promote peace?

in Party Politics, Volume 17, Number 2, Special Issue, Ethnic Parties, March , 205-222

Since the sweeping (re)introduction of multiparty systems in the early 1990s, almost all sub-Saharan countries have introduced legal provisions to ban ethnic or other identity-based particularistic parties. Altogether, 12 countries have actually banned political parties on these grounds. In theoretical terms, such bans can exclude particularism from politics but — contrary to public discourse — also run the risk of forcing groups to resort to violent means or of becoming an object of conflict themselves. Empirically speaking, hardly any general patterns in the effects of bans can be detected. A closer look at 12 politically relevant bans in six countries reveals an initially stabilizing impact in one case (Rwanda in 1994). A ban on a religious party in Kenya in 1993 triggered violent conflict. In cases such as Equatorial Guinea (1994) and Rwanda (2001, 2003), this regulatory measure, allegedly designed to promote peace, seems to be part of the ‘menu of manipulation’ and is abused to suppress the opposition.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Özkırımlı Umut, Uyan-Semerci Pınar

Pater familias and homo nationalis: Understanding nationalism in the case of Turkey

in Ethnicities, Vol. 11, n. 1 , 59-79

The aim of this article is to question, on the basis of the findings of a public opinion survey conducted by the authors in February 2006, the commonsense belief in the recent rise of nationalism in Turkey. Building on a conceptual and theoretical framework that rejects the view of nationalism as a conjunctural force that waxes and wanes in particular historical moments, the article will explore how nationalism is understood by the ‘people on the street’ in order to make sense of what we would describe as the ‘continual’ appeal of nationalism in Turkey. In this context, we will argue that the ‘tidal wave approach’ to nationalism, which treats it as a force hitting on particular occasions, or as a temporary aberration, does scant justice to the pervasiveness of nationalism in contemporary societies, western or non-western, including Turkey. Drawing on Hannah Arendt’s concept of ‘family man’, we will explore the role of family in the production and reproduction of nationalism in Turkey with a view to showing the extent to which nationalism is embedded in the fabric of society, delimiting the boundaries of responsibility and providing a template that lays down the standards of morality.

Section D) Federalism as a political idea



Subsection 2.Nationalism

Saikia Pahi

Political Opportunities, Constraints, and Mobilizing Structures: An Integrated Approach to Different Levels of Ethno-Political Contention in Northeast India

in India Review, Volume 10, Issue 1, January , 1-39

The article examines why some ethnic groups seeking ethno-political autonomy engage in violence while others respond with relative quiescence. It compares and contrasts the ethno-political movements of the Bodos and Misings in northeast India and adopts an integrated approach in which the mobilizing structure and state responses assume equal and important roles that determine the correlation between the mobilizing process and levels of contention. A fundamental claim is that popular support and participation are crucial to shape the trajectories and strategies of ethnic movements. What determines the level of popular following is long-term commitment, legitimacy, and effective communicative strategies adopted by activist organizations. This in turn, generates collective mobilization and produces mechanisms for violence. The absence thereof leads to less disruptive contention. Further, the level of ethnic contention is determined by consistency and extent of ethnic accommodation and the nature of state repression. Consistent accommodation can have a countervailing effect on the activists to launch violent rebellion. Accommodation may range from implementing particular ethno-linguistic policies to selective incentives or cooptation of core political activists by the government. Contrarily, inconsistent accommodation and widespread state repression leads to high levels of violence.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Brennan James R.

Politics and Business in the Indian Newspapers of Colonial Tanganyika

in Africa: The Journal of the International African Institute, Volume 81, Number 1, Special Issue: Print Cultures, Nationalisms, and Publics of the Indian Ocean, February , 42-67

This article examines the history of two Indian newspapers, Tanganyika Opinion and Tanganyika Herald, to demonstrate how business considerations provided both the opportunity for East African Indians to make public arguments and the central limitation on the arguments that could be made. Founded on the inspiration of mass nationalist action through a territorial hartal, the Tanganyika Opinion and later the Herald blazed the trails that articulated 'Greater India' among the Anglo-Gujarati reading public in Tanganyika. But growing conservative sentiments within this vulnerable minority, along with rising sectarian division, reduced both the patronage and audience for a singular 'anti-colonial' politics by the 1930s and 1940s. Moreover, as a marginal print node along the Indian Ocean littoral, the Opinion and Herald came to rely on an opportunistic mixture of wire services and consular propaganda to keep abreast of regional and international news developments. Ultimately, the shrinking market for Anglo-Gujarati newspapers and rising opportunities in Swahili-language journals had sealed the doom of these and similar Indian newspapers by the time 'African' political independence arrived in the early 1960s.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Ferreira Antunes Sandrina

Pragmatic nationalism in Europe: the N-VA and the new Flemish approach to Europe

in Fédéralisme Régionalisme , Volume 10 - Varia



Since the 1990s, Europe has been depicted as the most privileged political arena for ethno-regionalist parties to enhance regional autonomy. Along with the advent of the principle of subsidiarity, Europe seemed to dissolve sovereignty enabling regional actors to prosper in a context where regional independence could eventually be reached. In spite of these powerful political ambitions, with hindsight, we have finally realized that Europe can only provide the 'elements of usage' for ethno-regionalist parties to deploy a pragmatic strategy intended to strengthen their legitimacy to govern at the regional level. Based upon a pragmatic notion of nationalism and on a concept of usage of Europe, in this paper, we will demonstrate how the Nieuw-Vlaamse Alliantie (the N-VA) in Flanders has been able to use Europe since 2005 to regain political legitimacy to govern.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Frederiksen Bodil Folke

Print, Newspapers and Audiences in Colonial Kenya: African and Indian Improvement, Protest and Connections in Africa: The Journal of the International African Institute, Volume 81, Number 1, Special Issue: Print Cultures, Nationalisms, and Publics of the Indian Ocean, February , 155-172

The article addresses African and Indian newspaper networks in Kenya in the late 1940s in an Indian Ocean perspective. Newspapers were important parts of a printing culture that was sustained by Indian and African nationalist politics and economic enterprise. In this period new intermediary groups of African and Indian entrepreneurs, activists and publicists, collaborating around newspaper production, captured fairly large and significant non-European audiences (some papers had print runs of around ten thousand) and engaged them in new ways, incorporating their aspirations, writings and points of view in newspapers. They depended on voluntary and political associations and anti-colonial struggles in Kenya and on links to nationalists in India and the passive resistance movement in South Africa. They sidestepped the European-dominated print culture and created an anti-colonial counter-voice. Editors insisted on the right to write freely and be heard, and traditions of freedom of speech put a brake on censorship. Furthermore, the shifting networks of financial, editorial and journalistic collaboration, and the newspapers' language choice — African vernaculars, Gujarati, Swahili and English — made intervention difficult for the authorities. With time, the politics and ideologies sustaining the newspapers pulled in different directions, with African nationalism gaining the upper hand among the forces that shaped the future independent Kenyan nation.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Michael Jennings et Claire Mercer

Réhabiliter les nationalismes : convivialité et conscience nationale en Tanzanie post-coloniale in Politique africaine, n. 121 , 87-106

Cet article examine les relations entre nationalisme, développement et conscience nationale. En Tanzanie, après l'indépendance, la construction de la nation a abouti à l'édification d'une conscience nationale suffisamment versatile pour équilibrer et contenir la plupart des idées concurrentes sur ce que signifie faire partie de la nation tanzanienne. Revenant sur la manière dont la construction nationale s'est accompagnée d'un discours sur le développement et les responsabilités des citoyens tanzaniens, cet article défend une lecture conviviale de la conscience nationale selon laquelle le nationalisme reste un processus de négociation collective, où les versions officielles de la nation sont constamment mises en cause et reformulées pour ré-émerger sous de nouvelles formes.



Section D) Federalism as a political idea

Subsection 2. Nationalism

Waetjen Thembisa, Vahed Goolam

The Diaspora at Home: Indian Views and the Making of Zuleikha Mayat's Public Voice

in Africa: The Journal of the International African Institute, Volume 81, Number 1, Special Issue: Print Cultures, Nationalisms, and Publics of the Indian Ocean, February , 23-41

This article examines how the Gujarati-speaking Muslim trading class in South (ern) Africa was linked as a reading public through a newspaper, *Indian Views*, which had been founded in early twentieth-century Durban in opposition to Mahatma Gandhi's *Indian Opinion*. Under the editorship of Moosa Meer (1929-63) it was a conduit for sustaining existing social networks as well as offering common narratives that galvanized an idea of community embracing its geographically disparate readership. Between 1956 and 1963, Zuleikha Mayat, a self-described housewife born in Potchefstroom but married to a medical doctor in Durban whom she 'met' through the newspaper, wrote a weekly column that represented one of the first instances of a South African Muslim woman offering her ideas in print. She spoke across gender divides and articulated a moral social vision that accounted for both local and diasporic concerns. This article provides a narrative account of how Mayat came to write for *Indian Views*, a story that underscores the personal linkages within this diasporic community and, more broadly, how literacy and the family enterprises that constituted local print capitalism provided a material means of sustaining existing networks of village and family. It also reveals the role of newspaper as an interface between public and private spaces in helping to create a community of linguistically related readers who imagined themselves as part of a larger print culture.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Kalusa Walima T.

The Killing of Lilian Margaret Burton and Black and White Nationalisms in Northern Rhodesia (Zambia) in the 1960s

in Journal of Southern African Studies, Volume 37, Issue 1, March , 63-77

The symbolic significance of politically-motivated killings of Europeans during the nationalist struggle against colonial power in Africa in the 1950s and 1960 has long eluded the scrutiny of most historians. For although many historians have demonstrated the ways in which such killings shaped the pace of the decolonisation process in the continent, they have seldom shown how the killings themselves became an important terrain on which competing black and white nationalisms were played out. This article draws on recent academic discourse that places a premium on the political significance of death to explore the ways in which the murder of Lilian Margaret Burton by African activists of the United National Independence Party on the Zambian Copperbelt in 1960 informed rival nationalisms prior to the country's independence in 1964.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Gordon Adi

The Need for West: Hans Kohn and the North Atlantic Community



in **Journal of Contemporary History**, Volume 46, n. 1, January , 33-57

In the writing of historian Hans Kohn (1891—1971) East and West were never geographic locations, but rather geographic metaphors. They were ideas, which served as his major tool of analysis throughout his career: in Habsburg Prague as a young spiritual Zionist; in Jerusalem in the 1920s as a 'bi-national Zionist'; as comparative historian of nationalism as of the second world war; and finally as an American Cold Warrior. This article situates the evolution of Kohn's notions of East and West in a primarily Jewish context, and toward a Cold War horizon. It also seeks to illuminate the genealogy of the ideas he propagated as a notable purveyor of Cold War ideology, particularly the need for a 'New West'.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Gordon Adi

The Need for West: Hans Kohn and the North Atlantic Community

in **Journal of Contemporary History**, Volume 46, n. 1, January , 33-57

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Section D) Federalism as a political idea

Subsection 2. Nationalism

Zagarri Rosemarie

The Significance of the "Global Turn" for the Early American Republic: Globalization in the Age of Nation-Building

in **Journal of the Early Republic**, Volume 31, Number 1, Spring , 1-37

This piece consists of two major sections that address the question of how historians can incorporate the global approach to analyzing the period in U.S. history from 1776 to 1860. The first part of the essay is theoretical and examines the origins of the "global turn," its impact on various fields of historical research, and the resistance of historians of the early American republic to the framework. The key point in contention is whether the nation-state is an outmoded construct for organizing historical research or whether it serves a useful purpose. This essay argues that it is possible for the two approaches to be reconciled. The global approach can revitalize and reinvigorate studies of the nation-state, including studies of the early American republic. The second part of the essay provides a concrete example of what a global approach might look like by examining the relationship between British India and the early United States



from 1776–1860. The article explores three different areas: the exchange of goods, people, and ideas between British India and the early American republic; missionary activity in India by American women; and a comparison of British and American ideas about race and the treatment of nonwhite peoples under their rule. The article concludes by suggesting that the global approach is particularly useful in linking developments in the early United States with developments in the rest of the world.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Dardanelli Paolo, Stojanovic Nenad

The acid test? Competing theses on the nationality – democracy nexus and the case of Switzerland
in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 357-376

This article deals with the connection between nationality and democracy and explores the role Switzerland plays in the scholarly debate on this question. It identifies three main theses – liberal-nationalist, liberal-multinationalist and liberal-postnationalist – and shows that each of them uses the Swiss case to claim empirical support. It then analyses the connections between nationality and democracy in Switzerland and demonstrates that the country is neither multinational nor postnational, but is best characterised as a mononational state. These findings expose the fallacy of using Switzerland to claim support for either the multinational or the postnational thesis and call for a reconsideration of them. Additionally, they show that “civic nationalism” and “civic republicanism” can be conflated and that a predominantly civic nation is viable and sustainable and is not necessarily an ethnic nation in disguise. The Swiss case thus provides qualified empirical support for the liberal-nationalist thesis.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Malesevic Sinisa

The chimera of national identity
in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 272-290

In both popular discourse and many academic works, the existence of national identity is largely taken as given. Although researchers disagree on whether national identities are modern or perennial, and how best to gauge the intensity of identification with a particular nation, there is near unanimity on the view that national identities are real and perceptible entities. In contrast to this view I argue not only that there was no national identity before modernity but also that there is little empirical evidence for the existence of national identities in the modern age either. While it is obvious that many individuals show great affinity for their nations and often express sincere devotion to the ‘national cause’, none of these are reliable indicators of the existence of a durable, continuous, stable and monolithic entity called ‘national identity’. To fully understand the character of popular mobilisation in modernity it is paramount to refocus our attention from the slippery and non-analytical idiom of ‘identity’ towards well-established sociological concepts such as ‘ideology’ and ‘solidarity’. In particular, the central object of this research becomes the processes through which large-scale social organisations successfully transform earnest micro-solidarity into an all-encompassing nationalist ideology.



Section D) Federalism as a political idea

Subsection 2.Nationalism

Baldacchino Jean-Paul

The eidetic of belonging: Towards a phenomenological psychology of affect and ethno-national identity
in *Ethnicities*, Vol. 11, n. 1 , 80-106

In this article I discuss the way affect has featured in discussions of identity, focusing on ethnic and national identities. While affect features in most discussions of ethnicity it has mostly been dismissed as a testament to the irrationality and dangerous qualities of the identity in question. Such discussions adopt a simplistic model of human psychology, usually based on a hydraulic model of the emotions. After considering some recent and pioneering work that foregrounds the role of affectivity in group formations, I proceed to outline the basis for a phenomenological psychology of affect and group identities incorporating insights from psychoanalysis and phenomenology. One cannot begin to discuss the proper role of identity in the public sphere without first considering the emotional dynamics that underlie such group formations.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Elgenius Gabriella

The politics of recognition: symbols, nation building and rival nationalisms
in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 396-418

Ceremonial initiatives linked to nation-building projects are highly visible in multiethnic states, where governments seem to have adopted a Durkheimian approach in which ceremonies contribute to the strengthening of communities. However, national ceremonies are not invented or exported to other nations easily, as seen when outlining the pattern of a successful national day. A unifying narrative (sometimes the historical genesis) is significant in the establishment of successful national days, as is the nature of the national day design. The celebrations of the constitution in Norway – and the 77 year struggle to get the Norwegian flag officially recognised – became part of resisting the enforced union with Sweden (1814–1905). Therefore, the growth of Norwegian nationalism must be understood in the context of rival nationalisms in Scandinavia. However, Constitution Day (17 May) has remained a powerful component of Norwegian nationalism long since the constitution ceased to be threatened because of its incorporation in primary and secondary school curricula and, more recently, within the debate on multiculturalism.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Fenton Steve

The sociology of ethnicity and national identity
in *Ethnicities*, Vol. 11, n. 1 , 5-11

No abstract available



Section D) Federalism as a political idea

Subsection 2. Nationalism

Kaarsholm Preben

Transnational Islam and Public Sphere Dynamics in KwaZulu-Natal: Rethinking South Africa's Place in the Indian Ocean World

in *Africa: The Journal of the International African Institute*, Volume 81, Number 1, Special Issue: Print Cultures, Nationalisms, and Publics of the Indian Ocean, February , 108-131

Islam in KwaZulu-Natal has typically been seen as an Indian preserve and as closely linked with contestations around South African Indian identities. Against this background, dedication to Islam among Africans has appeared as exceptional, represented by groupings with particular histories of immigration from Mozambique, Malawi or Zambia. Since the 1970s, strong efforts have been made to extend the call of Islam to Africans in the province, as demonstrated in the mobilization efforts of the Islamic Propagation Centre International and the Muslim Youth Movement, and in the dawah projects of transnational Islamic NGOs like the World Assembly of Muslim Youth. Following the transition to democracy in 1994, Islam played an important role in establishing contacts between South Africans and the thousands of immigrants from other African countries — many of them with an Islamic background — who have been coming into KwaZulu-Natal. The essay discusses two different examples of Islamic practice in an African informal settlement on the outskirts of Durban, and demonstrates their different understandings of the relationship between Islam and African cultural 'custom'. It places these differences of local theology and politics in the context of propagations of Islam as manifested in the writings of Ahmed Deedat and recent examples of pamphlet literature by African Muslims. It argues that understandings of Islam in KwaZulu-Natal as an African religion relate the area to the Indian Ocean world not only though links across the sea to South Asia, but also along the coast — bridging the gap between the Swahili continuum to the north and transnational Islam in the Cape.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Stithorn Thananithichot

Understanding Thai Nationalism and Ethnic Identity

in *Journal of Asian and African Studies* , 46, No. 3, June , 250-263

This article examines three approaches to the study of nations, nationalism, and ethnic identity: primordialism, instrumentalism, and constructivism. The discussion relies primarily on qualitative methods consisting of documentary and explanatory research to consider the strengths and weaknesses of each approach. More importantly, an attempt is made to understand Thai nationalism and ethnic identity. Applying each theoretical framework to explain the Thai nation, nationalism, and ethnic identity, this article finds that each approach has both pros and cons. This article thus proposes the mechanism of the political entrepreneur to discuss how Thai political leaders define and utilize Thai (or 'Thai-ness') as well as Thai nationalism.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Kehoe Karly

Unionism, Nationalism and the Scottish Catholic Periphery, 1850–1930

in *Britain and the World*, Volume 4, Issue 1: (March) , 65-83



This article investigates the relationship between nationalism, unionism and Catholicism between 1850 and 1930 and proposes that ideas about the Scottish nation and national identity had a strong connection with the re-emergence and development of Catholicism. The presence of a large Irish-born and Irish-descended Catholic population meant that although there was a peripheral sensitivity to Ireland and an intellectual curiosity with Home Rule, indigenous Catholics remained deeply committed to the Scottish nation within the British state. A majority of Catholics in Scotland saw themselves as loyal British subjects, as nation builders and as the ambassadors of an imperial ideal. Understanding how Catholic identity was defined and how far this influenced, or was influenced by, the construction of a national identity is critical for achieving an understanding of the complexities of nationalism in Scotland. The parallels that exist between Catholicism's position on the periphery of Scottish society and Scotland's status within Britain is an overarching theme in this article that focuses on a period of intense national self-reflection and identity construction.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Leersen Joep

Viral nationalism: romantic intellectuals on the move in nineteenth-century Europe

in **Nations and Nationalism**, Volume 17, Issue 2, April 2011 , 257-271

Intellectuals were important to the spread of nationalist ideology in nineteenth-century Europe for a variety of reasons. Firstly, their works facilitated the international spread of the discourse of nationalism; secondly, they mediated between the fields of political institutions and cultural reflection. This article looks at the international mobility and networks of romantic-nationalist intellectuals, and uses the case of August Heinrich Hoffmann von Fallersleben (1798–1874) as an example.

Section D) Federalism as a political idea

Subsection 2.Nationalism

EriksenThomas Hylland

What is a society?

in **Ethnicities**, Vol. 11, n. 1 , 18-22

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Chandra Kanchan

What is an ethnic party?

in **Party Politics**, Volume 17, Number 2, Special Issue, Ethnic Parties, March , 151-169

This article shows that even if we stipulate a single definition of both an ethnic group and an ethnic party, there are many reasonable indicators that can be used to classify parties as ethnic, which may generate different counts of ethnic parties. It then maps the range of indicators that can be used to classify parties as ethnic, shows how previous questions raised in the study of ethnic parties can be better answered by some indicators than others, and identifies new questions



that can be raised by each classification in relation to the alternatives.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Ishiyama John, Breuning Marijke

What's in a name? Ethnic party identity and democratic development in post-communist politics

in Party Politics, Volume 17, Number 2, Special Issue, Ethnic Parties, March , 223-241

There has been surprisingly little literature differentiating between different kinds of ethnic parties. Most works tend to treat all ethnic parties as if they are basically the same. Although, to be sure, there have been some notable works attempting to differentiate types of ethnic parties, they tend to emphasize the territorial or political demands made by ethnic parties to distinguish the different types rather than the parties' organizational identity. In this article, rather than examine what they demand, we distinguish them by their organizational identities, or how they present themselves to an electorate — in particular via the names they adopt. We argue that parties portraying themselves as representative of a particular group and including that group in the party's name are different from parties that portray themselves in non-ethnic ways (by not including the group in its name). In particular, the latter not only attract different kinds of supporters, but are more likely to bring their supporters into greater acceptance of democracy, and hence more likely to promote democratic consolidation than parties that portray themselves more exclusively

Section D) Federalism as a political idea

Subsection 2. Nationalism

Hajjat Abdellali

« Bons » et « mauvais » musulmans. L'État français face aux candidats « islamistes » à la nationalité

in Cultures & Conflits, n. 79-80, automne-hiver , 139-159

Since the 1980s, the administration in charge of the acquisition of French citizenship is facing a new reality: the increasing number of 'Islamist' activists' applications. This article seeks to understand how different components of the French State (sub-directorate of naturalization, police, administrative courts) deal with the applications of these 'Islamist' candidates from the perspective of the legal category of 'failure to assimilate'. The analysis of several significant naturalization files highlights the categories of understanding that distinguish between 'good' and 'bad' Muslims, which are elaborated on the basis of some confusion between 'Islam' and 'Islamism', the opposition 'radical' and 'moderate' Muslims, and conflicts of interpretation between the candidates, administration and courts.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Bertani Corrado

Was ist Rechtens? La giustizia tra diritto privato e idea del diritto pubblico. Lettura di *Metaphysische Anfangsgründe der Rechtslehre*, §§ 36-40

in Studi Kantiani, Anno XXIII, 2010

No abstract available



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Piero S. Graglia

Altiero Spinelli

in **Mulino (il)**, n. 6, novembre-dicembre, 2010 , 994-1000

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Flick Giovanni Maria

Altiero Spinelli e il Risorgimento europeo dell'Italia

in **Federalismi**, Anno IX - Nr. 11

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Mombelli Gerardo

Bino olivi (1925-2011)

in **Critica liberale**, Volume XVIII, n. 186, Aprile

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Matthew S. Brogdon

Defending the Union: Andrew Jackson's Nullification Proclamation and American Federalism

in **Review of Politics (The)**, Volume 73, Issue 02 , 245-273

This essay contends that we can better understand Andrew Jackson's distinctive account of federalism by looking outside the Jeffersonian and Jacksonian political traditions. More appropriate peers for Jackson, as a constitutional statesman, are John Marshall and Abraham Lincoln. Existing treatments of Jackson miss these connections because they focus primarily on his roles as party leader and reformer, to the neglect of his constitutional statesmanship. A major cause of this neglect is the apparent inconsistency between Jackson's "nationalist" account of the Union in the Nullification Proclamation and his advocacy of "states' rights" elsewhere, a tension that can be resolved by a closer reading of Jackson's rhetoric. Among other things, this redefinition of Jackson's legacy demonstrates that there is no necessary tension between a strong union and meaningful limits on federal power; nor is there a necessary affinity between narrow construction of federal power and state-compact theory.



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Spoltore Franco

**Due congressi per rilanciare l'azione dei federalisti europei
in *Federalista (II)/Federalist (The)*, Anno LIII, n. 1 , 66-70**

<http://www.thefederalist.eu/files/PDF/IT/2000/2011-1-IT.pdf>

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Massimo Piermattei

**Europeisti, antieuropei, ma soprattutto padani. La Lega Nord, la moneta unica, l'integrazione europea
(1982-1998)**

in Memoria e ricerca , Fascicolo 36

The essay focuses on the evolution of the Italian Northern League Party's approach to European integration (1982-1998), with particular regard to the impact the Maastricht Treaty and economic and monetary union had on Italy. The author has examined unpublished documents in their historical perspective to help trace the Northern League's tortuous, contradictory path as it moved away from its original strong pro-European stance and veered towards Euro scepticism. Further light is also thrown on the crucial role the League played in the history of the Italian Republic and in the Italian party system during the 1990s - especially after the 1992-1994 crisis - and on the dawn of the party's independency strategy in 1996.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Giordano Filippo Maria

**Il progetto di dichiarazione federalista dei movimenti di resistenza europei - 20 maggio 1944
in *Cittadinanza europea (La)*, Fascicolo 1 - 2011**

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Sabbatini Carlo

**Il sovrano come ideale della ragione: sulle implicazioni giuridico-politiche dell'ipostasi kantiana del potere
in *Filosofia Politica*, numero 1, aprile 2011 , 107-120**

No abstract available



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Iozzo Alfonso

In Memory of Tommaso Padoa-Schioppa

in **Federalist Debate (The)**, Year XXIV, n. 1, March

Tommaso Padoa-Schioppa suddenly passed away in Rome on December 18, 2010, during a dinner he was giving to his friends on the occasion of his 70th anniversary. With this obituary, The Federalist Debate intends to remember a remarkable man and a precious contributor to this review.

<http://www.federalist-debate.org/fdb/current/detail.bfr>

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Caranti Luigi

Kant e l'agire politico

in **Rivista di Filosofia**, numero 1, aprile 2011

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Halldenus Lena

Kant on Freedom and Obligation Under Law

in **Constellations**, Vol. 18, Issue 2, June , 170-189

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-8675.2011.00638.x/abstract>

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Frank Martin

Kant und der ungerechte Feind

in **Deutsche Zeitschrift für Philosophie**, 59. Jahrgang, Heft 2, 2011 , 199-219

Abstract

This essay proposes that Kant's unjust enemy has a central place within his conception of international law. The first part rejects the assumption that the unjust enemy is part of Kant's law of war and primarily a domestic problem. Instead, it is argued that this figure is best understood as a spoiler of the building process of international law. Several forms of the unjust enemy are distinguished in order to show that the theorem has also positive functions within Kant's theory. These positive features could be used within Kant's evolutionary conception of international law to point to some internal deficiencies.



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Dastoli Pier Virgilio

La frittata e le uova di Spinelli

in *Critica liberale*, Volume XVIII, n. 184, febbraio

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Barry Gearóid

Marc Sangnier and ‘the Other Germany’: The Freiburg International Democratic Peace Congress and the Ruhr invasion, 1923

in *European History Quarterly*, Volume 41, n. 1, January , 25-49

Marc Sangnier (1873—1950) was the instigator of a series of International Democratic Peace Congresses in the 1920s and 1930s. A veteran of the First World War, he ardently wished to ‘disarm hatred’. Drawing on his pre-war experience as leader of the Christian Democratic youth movement, the Sillon, he launched a non-governmental movement aimed at youth for the advancement of Franco-German understanding. The Ruhr occupation, undertaken due to war reparations disputes, made the Freiburg Congress of August 1923 particularly audacious as Sangnier and a portion of the French left embraced a non-militarist Germany even if political divisions intruded. Sangnier clashed with Prime Minister Poincaré in parliament and withstood the physical violence of the nationalist right on the street for his daring. The advent of Locarno diplomacy and détente from 1925 turned Sangnier’s movement from being marginal to an important vehicle for promoting rapprochement, recognized as such by Foreign Minister Aristide Briand, himself the symbol of pacifist hopes.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Höntzsch Frauke

Moralisches Ideal und politische Wirklichkeit. Die Ambivalenz des neuzeitlichen moralischen Kosmopolitismus am Beispiel von Kant und J. St. Mill

in *Zeitschrift für Politik*, Jahrgang 58, Heft 1, 2011

Summary

This essay assumes that all versions of modern moral cosmopolitanism (whether it be rightbased, obligation-based or utilitarian) are characterized by an ambivalence between moral ideal and political reality. This ambivalence is due to the justification of the cosmopolis based on human nature. By justifying cosmopolis by the moral potential of human beings,



cosmopolis appears to be a political alternative which however necessarily fails due to the selfish desires of individual man. The versions of modern moral cosmopolitanism, which are here exemplified by the approaches of J. St. Mill and Kant, mainly differ with respect to addressing this ambivalence.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Gui Francesco

Movimento federalista europeo, era ora

in *Critica liberale*, Volume XVIII, n. 186, Aprile

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Banham Gary

New Work on Kant's Doctrine of Right (Review Article)

in *British Journal for the History of Philosophy*, Volume 19, Issue 3, 2011, 549-560

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Montani Guido

Otmar Issing. An economist and architect of supranational institutions

in *Politico (II)*, n. 226, anno XXXVI, gennaio-aprile, 11-24

ABSTRACT: Il prof. Issing, dopo aver ringraziato le autorità accademiche per il riconoscimento della Laurea Honoris Causa, richiama brevemente la sua audizione al Parlamento Europeo, avvenuta prima di assumere l'incarico come membro del Board della BCE. In quell'occasione, Issing ribadisce la sua convinzione della necessità che la Banca centrale persegua una politica di stabilità monetaria, nell'interesse dei cittadini europei. Per quanto riguarda il futuro dell'UEM, Issing si dichiara fiducioso che le attuali turbolenze vengano superate: esse riguardano più l'aspetto delle finanze pubbliche che non le fondamenta monetarie dell'UEM. Conclude il suo intervento ricordando che nella BCE ha incontrato il suo collega francese Noyer, il cui padre era internato in Germania durante la seconda Guerra mondiale mentre il padre di Issing si trovava in Francia tra le truppe di occupazione. I due figli oggi si sono trovati a lavorare insieme per la moneta comune: questo è il senso storico e politico dell'unificazione europea.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Miller David



Property and Territory: Locke, Kant, and Steiner

in *Journal of Political Philosophy*, Vol. 19, Issue 1, March , 90-109

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9760.2010.00377.x/abstract>

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Lacaita Francesca

Ricordo di Anna Siemsen

in *Critica liberale*, Volume XVIII, n. 186, Aprile

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Spoltore Franco

Saint-Simon

in *Federalista (II)/Federalist (The)*, Anno LII, n. 3 , 213-226

<http://www.thefederalist.eu/files/PDF/IT/2000/2010-3-IT.pdf>

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Aloisio Salvatore

Spunti di riflessione riprendendo alcuni scritti di Francesco Rossolillo

in *Federalista (II)/Federalist (The)*, Anno LIII, n. 1 , 7-16

<http://www.thefederalist.eu/files/PDF/IT/2000/2011-1-IT.pdf>

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Majocchi Luigi V.

“Puissance europe” uno strumento utile

in *Critica liberale*, Volume XVIII, n. 186, Aprile

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Randraad Nico



Advanced Journal Search » Expand+The International Statistical Congress (1853—1876): Knowledge Transfers and their Limits
in *European History Quarterly*, Volume 41, n. 1, January , 50-65

Between 1853 and 1876 nine international statistical congresses were held in different European cities. The aim of the congresses was to bring about uniformity in the themes and methods of national statistics. However, this goal could not be attained overnight. Much of the failure to bring about rapid change was due to the difficulties in realizing effective knowledge transfers, that is, effective communication, in an age that was not quite ready for truly international activities. It has been shown that the second half of the nineteenth century was a period of numerous experiments in internationalism, but at the same time rampant nationalism nipped many initiatives in the bud. Increasing nationalism, however, is not the only explanation for the collapse of the international statistical congress. The implicit faith in the possibility of a neutral science of statistics also created huge difficulties. Realizing statistical uniformity presupposed that the underlying facts and figures were comparable. This uniformity was far removed from the rapidly changing administrative reality in nineteenth-century Europe.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Di Giacomo Michelangela

Identità eurocomunista: la traiettoria del Pce negli anni Settanta

in *Studi Storici*, a. 51, n. 2. aprile- giugno

Between 1968 and the late 1970's, the communist parties of Italy, France, and Spain converged in an attempt to redefine certain features of their own identity, adapting their function to a changed society. Due to its size and precarious structure, the Spanish Communist Party (PCE) was often dismissed by studies to a marginal role, though at times it had expressed itself more forcefully than other political partnerships interested in the Euro-communist strategy. This article retrace the path to Euro-communism, propose a new organization in periods, and describe the PCE's evolution from a typically Third-Internationalist position to one embracing Soviet and other European partnerships (in particular the Italian Communist Party), as it welcomed Italy's appreciation for democracy and the national road to socialism as positive value.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

De Graaf Nana

global energy network? The expansion and integration of non-triad national oil companies

in *Global Networks*, vol. 11, n. 2, april , 262-283

ABSTRACT: It is widely perceived that the rising influence of state-owned energy companies from outside the traditional triad (USA, EU, Japan) is transforming the structure of the global energy market and generating a new wave of resource-nationalism. There is, however, little empirical analysis of how this process has unfolded. Addressing this empirical gap, in this article I employ a longitudinal social network analysis of the changing corporate relations of five major non-triad state-owned energy companies in the period 1997–2007. The findings indicate that, in terms of



corporate relations, alongside the global expansion of the non-triad state-owned energy companies, there was also an increased integration between them and the private energy companies during this decade. This implies that apart from the resurgence of resource-nationalism – frequently highlighted in academia and politics – this period also witnessed an increasing transnationalization of the global energy market.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Portinaro Pier Paolo

"Lettura Martinetti". Per la critica del cosmopolitismo: la filosofia politica oltre lo Stato nazionale?

in *Rivista di Filosofia*, numero 1, aprile 2011, 3-28

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Riordan Liam

"O Dear, What Can the Matter Be?": The Urban Early Republic and the Politics of Popular Song in Benjamin Carr's Federal Overture

in *Journal of the Early Republic*, Volume 31, Number 2, Summer, 179-227

This essay scrutinizes a musical medley, the Federal Overture, and its performance context at Philadelphia's Southwark Theater in 1794. Benjamin Carr had been commissioned by the Old American Company's managers to compose a piece that would include popular, Federalist, and French Revolutionary songs in an attempt to still audience violence that threatened to ruin their commercial venture in the newly legalized theater of the 1790s. Drawing primarily upon the musical score itself, newspaper accounts, and personal papers, the essay argues that changing performance norms and expectations about audience behavior are crucial to a full understanding of the polarized urban early republic that is too often assessed in narrowly partisan terms. Serious attention to popular culture, like theater music, should aspire to do more than merely add color to a long-established political narrative about the early republic. Because of the success of the Federal Overture as part of the Old American Company's touring repertoire, its circulation as sheet music, and parallel struggles over the performance context of theater in Boston and New York, a microhistorical assessment of Carr's overture helps us access and assess the critically contested public space of postwar but still revolutionary U.S. society.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Maier Jürgen, Faas Thorsten

'Miniature Campaigns' in Comparison: The German Televised Debates, 2002-09

in *German Politics*, Volume 20, Issue 1, Special Issue: The German Election of 2009, 75-91

Given that US-style televised debates were held for the third time in a row in a German federal election campaign, it seems fair to say that they have become an institutionalised feature of German campaigns. Although a number of studies have analysed (single) German debates, comparative work covering the full set of debates is still lacking. The



aim of this paper is to reveal patterns and trends in a) debate exposure, b) the evaluation of the candidates' debate performances and c) debate effects. To this purpose, a pooled data set for the 2002, 2005 and 2009 debates is analysed. Consistent evidence is found that cognitive as well as partisan mobilisation increases the probability of watching debates. Concerning the impact of debates, it is found that debate exposure has a mobilising effect - especially among those less interested in politics. In addition, we find a considerable impact of debates on party choice - with the effects reflecting patterns of 'reinforcement' as well as 'conversion'. The greatest debate effects can be observed for independent voters. Given these results, televised debates are not only an institutionalised feature of German campaigns, but also a powerful and hence possibly decisive one.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Andrew Glencross

A Post-National EU? The Problem of Legitimising the EU without the Nation and National Representation in Political Studies, Volume 59, Issue 2 , 348–367

This article explores whether the supranational EU polity can be legitimised without the nation state. It claims that modern political representation depends on establishing a tripartite distinction between state, government and civil society. This is contrasted with competing notions of the modern state, notably Rousseau's idea of popular sovereignty and the Jacobin notion of 'immediate democracy'. The tripartite system, it is argued, enhances three crucial components of democratic legitimacy: governing, sanctioning and mandating accountability. Within this framework, the idea of the nation and the associated national narrative is shown to benefit democratic legitimacy by providing a trans-generational concept of the common good to which government can be held accountable. Since the EU does not fit this model, two approaches have been touted to legitimise this supranational polity in a post-national manner: democratic governance and constitutional patriotism. Yet both are highly problematic forms of engendering legitimacy. Governance offers no guarantees as to how and why citizens will be better represented and does away with the idea of a common good. Constitutional patriotism presupposes the prior acquiescence of nation states to EU integration without problematising how such acquiescence is mandated. Thus the maintenance of a genuinely post-national polity – one that does not recreate the division between state, government and people – depends on the ability to incorporate EU integration into evolving national narratives.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Saalfeld Thomas

A Seemingly Boring Election amidst Economic Turmoil

in German Politics, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 1-11

Full text available at <http://www.informaworld.com/smpp/ftinterface~db=all~content=a936332397~fulltext=713240930>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Reed Amar Akhil

America's Lived Constitution



in *Yale Law Journal (The)*, Vol. 120, issue 7 , 1734-1783

This Feature is an adaptation of chapter 3 of a forthcoming book, *America's Unwritten Constitution*, which in turn is a sequel to a 2005 book, *America's Constitution: A Biography*. The 2005 book explores America's written Constitution in considerable detail, taking readers on a journey that begins with the Preamble and proceeds through the document, Article by Article and Amendment by Amendment. The sequel invites readers to venture beyond the written Constitution by exploring aspects of America's constitutional order that are not expressly enumerated within the four corners of the document. The unifying theme of *America's Unwritten Constitution* is that there exist various approaches to American constitutionalism that supplement the terse text without supplanting it—nontextual interpretive methods and techniques that harmonize with the text itself.

Chapter 3 of this forthcoming book—the foundation of this Feature—explores the domain of unenumerated rights. Although such rights are by definition not expressly listed in the terse text, the written Constitution signals their existence and provides broad guidance about where and how to find these rights. One of the most obvious places where these rights are to be discovered is in the lived practices and beliefs of the American people themselves. Another source of these “lived” rights is where Americans live: their homes. While privacy rights embody some of America's most notable examples of “lived” constitutional entitlements, this Feature places privacy examples alongside case studies drawn from criminal procedure and property law to illustrate the range, power, and limits of one general way of thinking about unenumerated rights. Whether the underlying (and underspecified) constitutional text is the Fourth, Fifth, Sixth, Eighth, Ninth, or Fourteenth Amendment, or some combination thereof, faithful constitutional interpreters properly attend to the expectations and practices of ordinary Americans who claim certain basic rights even though the terse text does not explicitly list these rights.

Full text available at:

<http://www.yalelawjournal.org/images/pdfs/976.pdf>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Meren David

An Atmosphere of Libération: The Role of Decolonization in the France-Quebec Rapprochement of the 1960s

in *Canadian Historical Review (The)*, Volume 92, Number 2, June , 263-294

Decolonization's impact was by no means restricted to the Global South. It is impossible to understand developments in the Canada-Quebec-France triangle in the 1960s without referring to the discourse, ideas, and examples of anti-colonial resistance that marked international life after the Second World War. In addition to influencing the postwar development of France and Quebec, the decolonization phenomenon figured prominently in the process of rapprochement that developed between them in the post-1945 period. After discussing the global reach of decolonization, this article examines its impact on the Canada-Quebec-France triangle. Particular attention is paid to its intellectual and political consequences, notably the ‘Quebec as colony’ metaphor and the reimagining of France as a champion of decolonization. The intersection between these two ideas was crucial to the evolution of the France–Quebec relationship.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Finnane Mark, Myrtle John

An Exercise in Police Co-operation? The Origins of the Conference of Australian Police Commissioners in Australian Journal of Politics & History , Volume 57, Issue 1, March , 1-16

Research on police co-operation has focused on international co-operation and the challenges encountered on the path to a common Europe. Much less attention has been paid to historical challenges of police co-operation within the boundaries of nation-states with multiple police agencies. In this article we examine the origins of an institutional approach to the problems of policing within a federation. In Australia police commissioners of the various jurisdictions have been convening in a national forum for more than a century. This practice has its origins in late-nineteenth century developments in criminal identification technologies such as Bertillonage and fingerprinting. The inaugural meeting of state police commissioners occurred in 1903 and after 1921 it became an annual event. In sum, we argue that the historical evidence from Australia suggests that the emergence of police co-operation within national boundaries is likely to replicate the patterns observed in the development of international police co-operation across the late nineteenth and early twentieth centuries.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

White Damian F., Kossoff Gideon

Anarchisme, libertarisme et environnementalisme. La pensée anti-autoritaire et la quête de sociétés auto-organisées

in **Ecologie et politique**, n. 41, Les écologies politiques aujourd'hui. 2. Amérique du Nord , 145-171

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Weidel, Timothy A.

Are Human Rights Wrong? A Human-Language Ethic Approach to Global Poverty

in **Perspectives on Global Development and Technology** , Vol. 10, n°1 , 213-223

In this article, I offer an alternative approach to global poverty by challenging the current ethic of human rights. I argue for what I see as a true human-language ethic, influenced by Marx, which appeals to the claim that global poverty not only directly harms the poor, but actually harms everyone. As human beings, we all have needs that we must satisfy in order to survive. Contrary to human rights' treatment of individuals as atomistic beings, I argue that a sense of community and connection to the global poor is necessary to meet their (as well as our) human needs. In addition, since labor is a necessary vehicle for meeting such needs, the poor must have access to means of employment. They (and we) must dialogue and labor to meet the needs of all human beings.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous



Alesina Alberto, Easterly William, Matuszeski Janina

Artificial States

in *Journal of the European Economic Association*, Volume 9, Issue 2 - April 2011 , 246-277

We define artificial states as those in which political borders do not coincide with a division of nationalities desired by the people on the ground. We propose and compute for most countries in the world two measures of the degree to which borders may be artificial. One measures how borders split ethnic groups into two separate adjacent countries. The other measures the straightness of land borders, under the assumption the straight land borders are more likely to be artificial. We then show that these two measures are correlated with several measures of political and economic success.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Direnç Kanol

Assessing the legitimacy of the EU

in *Interdisciplinary Political Studies*, Issue 0 , 49-59

The Lisbon Treaty could not meet the demands of many as regards the issue of the EU's legitimacy and democratic governance. By analyzing the literature on the legitimacy of the EU, the article shows why the EU has to fulfill the legitimacy criteria of the liberal-democratic states by defining the EU as a multi-level governance polity which affects the legitimacy of the member-states. This view discards the arguments for assessing the legitimacy of the EU as of an international organization. Likewise, it rejects the views arguing that the EU is a regulatory state and its legitimacy should be assessed in terms of regulatory legitimacy. A conceptual framework is provided at the end of this article to initiate an empirical research design to measure and subsequently perhaps to increase the legitimacy of the EU.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Tutino John

Capitalismo global, Estado nacional y los límites de la Revolución: tres momentos clave en el siglo XX mexicano

in *Foro Internacional*, VOLUMEN LI - NÚMERO 1

This essay is built on the historical erudition of Adolfo Gilly and Friedrich Katz, and faced with the theoretical perspectives of Barrington Moore, Theda Skocpol and Richard Adams. It focuses on three junctures in which the relations between the power of the State, national social forces, and global capitalism altered the course of Mexican History. In 1914-1915, Carranza tapped the wealth of Atlantic capitalism to block popular mobilizations. In 1938, Cárdenas negotiated, based on campesino and workers' mobilizations, to nationalize petroleum and claim maximum power for Mexico at a time of weakened capitalism. In 1994, Salinas incorporated Mexico into global capitalism; at the same time, he inhibited popular assertions of power and delayed democratization

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous



Susan D. Hyde

Catch Us If You Can: Election Monitoring and International Norm Diffusion

in *American Journal of Political Science*, Volume 55, Issue 2, April 2011 , 356–369

Why has the decision to invite foreign election observers become an international norm? More generally, how do international norms develop in the absence of incentives for cooperation or activism by norm entrepreneurs? Motivated by the case of election observation, I argue that international norms can be generated through a diffusely motivated signaling process. Responding to increased benefits associated with being democratic, international election observation was initiated by democratizing governments as a signal of a government's commitment to democracy. Increased democracy-contingent benefits gave other “true-democrats” the incentive to invite observers, resulting in a widespread belief that all true-democrats invite election monitors. Consequently, not inviting observers became an unambiguous signal that a government was not democratizing, giving even pseudo-democrats reason to invite observers and risk a negative report. I evaluate this theory with an original global dataset on elections and election observation, 1960–2006.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Abu El-Haj Tabatha

Changing the People: Legal Regulation and American Democracy

in *New York University Law Review* , Vol. 86, n. 1 , 1-68

The world in which we live, a world in which law pervades the practice of democratic politics—from advance regulation of public assemblies to detailed rules governing elections—is the product of a particular period of American history. Between 1880 and 1930, states and municipalities increased governmental controls over the full range of nineteenth-century avenues for democratic participation. Prior to this legal transformation, the practice of democratic politics in the United States was less structured by law and more autonomous from formal state institutions than it is today. Exposing this history challenges two core assumptions that drive the work of contemporary scholars who write about the law of the American political process. First, a study of the nineteenth-century mode of regulating politics belies the existing literature's assumption that law must extensively structure democratic politics. Second, this account of democracy in nineteenth-century America serves as a reminder that elections, political parties, and voting, while critical to democracy, are not the whole deal. It thereby challenges law of democracy scholars to move beyond the existing literature's narrow conception of democracy as elections and to consider more broadly the practice of democracy in America.

Full text available at:

http://www.law.nyu.edu/ecm_dlv4/groups/public/@nyu_law_website__journals__law_review/documents/documents/ecm_pro_068669.pdf

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Blanchard, J-M

China's Grand Strategy and Money Muscle: The Potentialities and Pratfalls of China's Sovereign Wealth Fund



and Renminbi Policies

in Chinese Journal of International Politics (The), Volume 4 Issue 1 Spring , 31-53

China's grand strategy consists of the mix of internal and external political, military, economic, technological, and socio-cultural strategies that it uses to advance its security interests, given its resources and the international context. Despite the richness of the term, specialists concentrating on Chinese security interests have hijacked and narrowly conceptualized it in terms of China's military modernization, increasingly ambitious defence strategies, and efforts to warm relations with diverse countries such as Russia. This myopia is ill-advised, as China has long made use of and is using economic instruments to advance its security interests (properly understood). Moreover, Chinese strategic thinkers are clearly reflecting on the geopolitical implications (political, economic, and prestige) of their country's economic rise and the commensurate relative economic decline of the United States. Finally, China has impressive intrinsic economic capabilities; e.g. it is the world's second largest economy, largest exporter, and a major creditor nation. In recent years, analysts have shifted their attention to China's others economic capabilities, apparent in massive foreign exchange reserves, exploding outward foreign direct investment (OFDI), and growingly active Sovereign Wealth Fund (SWF). This is logical given that China has more than \$2.5 trillion in foreign exchange and a currency (the Renminbi or RMB) that has the potential to become an international one. Moreover, in 2009, People's Bank of China (PBOC) Governor Zhou Xiaochuan explicitly called for the creation of a new international reserve currency. More relevant for us, there is a growing body of work attuned to the implications of China's newfound money muscle. Unfortunately, this literature either neglects or analyzes superficially the possible political rationales behind, or political consequences of, Chinese money policies.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Derisbourg Jean-Pierre

Chypre : la difficile réunifi cation par une solution fédérale ou confédérale ?

in Europe en formation (L'), n. 359, spring, 2011 , 135-140

Pour comprendre les difficultés d'une réunifi cation de Chypre, il faut rappeler quelques faits : après plus de trois siècles d'occupation ottomane et près d'un siècle de colonie britannique, l'île conquiert son indépendance en 1960. Les Chypriotes grecs et les Chypriotes turcs – unis contre les Anglais mais ne s'étant jamais mélangés depuis la période ottomane – se brouillent dès 1964 au sein d'une République fédérale. Les Nations unies envoient des Casques bleus pour séparer les combattants : ils sont toujours là 45 ans plus tard !

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Altenhoener Charlotte, Palermo Francesco

Civil Society Contributions to the Work of the OSCE High Commissioner on National Minorities

in International Journal on Minority and Groups Rights, Volume 18, Number 2 , 201-218

As a conflict prevention institution of 'quiet diplomacy', the Organization for Security and Co-operation in Europe (OSCE) High Commissioner on National Minorities (HCNM) is not associated, at a first glance, with civil society. This article analyses the working methods of the HCNM and demonstrates the all but irrelevant contribution of civil society to the successful implementation of the HCNM mandate. The paper first identifies the categories of civil society mostly



involved with the work of the HCNM and then illustrates the different forms of involvement of each of them. It focuses, in particular, on two important instruments of the HCNM 'toolbox', the project work and the elaboration of general recommendations, looking at the essential role played by civil society actors. It concludes by maintaining that the role of the conflict prevention mandate of the HCNM has evolved significantly since his early years and that such evolution has effected (and was in turn affected by) substantial contribution from the side of civil society. As a result, a structural triangle of conflict-prevention comprising the HCNM, national authorities and civil society is emerging as reference, even if the balance among the three actors is defined separately in each individual case.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Tambe Ashwini

**Climate, Race Science and the Age of Consent in the League of Nations
in Theory, Culture & Society**, Volume 28, n. 2, March , 109-130

In this article I explore how, in the League of Nations' emerging anti-trafficking regime of the 1920s and 1930s, one category of race science — climate — played a prominent role in positing natural hierarchies between nations. My purpose is twofold: (1) to explain the currency of climate at this moment and to examine the trajectory of climate as an explanatory device in the intellectual history of 'race'; and (2) to reflect on the biopolitical implications of explanations rooted in climate. The article begins with a description of how League of Nations delegates used climate as shorthand to refer to differences between the sexual mores of various nations. I then reflect more broadly on the emergence, submergence, and reemergence of climate in the history of race science, and its effects in practical settings. I move to a discussion of the significance of the age of consent as a category, and analyse the League of Nations-sponsored efforts to track ages of consent across countries as a biopolitical project. My overarching argument is that references to climate performed important ideological work in naturalizing hierarchical relations between nations. In arenas where diplomats sought to arrive at a consensus, such references rendered them more palatable and less disputable.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Lees Charles

Coalition Formation and the German Party System

in German Politics, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 146-163

The article uses a thick synthetic analytical framework, derived from the established coalition literature to examine the process of coalition formation in the context of the German party system at the time of the 2009 federal election. It argues that increasing party system fragmentation and fluidity are long-term effects of the critical changes that took place between 1983 and the mid-1990s. These changes have shifted coalition power away from the smaller parties, and in particular the FDP, and towards the two Volksparteien. In terms of the coalition game, the article argues that outcomes cannot be explained by pure office-seeking but that these motives do become important once the desire to avoid unnecessary co-ordination costs, achieve ideological adjacency and reduce ideological range to a minimum has been satisfied. The article concludes by asserting that, rather than being a re-constitution of the default coalition model in Germany, the logic of the 2009 Black-Yellow coalition is consistent with more recent coalition games and therefore is



a reflection of change rather than continuity.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Valentini Laura

Coercion and (Global) Justice

in *American Political Science Review*, vol. 105, issue 1, february , 205-220

ABSTRACT: In this article, I develop a new account of the liberal view that principles of justice (in general) are meant to justify state coercion, and consider its implications for the question of global socioeconomic justice (in particular). Although contemporary proponents of this view deny that principles of socioeconomic justice apply globally, on my newly developed account this conclusion is mistaken. I distinguish between two types of coercion, systemic and interactional, and argue that a plausible theory of global justice should contain principles justifying both. The justification of interactional coercion requires principles regulating interstate interference; that of systemic coercion requires principles of global socioeconomic justice. I argue that the proposed view not only helps us make progress in the debate on global justice, but also offers an independently compelling and systematic account of the function and conditions of applicability of justice.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Poguntke Thomas

Conclusion: Governing under Conditions of Uncertainty

in *German Politics*, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 223-226

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Elgie Robert

Core Executive Studies Two Decades On

in *Public Administration*, Vol 89 Issue 1 , 64-77

The concept of the 'core executive' was introduced by Dunleavy and Rhodes in 1990. Two decades on, what is the state of core executive studies? This article argues that the language of the study of central government has been transformed. In addition, there is now a much broader consideration of the central government space, incorporating ministers, civil servants, and so on. Within core executive studies, the resource-dependency approach has become dominant. Arguably, though, with its insistence on a structural element to power and its focus on prime ministerial predominance, much of this work collapses back into an interpretation that is close to the conclusions of the pre-1990 debate. Currently, only the interpretive, ethnographic approach proposed by Rhodes and his co-authors challenges the new orthodoxy. This article suggests that a resolutely positivist account of the core executive would provide a similar challenge and spark a lively and very welcome debate.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Engau Christian, Hoffmann Volker H.

Corporate response strategies to regulatory uncertainty: evidence from uncertainty about post-Kyoto regulation

in **Policy Sciences**, vol. 44, n. 1, march , 53-80

ABSTRACT: A better understanding of firms' response strategies to regulatory uncertainty enables policymakers to improve policymaking efficiency and to enhance the effectiveness of regulation. Based on a literature review, we categorize responses according to their objective toward regulatory uncertainty into four strategies: avoidance, reduction, adaptation, and disregard strategies. Unique data from a worldwide cross-industry survey show that firms predominantly pursue reduction, and to a lesser extent adaptation and disregard strategies, in response to post-Kyoto regulatory uncertainty. Surprisingly, firms in fact only sporadically pursue avoidance strategies, in contradiction to their own public announcements commonly made during policymaking to realize such strategies. The degree of regulatory uncertainty perceived and its interpretation as a threat increase the pursuit of most of these strategies. In addition, firms' response strategies to post-Kyoto regulatory uncertainty differ across industries and partly across regions.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Massimo Mori

Cosmopolitismo

in **Mulino (il)**, n. 6, novembre-dicembre, 2010 , 897-911

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Macartney Huw

Crisis for the State or Crisis of the State?

in **Political Quarterly** , Volume 82, Issue 2, April-June 2011 , 193-203

The Conservative-Liberal Democrat government's policy risks turning the financial crisis into a crisis of the state. This article argues that the current trajectory of the British state risks exacerbating the very social antagonisms which it has fought so hard to contain in recent years. It contends that the crisis (2007–09) was a crisis of neoliberalism and yet, paradoxically, neoliberalism—in the form of further depoliticisation and a new politics of debt—is being re-invoked to deal with the post-apocalyptic condition of the British economy. The article suggests that the state lacks the necessary political discourse to secure popular consent and—as a result—is resorting to a more coercive form of political management; and that the effects of austerity are being offset through an increased indebtedness of the British public. Both risk igniting social conflict. In the conclusion several points are indicated for an alternative political agenda.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Sahana Ghosh

**Cross-border activities in everyday life: the Bengal borderland
in Contemporary South Asia**, Volume 19, Issue 1, 49 - 60

This paper will address the multiple forms and layers of porosity that give borderlands, such as the Bengal borderland, their distinctive nature as zones of contestation. Cross-border interactions continue to be an integral feature of everyday life in the Bengal borderland despite increasing militarisation and regulation by the Indian government in the last decade. Criminalization of local cross-border flows has driven them underground - while organized cross-border crimes (smuggling and trafficking) enjoy considerable attention, the breadth and depth of informal cross-border interactions in the quotidian lives of borderlanders remain understudied. What is the significance of such daily cross-border transactions? How do they feed into the local perceptions of the state policies of border control? How do they relate to larger organized flows of smuggling and trafficking? Drawing upon ethnographic fieldwork in the border district of North 24 Parganas in West Bengal, India, this paper critically examines the rationales and practices of such informal 'illegal' cross-border interactions and problematizes the territorial logic of the postcolonial nation-state as it is contested in the realities of the borderland. Such a focus also enables a construction of the social history of those people in whose worlds an international border appeared in the monsoon of 1947, thus relating the present configurations of porosity to the regional unity that existed in the pre-Partition past.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kassner Joshua J

**Deliberating about justice: The role of justice in the practical deliberations of states
in Contemporary Political Theory**, Vol. 10, n. 2, May, 210-231

Whether it is the obstruction of aid by a military junta, complicity in the perpetration of genocide, or the use of violence to cling to power, states are often confronted with reasons for action that are based on matters of justice internal to another state. However, the practical deliberations of states are taken by many to be governed by a normative principle that precludes states from considering reasons for action that would require one state to interfere with the internal affairs of another state. I argue that such a preclusive principle cannot be morally justified, and that the practical deliberations of states ought instead to be governed by a rebuttable presumption in favor of noninterference. The argument proceeds in three steps. First, I explicate various arguments for the preclusive principle. Second, I argue that none of the arguments considered succeed. Lastly, I contend that the practical deliberations of states should be governed by a rebuttable presumption in favor of noninterference.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Drake Anna, McCulloch Allison



Deliberative consociationalism in deeply divided societies

in *Contemporary Political Theory*, Vol. 10, n. 3, August , 372-392

This article takes up the question of how to facilitate substantive inclusion in deeply divided societies. Turning to deliberative democracy and consociationalism, we find that there is a surprising amount of overlap between the two potentially contradictory models of inclusion. We consider the deliberative potential of consociational institutions that not only address majority and minority relations, but that also find ways to include minorities within minorities. To this end, we examine the institutions that make up a consociation and recommend a two-stage approach to deliberation that facilitates the articulation of public reasons in political decision-making. We argue that extending broad inclusion in an initial stage of deliberations where people do not have to adhere to the criterion of public reason avoids pre-emptive exclusions, while introducing this criterion in a second, decision-making stage of deliberations retains the benefits of deliberative democracy. This two-stage approach addresses the democratic concerns in consociational democracy vis-à-vis minority groups and in deliberative democracy vis-à-vis marginalized groups (that is, minorities within minorities). We argue that adopting this two-stage approach will deepen the level of inclusion found within consociational democracies and widen the applicable scope for deliberative democracy, which is often thought most amenable to small-scale decision-making.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

O'Sullivan Dominic

Democracy, Power and Indigeneity

in *Australian Journal of Politics & History* , Volume 57, Issue 1, March , 86-101

This article identifies a theoretical nexus between indigeneity and liberal democracy in three post-colonial contexts. Like democracy, the politics of indigeneity asks questions and makes assumptions about where power ought to lie and how it ought to be shared in relation to political inclusion and national sovereignty. The interaction of indigeneity with democracy highlights the limitations of liberal theory as well as the opportunities it provides to meet indigenous claims and conceptions of justice. Exploring the ideological tensions and commonalities between democracy and indigeneity allows a contrast, in comparative context, of the proposition that in Fiji, for example, democracy is "a foreign flower" unsuited to the local environment with the argument that liberal representative democracy can, in fact, mediate power in favour of an inclusive national polity.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Lynch Gabrielle, Crawford Gordon

Democratization in Africa 1990-2010: an assessment

in *Democratization*, vol. 18, n. 2, Special Issue: Democratization in Africa: Challenges And Prospects , 275-310

Over two decades have passed since the 'third wave' of democratization began to roll across sub-Saharan Africa in the early 1990s. The introduction to this collection provides an overall assessment of the (lack of) progress made in democratization processes in Africa from 1990 to 2010. It highlights seven areas of progress and setbacks: increasingly



illegitimate, but ongoing military intervention; regular elections and occasional transfers of power, but realities of democratic rollback and hybrid regimes; democratic institutionalization, but ongoing presidentialism and endemic corruption; the institutionalization of political parties, but widespread ethnic voting and the rise of an exclusionary (and often violent) politics of belonging; increasingly dense civil societies, but local realities of incivility, violence and insecurity; new political freedoms and economic growth, but extensive political controls and uneven development; and the donor community's mixed commitment to, and at times perverse impact on, democracy promotion. We conclude that steps forward remain greater than reversals and that typically, though not universally, sub-Saharan African countries are more democratic today than in the late 1980s. Simultaneously, we call for more meaningful processes of democratization that aim not only at securing civil and political rights, but also socio-economic rights and the physical security of African citizens.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Collier Paul

Development Models Revisited: European Democracy vs. Asian Autocracy
in *Social Europe Journal*, Volume 5, Issue 2, Winter/Spring

<http://www.social-europe.eu/2010/09/development-models-revisited-european-democracy-vs-asian-autocracy/>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Yaqing Qin

Development of International Relations theory in China: progress through debates
in *International Relations of the Asia-Pacific*, Volume 11 Issue 2 May , 231-257

The development of International Relations theory (IRT) in China has been framed by three debates since 1979. The first was about China's opening up to the outside world. It started with the question of whether the world was characterized by 'war and revolution' or 'peace and development' between orthodox and reformist scholars and continued to focus on China's interest between orthodox scholars and the newly rising Chinese realists. It resulted in a wide acceptance of the reformist argument that peace and development characterized our era and of the realist view that China was a normal nation-state and should have its own legitimate national interest. The second started in the early 1990s and centered on the better way of realizing China's national interest. It was between Chinese realists and liberals. While the former emphasized national power, the latter proposed the alternative approach of international institutions. The third debate was on China's peaceful rise. It evolved at the turn of the century, when all the three major American IRTs, realism, liberalism, and constructivism, had been introduced into China and therefore the debate was more a tripartite contention. Realists believed that it was impossible for any major power to rise peacefully, while liberals and constructivists both supported the peaceful-rise argument. Liberals stressed more the tangible benefits derived from international institutions and constructivists explored more China's identity in its increasing interaction with international society. Although it was Chinese constructivists who explicitly discussed the identity issue, all the three debates and all the debating sides have reflected this century puzzle since the Opium War – China's identity vis-à-vis international society. These debates have helped push forward the IRT development in China and at the same time established Western IRT as the dominant discourse. A new round of debate seems likely to occur and may center on the question of the world order. This time it may help the newly burgeoning but highly dynamic Chinese IRT to develop and contribute to



the enrichment of IRT as knowledge of human life.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Phelan Liam, Taplin Ros, Henderson-Sellers Ann, Albrecht Glenn

Ecological Viability or Liability? Insurance System Responses to Climate Risk

in European Environment/Environmental Policy and Governance, Volume 21, Issue 2, March-April , 112-130

Climate change is a phenomenon of the Earth system, which is characterized by thresholds and non-linear change. This analysis considers the adequacy of insurance (in its broadest sense) responses to climate risk. This paper provides novel critiques of insurance system responses to climate change and of the attendant political economy perspective on the relationship between insurance and climate change. A complex adaptive systems (CAS) analysis suggests that ecologically effective (i.e. strong) mitigation is the only viable approach to manage medium- and long-term climate risk – for the insurance system itself and for human societies more widely. In contrast, we find that even the most substantial insurance system responses to date are generally adaptive and weakly mitigative. This analysis extends an earlier political economy perspective that explains the limitations of insurance system responses to climate change, but provides little guidance to the ecological implications of such responses. As such, this paper raises questions about the ongoing viability of the insurance system, and hence about the many aspects of human societies globally reliant on the insurance system as their primary risk governance tool. We conclude that the CAS approach provides new insights, which could prompt insurance system evolution in support of effective climate risk governance.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Rattinger Hans, Steinbrecher Markus

Economic Voting in Times of Economic Crisis

in German Politics, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 128-145

The economic crisis hit Germany hard before the 2009 Bundestag election. Against this background the extent of economic voting in this particular election is analysed. As economic perceptions are often believed to be important determinants of voting behaviour the following questions are addressed in this article. Are perceptions of the voters' personal and the general economic situation influenced by the economic crisis and thus worse than in previous election years? How do these perceptions impact on the decision to vote in 2009? What effect do attributions of the government's responsibility for the economic situation have on economic voting models and how do they interact with other predictors? Finally, did economic evaluations affect the decision to vote in favour of the parties of the old government (CDU/CSU and SPD) or the new government (CDU/CSU and FDP), respectively? Answers to these questions are provided by an analysis of the data of the 2009 German Longitudinal Election Study (GLES).

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Lombardi Antonio

Educazione alla nonviolenza e analisi transazionale

in Quaderni Satyagraha, n. 19, La nostra scuola è il mondo intero. Storie di migrazione e di inte(g)razione , 168-196



No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Watson James

English Associationalism in the British Empire: Yorkshire societies in New Zealand before the First World War in Britain and the World, Volume 4, Issue 1: (March) , 84-108

The rise of the Yorkshire societies in New Zealand coincided with the maturation of the British Dominions. Emerging as modern nations in their own right, New Zealand, Australia, South Africa and Canada were conscious of the need to consolidate selected cultural influences to inform the development of distinctive national identities. Given the fact that the English in New Zealand were the single largest British immigrant group, there seemed to be little need to assert or celebrate 'Englishness' and this was in stark contrast to the Scots whose widespread associational culture has been well-documented. Importantly, however, the emergence of Yorkshire, as opposed to English, societies reveals the crossroads of the immigrant experience: the dual identity. Asserting the importance of Yorkshire, its working-class culture and its people, as an important and defining facet of British success became very important at a time when immense social and economic changes were sweeping across Britain. The rise of Yorkshire societies abroad illuminates the desire for a greater recognition of the role played by the north in Britain's development at home and abroad. By examining the prevalence of Yorkshire societies in New Zealand, their membership, aims and activities, this article sheds new light on regional loyalties within English immigrant communities and their connection to Britain's imperial authority.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

van den Bergh Jeroen C.J.M.

Environment versus growth — A criticism of “degrowth” and a plea for “a-growth” in Ecological Economics, Volume 70, Issue 5, 15 March , 881-890

In recent debates on environmental problems and policies, the strategy of “degrowth” has appeared as an alternative to the paradigm of economic growth. This new notion is critically evaluated by considering five common interpretations of it. One conclusion is that these multiple interpretations make it an ambiguous and rather confusing concept. Another is that degrowth may not be an effective, let alone an efficient strategy to reduce environmental pressure. It is subsequently argued that “a-growth,” i.e. being indifferent about growth, is a more logical social aim to substitute for the current goal of economic growth, given that GDP (per capita) is a very imperfect indicator of social welfare. In addition, focusing ex ante on public policy is considered to be a strategy which ultimately is more likely to obtain the necessary democratic-political support than an ex ante, explicit degrowth strategy. In line with this, a policy package is proposed which consists of six elements, some of which relate to concerns raised by degrowth supporters.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Howard Jeff

Environmental nasty surprise, post-normal science, and the troubled role of experts in sustainable democratic



environmental decision making

in *Futures*, Volume 43, Issue 2, March , 182-195

An environmental nasty surprise is an environmental problem such as stratospheric ozone depletion that: catches scientists, technologists, regulators, mass media, and public off-guard; is already extensive by the time it is widely recognized; stems from entrenched technologies; and presents a potentially large-scale, long-term threat to humans or ecosystems. How might the need to minimize the generation of such problems – and address them as effectively as possible when they emerge – help us think more clearly about the role that experts should play in environmental decision making? Using case material on industrial chlorine chemistry, this paper considers the limitations of the theory of post-normal science as a framework for identifying appropriate and inappropriate modes of scientific and technical expertise in environmental decision making. The analysis highlights the need for a model of sustainability expertise that (a) recognizes how prevailing frameworks of environmental decision making allow technologists to actively produce – and exploit – uncertainty and (b) normatively promotes development and deployment of expertise in ways that actively confront these tendencies while making environmental decision making more democratic.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Stoeckl Kristina

European integration and Russian Orthodoxy: Two multiple modernities perspectives

in *European Journal of Social Theory*, Volume 14, No. 2, May 2011 , 217-233

Abstract

This article introduces a distinction in the paradigm of multiple modernities between a comparative-civilizational and a post-secular perspective. It argues that the former perspective helps us to understand modernization processes in large cultural-civilizational units, whereas the latter viewpoint focuses on actors and cultural domains within civilizational units and on inter-civilizational crossovers. The two perspectives are complementary. What we gain from this distinction is greater precision in the use of multiple modernities to explain the place of religion in modern societies. The example of Russian Orthodoxy is used to clarify the difference between these two perspectives: whereas from a comparative-civilizational viewpoint, Russian Orthodoxy may appear as Europe's 'other'; from a post-secular viewpoint, Orthodox religion is part of Europe's religious pluralist landscape and partakes in an ongoing process of defining the meaning of European political and cultural integration.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Grodsky Brian

Exploring the Schelling conjecture in reverse: 'International constraints' and cooperation with the International Criminal Tribunal for the former Yugoslavia

in *European Journal of International Relations* , vol. 17, n. 1, march , 121-143

ABSTRACT: Students of bargaining have long focused on the dual nature of international negotiations, which take place both internationally and domestically. The prevailing wisdom is that under certain conditions political leaders can use



domestic constraints to get a better deal at the negotiating table. In this article, I argue that under certain conditions leaders have an incentive to use 'international constraints' to pressure their domestic constituents into accepting a particular policy. I apply this argument to the Serbian and Croatian cases of Western pressure for cooperation with the International Criminal Tribunal for the former Yugoslavia (Hague Tribunal).

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Rumpala Yannick

From the objective of "sustainable development" to the governmentalization of change. The expressions and effects of a renewed institutional concern in France and the European Union

in *Politique européenne* , n. 33, 1, 2011 , 119-153

The objective of "sustainable development" contains a form of transformative ambition which, faced with the highlighted planetary dangers, has tended to push change up to the status of collective purpose that would need to be taken on and accompanied by appropriate institutions. Based on the government activities that have begun to carry out this goal, this article aims to analyze how rationalities, devices and procedural arrangements are assembling and helping to make the management of change a renewed stake in the institutional sphere. In order to understand its logics and orientations, this process of "governmentalization" of change is studied from the initiatives of French public authorities and the European Union, by examining this interpretation of change as a problem, the range of both programmatic and instrumental by-products that take the form of documents called "strategies", and the procedural foundations that are beginning to provide support.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Brugger Winfried

Georg Jellineks Statuslehre: national und international. Eine Würdigung und Aktualisierung anlässlich seines 100. Todestages im Jahr 2011

in *Archiv des öffentlichen Rechts* , Volume 136, Number 1, January 2011 , 1-43

Abstract:

100 years ago, in 1911, Georg Jellinek died at the age of 60. Jellinek was famous not only in the world of German-speaking legal scholars, but in the English-speaking world as well. The American Journal of International Law commemorated his death with the following words: "In the recent death, January 13, of Professor Georg Jellinek . . . the students of political science have sustained an irreparable loss. This eminent publicist was not only one of the leading authorities of the world on political science, but he was also the recognized head of the juristic school of political thought in Germany." Political thought in this citation means „Staatslehre“, and his 1900 treatise on „Staatslehre“ is still one of the most prominent and often cited treatises on the concept of the state and its modern variants. In this article, the emphasis lies on a reconstruction and actualization of his "Statuslehre" for the 20th and 21st century. It is argued that the classical „Statuslehre“ with its "status passivus, libertatis, activus and positivus" can be supplemented with "status europaeus, universalis, oecologicus and culturalis." The article also points to the often forgotten fact that there were analogies to state-oriented status before the rise of the modern sovereign state and that there are analogies to state-oriented status in the social world. Seen from this point of view, Jellinek is a precursor of modern social theory and



liberal communitarianism.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Wilson Peter

Gilbert Murray and International Relations: Hellenism, liberalism, and international intellectual cooperation as a path to peace

in *Review of International Studies (The)*, Vol. 37, Issue 2, April , 881-909

Gilbert Murray was one of the towering figures of 20th century cultural and intellectual life, and the foremost Hellenist of his generation. He was also a tireless campaigner for peace and international reconciliation, and a pioneer in the development of international intellectual cooperation, not least in the field of International Relations (IR). Yet in IR today he is largely forgotten. This article seeks to put Murray back on the historiographical map. It argues that while in many ways consistent with the image of the inter-war 'utopian', Murray's thinking in certain significant ways defies this image. It examines the twin foundations of his international thought – liberalism and Hellenism – and their manifestation in a version of international intellectual cooperation that while aristocratic and outmoded in some respects, nonetheless contains certain enduring insights.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Debus Marc, Müller Jochen

Government Formation after the 2009 Federal Election: The Remake of the Christian-Liberal Coalition under New Patterns of Party Competition

in *German Politics*, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 164-185

The question 'who gets in?' is one of the central research areas in studies on coalition politics. This paper analyses government formation after the 2009 Bundestag elections in Germany. On the basis of the 'Political Heart' model, which is modified in a way so as to include the parties' pre-electoral coalition statements, it is argued that the Christian Democrats maintained a pivotal position during the 2009 German coalition formation game. In a second step, the probabilities for all coalition options are estimated on the basis of the seat distribution in the 17th Bundestag and in a hypothetical parliament where the CDU/CSU and FDP do not have a majority. The results show that, firstly, a Christian-Liberal coalition was by far the most likely outcome of the actual government formation process. If, however, CDU/CSU and FDP had not achieved a parliamentary majority, then a remake of the 'grand coalition' between Christian Democrats and Social Democrats would be the most likely result of the coalition negotiations. Secondly, the data reveals that the so-called 'Jamaica coalition' between Christian Democrats, FDP and Greens and a coalition between SPD, Greens and the 'Linke' would be a realistic alternative to a 'grand coalition'.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Moloney Pat

Hobbes, Savagery, and International Anarchy



in *American Political Science Review*, vol. 105, issue 1, february , 189-204

ABSTRACT: This article argues that Hobbes constructed the sovereignty acknowledged among European states on the supposition of the absence of sovereignty in the New World. The notion of international anarchy found in Hobbes before the twentieth century was not the anarchy of interstate relations later posited by realism, but the anarchy of prepolitical societies outside the ordered system of European states. The modern geography of sovereignty that Hobbes established is demonstrated with reference to the cartographic traditions that informed his representation of the state of nature and the civil state, and to the historical context of the law of nations as it was understood to manage colonial rivalry in the seventeenth century. By constructing savages as absolutely free individuals in the state of nature, he precluded their recognition as free sovereign states. He thus contributed a set of premises to natural jurisprudence that denied indigenous societies statehood and excluded them from the family nations. A sketch of the Hobbesian legacy among theorists of the law of nations and international law is made, showing how his motif of savage anarchy remained central to our conceptualization of the sovereign state within the international realm into the twentieth century.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Gillian Brock

How Does Equality Matter?

in *Journal of Social Philosophy* , Vol. 42, n°1 , 76-87

In "Global Justice", I develop a cosmopolitan model of global justice that takes seriously the the equal moral worth of persons, yet leaves scope for defensible forms of nationalism along with other legitimate identifications and affiliations. In this article I focus on how equality matters in my account and critically engage also with Richard Miller's and Darrel Moellendorf's positions on how equality matters for global justice, as discussed in their important new books.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Richard W. Miller

How Global Inequality Matters

in *Journal of Social Philosophy* , Vol. 42, n°1 , 88-98

In what ways, to what extent and on what grounds do people in developed countries have a political duty to reduce global economic inequality? The author develops in this article some ideas already expressed in his "Globalizing justice", where he argued that people in developed countries have demanding duties of all three kinds, so that substantial reduction of economic inequality is outcome, means and goal.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Tussi Laura

Il pensiero delle differenze per una visione della cittadinanza planetaria

in *Quaderni Satyagraha*, n. 19, La nostra scuola è il mondo intero. Storie di migrazione e di inte(g)razione , 145-167



No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kallis Giorgos

In defence of degrowth

in **Ecological Economics**, Volume 70, Issue 5, 15 March , 873-880

This article defends the proposal of sustainable degrowth. A starting premise is that resource and CO2 limits render further growth of the economy unsustainable. If degrowth is inevitable, the question is how it can become socially sustainable, i.e. a prosperous and stable, rather than a catastrophic, descent. Pricing mechanisms alone are unlikely to secure smooth adaptation; a full ensemble of environmental and redistributive policies is required, including – among others – policies for a basic income, reduction of working hours, environmental and consumption taxes and controls on advertising. Policies like these, that threaten to “harm” the economy, are less and less likely to be implemented within existing market economies, whose basic institutions (financial, property, political, and redistributive) depend on and mandate continuous economic growth. An intertwined cultural and political change is needed that will embrace degrowth as a positive social development and reform those institutions that make growth an imperative. Sustainable degrowth is therefore not just a structuring concept; it is a radical political project that offers a new story and a rallying slogan for a social coalition built around the aspiration to construct a society that lives better with less.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Orlandi Romeo

India e Cina: lo sviluppo nella diversità

in **ItalianiEuropei**, n. 1

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kalu Kalu N.

Institution-building, not nation-building: a structural-functional model

in **International Review of Administrative Sciences** , Vol. 77, No. 1 , 119-137

By building on the essential tenets of Parsonian structural-functionalism, this article focuses on structure, process, and norms as critical to the development of enduring institutions. The contemporary orientation to nation-building that tends to focus on the structural and administrative elements of state reconstruction, especially in post-conflict situations, should be re-evaluated in favor of a more grass-roots, sociologically driven and institutionally based approach. The concept of institutions utilized here is derived from both macro (social organization) and micro (individual) levels of analysis on how a series of actions, practices, and differentiated roles are able to sustain a level of functional and organic equilibrium over time. While equilibrium suggests a type of ‘stable state’, it helps to reinforce the argument that effective institutions (including individual behaviors, norms and values) can provide the structural foundation needed for



successful nation-building initiatives. Hence in that order, there should be a redirection of effort on institution-building rather than nation-building

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Brunnée Jutta, Toope Stephen J.

Interactional international law: an introduction

in International Theory, Volume 3, Issue 02, July , 307-318

<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=8309881&fulltextType=MR&fileId=S1752971911000030>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kazuya Yamamoto

International Relations studies and theories in Japan: a trajectory shaped by war, pacifism, and globalization

in International Relations of the Asia-Pacific, Volume 11 Issue 2 May , 259-278

A common view of Japan's International Relations (IR) studies in the post-World War II period is that they are characterized by pacifism and historical approaches. This paper argues that while pacifism has continued to serve as the basis of them, the approaches adopted by researchers have become increasingly diversified. Specifically, although the main issues for Japanese IR studies in the postwar period (i.e. defense strategy, world political economy, and global issues) have been consistently addressed by researchers on the basis of pacifism, the theoretical orientation of researchers has continually become stronger. Finally, this paper argues that both changing and continuous characteristics of IR studies in Japan have been supported by global developments, and concludes that this trend will continue into the near future.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Muthiah Alagappa

International Relations studies in Asia: distinctive trajectories

in International Relations of the Asia-Pacific, Volume 11 Issue 2 May , 193-230

This article investigates and explains the development of International Relations studies (IRS) in China, Japan, and India. Beginning in early 1980s IRS experienced exponential growth in China and is becoming a separate discipline in that country. Despite early starts, IRS in Japan and India is still an appendage in other disciplinary departments, programs, and centers although growing interest is discernible in both countries. Continued rise of Asian powers along with their growing roles and responsibilities in constructing and managing regional and global orders is likely sustain and increase interest in IRS in these countries and more generally in Asia. Distinctive trajectories have characterized the development of IRS in China, Japan, and India. Distinctiveness is evident in master narratives and intellectual



predispositions that have shaped research and teaching of IR in all three countries. The distinct IRS trajectories are explained by the national and international context of these countries as well as the extensiveness of state domination of their public spheres. Alterations in national circumstances and objectives along with changes in the international position explain the master narratives that have focused the efforts of IR research communities. Extensiveness of state domination and government support, respectively, explain intellectual predispositions and institutional opportunities for the development of IRS. IRS in Asia has had a predominantly practical orientation with emphasis on understanding and interpreting the world to forge suitable national responses. That orientation contributed to a strong emphasis on normative–ethical dimensions, as well as empirically grounded historical, area, and policy studies. For a number of reasons including intellectual predispositions and constraints, knowledge production in the positivist tradition has not been a priority. However, IR theorizing defined broadly is beginning to attract greater attention among Asian IR scholars. Initial interest in Western IR theory was largely a function of exposure of Asian scholars to Western (primarily American) scholarship that has been in the forefront in the development of IR concepts, theories, and paradigms. Emulation has traveled from copying to application and is now generating interest in developing indigenous ideas and perspectives based on national histories, experiences, and traditions. Although positivism may gain ground it is not deeply embedded in the intellectual traditions of Asian countries. Furthermore, theorizing in the positivist tradition has not made significant progress in the West where it is also encountering sharp criticism and alternative theories. Asian IR scholarship would continue to emphasize normative–ethical concerns. And historical, area, and policy studies would continue to be important in their own right, not simply as evidentiary basis for development of law-like propositions. It also appears likely that Asian IR scholarship would increasingly focus on recovery of indigenous ideas and traditions and their adaptation to contemporary circumstances. The net effect of these trends would be to diversify and enrich existing concepts, theories, methods, and perspectives, and possibly provide fresh ones as well. The flourishing of IRS in Asia would make the IR discipline more international.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Riemens Michael J.

International academic cooperation on international relations in the interwar period: the International Studies Conference

in *Review of International Studies (The)*, Vol. 37, Issue 2, April , 911-928

Based on considerable archival research in Switzerland and France, this article considers the creation of specialised institutions and centres for scientific research, discussion and information on international questions after the First World War. It analyses the origins and development of the International Studies Conference from 1928 until 1946, and it pays particular attention to the institutional setting provided by the ISC. With the help of an international questionnaire of the League of Nations from the early 1930s the article also discusses the university teaching of IR in the US, Great Britain and on the European continent in the interwar period, and it looks at some of the institutional settings, especially academic institutions (departments, chairs, schools and so on), that were available at the time.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Lemke Douglas

Intra-national IR in Africa

in *Review of International Studies (The)*, Vol. 37, Issue 1, January , 49-70



Scholars debate whether Eurocentric theories of International Relations (IR) offer useful explanations of African international politics. They also debate the applicability of Eurocentric theories of state making for understanding African state making in the post-colonial era. I argue that theories like realism and war-and-state-making appear inconsistent with African political reality because when IR scholars apply these theories to Africa, they study the wrong actors. The 'right' actors for understanding these theories include not only the official states IR scholars traditionally analyse, but also all of the autonomous political entities that control territory, possess military resources, and struggle to survive under anarchy. I substantiate my claims about the usefulness and necessity of expanding the roster of actors studied with an historical narrative of the first six years of Congo's independence. During this time six autonomous political entities, in addition to the one official state, warred with each other, allied with each other, and struggled to make states.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Koivurova Timo

Jurisprudence of the European Court of Human Rights Regarding Indigenous Peoples: Retrospect and Prospects

in *International Journal on Minority and Groups Rights*, Volume 18, Number 1 , 1-37

Probably because there have been no landmark cases decided by the European Court of Human Rights (and the Commission) in favour of indigenous peoples, there has correspondingly been scant interest in studying the problems and possibilities of using the Court as an avenue to promote and protect the rights of indigenous peoples. It is clearly unjustified, given that the Court has jurisdiction over so many indigenous peoples and is in a strong position to protect their rights. The article will examine the relevant legal disputes that have come before the Court (and the Commission), which have arisen primarily when northern indigenous peoples have confronted the intrusion of dominant societies and modern economic activities into their traditional territories and hamper the practice of indigenous traditional livelihoods - livelihoods that stand at the core of their culture. The article examines how the European Commission's and the Court's jurisprudence have evolved over the years in respect of indigenous peoples and try to explain why the Court has clearly faced some problems in responding to the concerns of indigenous peoples and whether the Court is better equipped in the future to deal with the evolving rights of indigenous peoples.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Caretti Paolo

L'incerta identità dei CORECOM

in *Regioni (Le)*, n. 3 , 497-508

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Amghar Samir

La Ligue islamique mondiale en Europe : un instrument de défense des intérêts stratégiques saoudiens



in *Critique Internationale*, N°51 - Avril/Juin

Afin de lutter contre l'influence de plus en plus grande dans le monde arabe du nationalisme laïque promu en Égypte par le Président Nasser, l'Arabie Saoudite a décidé dans les années 1960 d'apparaître comme un pôle de rayonnement religieux et idéologique. La pierre angulaire de la politique hégémonique de l'Arabie Saoudite pour le leadership mondial de l'islam a été la création, en 1962, de la Ligue islamique mondiale, organisation en charge de financer les projets liés au développement de l'islam dans le monde. C'est en Europe sans doute que les activités prosélytes de la Ligue sont les plus importantes. Si elle occupe une place prépondérante dans la politique de soft power du royaume saoudien, la Ligue a également pour mission de lutter contre les idéologies susceptibles de menacer la stabilité de son régime. Elle finance des projets de construction de mosquées, distribue des Corans et des brochures, organise des cours et des conférences islamiques, espérant ainsi créer parmi les populations musulmanes des réseaux de clientèles et d'allégeances non critiques à l'égard du royaume saoudien. La Ligue prône un salafisme composite, qui, certes, ressemble sur le plan dogmatique à celui prôné par les théologiens d'Arabie Saoudite, mais qui s'en distingue par sa dimension sociale et politique, inspirée des Frères musulmans. Face à la multiplication des risques internationaux (guerre en Irak, al-Qaïda, jihadistes saoudiens...), la Ligue participe à un vaste ensemble institutionnel « de protection du trône saoudien », comme le Dar al Ifta, Conseil des oulémas saoudiens qui fait allégeance au pouvoir et lutte par ses différentes fatwas contre l'islamisme contestataire et le terrorisme islamique.

In order to struggle against the growing influence in the Arab world of the secular nationalism promoted in Egypt by President Nasser, Saudi Arabia decided in the '60s to appear as a center of religious and ideological influence. The cornerstone of the hegemonic politics of Saudi Arabia for the world leadership of Islam was the creation, in 1962, of the Muslim World League. This organization was in charge of financing projects related to the development of Islam in the world. It is probably in Europe that the proselyte activities of the League are the most important. If the League holds a predominant position in the soft power politics of the Saudi kingdom, its mission is also to struggle against ideologies that are likely to threaten the stability of the regime. It funds projects of mosques construction, distributes Korans and brochures, organizes Islamic classes and conferences, hoping to create networks of clientele and of non-critical allegiances to the Saudi kingdom in the Muslim populations. The League advocates a heterogeneous salafism, which indeed resembles, at least on a dogmatic level, the salafism advocated by theologians of Saudi Arabia but dissociates itself from it on a social and a political level. Confronted to the multiplication of international risks (the Iraq War, al-Qaeda, Saudi jihadists...), the League takes part in a vast institutional ensemble "of protection of the Saudi throne," like the Dar al Ifta, Council of the Saudi ulamas, which pledges allegiance to the authority and fight against anti-establishment Islamism and Islamic terrorism with its different fatwas.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Marino Francesca

La complessità del percorso democratico in India

in *ItalianiEuropei*, n. 1

No abstract available



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

SAADA Julie

La justice pénale internationale, entre idéaux et justification

in *Revue Tiers Monde*, n. 205 , 47-64

This piece retraces the genesis of the ideals of international criminal justice as stemming from liberal political ideals about the philosophy of peace through law and utilitarianism. It shows how their implementation is confronted, on the one hand, with politics understood as a balance of power, and on the other, with the reactivation of a critique of humanist universalism. In its final section, it examines the justifications for truth commissions, today sometimes presented as palliative measures in the absence of penal justice, while at other times considered as its ancillaries. It demands whether the unprecedented promotion of these commissions is perhaps – much more so than the intertwining of law and politics – the greatest obstacle to international criminal justice.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Pala Carlo, Sandri Giulia

La représentation politique des minorités linguistiques. Une analyse comparée de trois partis ethnorégionalistes d'Italie

in *Cultures & Conflits*, n. 79-80, automne-hiver , 97-122

The Südtiroler Volkspartei in South Tyrol, the Union Valdôtaine in the Aosta Valley and the Partito Sardo d'Azione in Sardinia are the main examples of historical ethno-regionalist parties in Italy. These political actors have played a central role mainly within regional party and political systems, but they all have also obtained representation in the national parliament several times. Within the framework of the multi-level institutional setting of the Italian State, this study aims at investigating the patterns of political representation of the three mentioned linguistic minorities: the Sardinian-speaking linguistic minority within the Sardinia region, the German-speaking one in South Tyrol and the French-speaking one in the Aosta Valley. The role of language as an identity catalyst, which can enhance the internal cohesion of the mobilized minority groups, is examined here. This study aims also at assessing to what extent the language represents a political goal of the three mobilized groups and of the parties that claim to represent them.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Daum Werner

La storia costituzionale dell'Europa e dell'Italia 1815-1847

in *Carte e la Storia (Le)*, n. 2, dicembre , 17-27

No abstract available

Section D) Federalism as a political idea



Subsection 4. Various/Miscellaneous

Gouzy Jean-Pierre

La vie politique en Europe et dans le monde

in *Europe en formation (L')*, n. 359, spring, 2011 , 143-170

Une fois n'est pas coutume : les premiers mois de l'année 2011 étant ce qu'ils sont, nous allons donner la priorité, d'une part, aux événements qui viennent de secouer le monde arabo-méditerranéen, dont les répercussions n'ont d'ailleurs pas fini de se faire sentir dans l'ensemble du grand Moyen-Orient et jusqu'au coeur de l'Afrique ; avant de reprendre l'analyse de l'évolution de l'économie mondiale et de la crise de la zone euro, nolens volens, celle de notre Europe en formation, sans occulter, pour autant, l'onde de choc nucléaire survenue au Japon.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

ARGIMIRO ROJO SALGADO

Las consecuencias de la cooperación-integración transfronteriza: ¿Vamos hacia la refundación de Europa?

in *Revista de Estudios Políticos* , n. 151 , 49-74

Cross-border cooperation represents one of the main typifications in the current age. The spread and the strengthening of this cooperation, especially active in the field of the European Union, have been favoured by a series of events occurred in the last. However, this process of cooperation gives rise to an important matter: will these villages and border territories be satisfied with this rapprochement and cooperation, or will they go beyond that? In other words, will the cross-border cooperation lead to the cross-border integration? What will be the scope in that integration? That way, the forecast done by the ethnic federalism will it be fulfilled?

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

McGee Kyle

Leibniz and the antinomy of modern power

in *Radical Philosophy*, Issue 168, July/August 2011

The critical ethos that stands behind much of the most impressive and important work on modern forms of power seems to have constructed its own prison. A free and open concept of power – the concept that has guided so many enlightening histories of the present – has revealed itself as yet another technology of foreclosure. Two apparently opposed approaches to power in political philosophy – political theology and biopower – are the contemporary heirs to this critical tradition. Each can be described loosely as a post-Marxist discourse on power advancing something like a theory of radical democracy on its normative edge. Despite the shortcomings I set forth throughout my discussion, and those I omit, these remain the farthest reaching, the most provocative and the most sophisticated theories of power and democracy in circulation today. Together, however, they compose an antinomy. Its resolution would carry us swiftly out of democratic theory and, therefore, beyond the principle of modern power. Applying pressure to the antinomy yields an alternative concept of power that belongs to a non-democratic discourse. Rather than implanting power in an indeterminate situs, a field of contestation premised only on the persistence of contestability, in short a fully democratic context, we will see power taking on a fundamentally delimited quality. More concretely, we will see that this form of



power is integral to the formation of a macroeconomy of mediations that is inaccessible from the perspective of contemporary political theology or biopower, indeed of democratic theory itself. The antinomy, as I treat it, finds resolution by way of the non-democratic thought of G.W. Leibniz, and pursuing this thought confronts us with the need to reformulate the nature of power, its delimitations and its connections in political space. Although the usual constraints preclude a fully adequate and satisfying elaboration in this text, the outline of a new vision of Leibniz's political philosophy accompanies this exploration of power. In the process of unpacking these allegations, in fact, the received image of Leibniz's politics is complicated and a number of minor interventions – most notably a rereading of Leibniz's theory of sovereignty through his monadology – serve to reconfigure it. The conclusion restates some key findings that gesture towards a finally non-democratic political philosophy for the present...

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Armellini Antonio

L'India: strategie di politica estera e prospettive di crescita

in *ItalianiEuropei*, n. 1

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Breuilly John

Max Weber, charisma and nationalist leadership

in *Nations and Nationalism*, Volume 17, Issue 2, April 2011 , 477-499

One of Max Weber's most well-known achievements was the formulation of three concepts of legitimate authority: traditional, legal-rational and charismatic. However, there are particular problems with the last of these, which is not historically grounded in the manner of the other two concepts. The charisma concept originated with Weber's sociology of religion, was pressed into service in pre-war writing on the sociology of domination, shifted focus in his wartime political writings and changed meaning again in his post-war writing on basic sociological concepts. To use the concept in historical-political analysis, I argue, one must distinguish between a pre-modern and modern form of charismatic domination. I argue that doing this enables us to understand features of the leadership of colonial nationalist and fascist movements.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Fabre Elodie

Measuring party organization: The vertical dimension of the multi-level organization of state-wide parties in Spain and the UK

in *Party Politics*, Volume 17, Number 3, May , 343-363

Over the past few years, attention to the role of state-wide political parties in multi-level polities has increased in



recognition of their linkage function between levels of government, as these parties compete in both state-wide and regional elections across their countries. This article presents a coding scheme designed to describe the relationship between central and regional levels of state-wide parties. It evaluates the involvement of the regional branches in central decision-making and their degree of autonomy in the management of regional party affairs. This coding scheme is applied to state-wide parties in Spain (the socialist PSOE and the conservative Partido Popular) and in the UK (Labour, the Conservatives and the Liberal Democrats). It is an additional tool with which to analyse party organization and it facilitates the comparison of parties across regions and in different countries.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Schoen Harald

Merely a Referendum on Chancellor Merkel? Parties, Issues and Candidates in the 2009 German Federal Election

in **German Politics**, Volume 20, Issue 1, Special Issue: The German Election of 2009, 92-106

This paper addresses the role of candidate orientations, issue orientations and party identification in shaping voting behaviour in the 2009 federal election. In line with the notion that the 2009 campaign was rather 'issue-less' and candidate-centred, the analysis shows that candidate orientations were more effective as predictors than issue orientations. Moreover, preferences for Chancellor Angela Merkel and her challenger, the Social Democrat Frank-Walter Steinmeier, exhibited somewhat different effects. Taking a closer look at Chancellor Merkel, the analysis demonstrates that she had become much more popular during her first term. Given this increase in popularity and the substantive effect of candidate preference on vote choice, Merkel was an electoral asset for the Christian Democrats (CDU/CSU) in 2009.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Pasynkova Veronika

Modes of Post-Communism: Successor Parties, Trade Unions, and the State in Russia and East Central Europe in Debate: Journal of Contemporary Central and Eastern Europe, vol. 18, n. 3, 281-298

This article is devoted to the comparative analysis of principles and factors of relationships of successor parties, trade unions, and state in the post-communist countries. The analyzed period covers the cases of Russia and East Central Europe (Poland, Hungary, Bulgaria, Romania, the Czech Republic, and Slovakia) from 1989 to 2004, from the beginning of the post-communist changes to the accession to the European Union. The relationships between successor parties, trade unions, and state are presented on three levels depending on the institutional links between them: (1) institutional design arena; (2) electoral arena; and (3) social dialogue arena.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Shao Guofan, Lia Fulong, Tang Lina

Multidisciplinary perspectives on sustainable development

in **International Journal of Sustainable Development and World Ecology**, Volume 18, Issue 3, June - Special Issue:



Multidisciplinary Perspectives on Sustainable Development , 187-189

This article is for the special issue 'Multidisciplinary perspectives on sustainable development' in the International Journal of Sustainable Development & World Ecology and presents an introduction to the topics and summarizes nine accepted contributions in the special issue. Although the concept of sustainable development (SD) has a short history, hundreds of definitions of SD have been proposed, representing multidisciplinary understandings of approaches to SD. We use a chart in the form of pyramid to illustrate a four-dimensional concept of SD that involves environment, economy, society and institutions. This chart also shows an SD evolution process that ranges from principles, to approaches and to applications. Each contribution in the special issue has a unique position in the four-dimensional, three-level SD scheme.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Syssner Josefina

No space for citizens? Conceptualisations of citizenship in a functional region in Citizenship Studies, vol. 15, issue 1 , 109-123

ABSTRACT: This article aims to discuss whether there is such a thing as citizenship performed at the level of the sub-state region and, if so, how this can be studied. It is suggested that aspects of citizenship should be studied not only in the context of sub-state administrative units, but also in the context of more loosely interconnected functional economic regions. The main argument for this is that, although there is no 'contract' between the polity and the citizen in these functional regions, they are often highly politicized spaces, governed by coalitions of public and private actors whose actions can be of considerable importance for those inhabiting them. It is also suggested that, in the absence of formal rights and institutionalized relations between citizens and polity, we need to explore how 'citizens' and 'citizenship' are conceptualized by the polity in these regions more broadly. The article focuses (a) on the conditions for citizenship in the functional region and (b) on those discourses of citizenship that emerge under the conditions identified. A tentative conclusion is that, in the absence of formal citizenship rights connected to the functional space, a discourse about citizens and citizenship has emerged, which is focuses solely on citizens' capacity to contribute to economic growth.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Criollo Manuel

Palestinian and Chicano Peoples Share a History of Resistance to Colonization, Racism, and Imperialism in American Quarterly, vol. 62, n. 4, December , 847-854

In the United States, the mainstream historical narrative characterizes indigenous genocide, African enslavement, colonization, white supremacy, and racism as historical blemishes that either tarnish the master narrative of a country built on "democracy, freedom, and equality" or represent an unfortunate historical set of anomalies that had to be corrected to build a more "perfect union."

Section D) Federalism as a political idea



Subsection 4. Various/Miscellaneous

Höbel Alexander

Pci, sinistra cattolica e politica estera (1972-1973)

in *Studi Storici*, a. 51, n. 2. aprile- giugno

During the early Seventies, the idea of gradually overcoming the military blocs appeared on the international scene. In Italy, the PCI and the Catholic Left were major players in this endeavour. Moreover, the Vietnam War paved the way for a sort of parallel diplomacy, in which the Vatican and the PCI played an important role. Meanwhile, Berlinguer's proposal emerged of a Europe that was «neither anti-Soviet nor anti-American». The economic crisis sharpened competition between the United States and the EEC, strengthening the idea of an autonomous European initiative among Catholic leaders as well. Chile's golpe reinforced, within the PCI, the strategy of large alliances. Lastly, the energy crisis highlighted the problem of the «development model» and allowed further convergences with the Catholic Left to emerge. Foreign policy thus remained a delicate subject, but was at the same time a remarkable element in the concept of *compromesso storico*.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Di Nota David

Penser la guerre en Europe

in *Revue des deux mondes*, mars

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Luthi Barbara

Perspectives on Security in Twentieth-Century Europe and the World. Review article

in *Contemporary European History*, vol. 20, n. 2, May, 207-214

Despite the present-day attraction of 'security' as an attention-grabbing word in politics and the public sphere, the study of security is a missing chapter in many state-of-the-art surveys of historical literature. Its central relevance for the modern statehood has been obvious for centuries in the European context. In Thomas Hobbes's mid-seventeenth-century *Leviathan*, written in the context of the devastating English civil war and previous religious wars, government was given the fundamental role in guaranteeing security. Over the course of the twentieth century, intellectuals have constantly debated Hobbes's ideas and concepts about security and societal peace. Especially after the second world war, security has found major attention in the fields of International Relations and its sub-discipline security studies. Security studies evolved during the nuclear age and were originally foremost about the study of the threat, use and control of military force, as one proponent of security studies, Stephen Walt, stated. They were mainly concerned with military strategy and giving policy advice to the military. Since the cold war, the study of security has come a long way. Most importantly, as Emma Rothschild has reminded us, during the past two decades or so, the concept was first extended downwards from states to individuals, upwards from the nation to the biosphere and horizontally from the military to the economic, social, political and environmental. It is the reflection of this dynamic change in theory, methodology and empirical research that connects most of the books under review in this article.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Vanlangenakker Ine, Maddens Bart, Put Gert-Jan

Political careers in Belgium: an example of the integrated career model

in *Fédéralisme Régionalisme* , Volume 10 - Varia

Several countries have undergone a regionalization in recent years followed by a professionalization of regional politics. This led to research on career patterns in multi-level states, with attention for the relationship between the regional and national level. Stolz (2005) found evidence for four types of career patterns. In this article it is argued that the Belgian regions of Flanders and Wallonia are both examples of the 'integrated careers' ideal type since the introduction of directly elected regional parliaments in 1995. Level-hopping data (1995-2010) show that there is one integrated career arena and that there is no dominant direction towards the national level.

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=939>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Cardinal Linda

Politiques linguistiques et mobilisations ethnolinguistiques au Canada et en Grande-Bretagne depuis les années 1990

in *Cultures & Conflits*, n. 79-80, automne-hiver , 37-54

The article compares ethnolinguistic mobilisations in Canada and in Great Britain since 1990. It studies interaction between the pluralist and pragmatic institutional heritage common to both regions and the way Francophone minorities living outside of Quebec and Welsh speaking minorities inform their actions in order to influence the institutionalisation of language policies. The article shows that governmental intervention in Wales is more sustained than in Canada but that the capacity of Welsh group to influence the formulation of language policies is more limited. In contrast, such influence is more important in Canada. However, governmental action remains symbolic.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Avanza Martina

Polémiques toponymiques. La Ligue du Nord et l'usage politique du dialecte

in *Cultures & Conflits*, n. 79-80, automne-hiver , 123-138

The Northern League, a political party that claims since 1995 the recognition of northern Italy (renamed Padania) as a specific cultural group who earned political rights, emphasizes the northern dialects, considered as real languages that the Italian state deliberately destroyed to impose Italian as national language. Being nowadays the only party that defends dialects, the Northern League gained the monopoly of this issue. Then, every public use of dialect is, in northern Italy, automatically associated to the League, a rightwing xenophobic party. That is why dialect became today the sign of an anti-Italian feeling or, worst, of a xenophobic attitude. This rightist politicization of dialects will be illustrated through the case of the bilingual (Italian/dialect) signposts and the controversy they rose among the population: a large



number of League's mayors changed the signposts of the towns they rule, in order to add the dialectal name of the town to the Italian one (Bergamo became Berghem), but this linguistic and toponymy policy was often perceived by the citizens who are not league's voters like a forced padanization of the territory.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Scarciglia Roberto

Profili costituzionali della secessione: dall'esperienza canadese all'indipendenza del Kosovo
in *Diritto della regione (il)*, n. 5-6 , 163-180

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Oakes Leigh

Promoting language rights as fundamental individual rights: France as a model?
in *French Politics*, Volume 9, Issue 1, April 2011 , 50–68

France's regional languages have long suffered as a result of the French republican model, which denies the existence of minorities and hence the possibility of granting minority rights. It is sometimes argued by language rights specialists, however, that these should not be seen as special collective rights so much as linguistic aspects of existing fundamental individual rights. The present article examines France's potential to exploit instead this latter conception of language rights, building on the new constitutional status granted to the country's regional languages in 2008 to form a fresh approach to minority languages. Not only could this strengthen French republicanism, but could also serve as a useful model for language rights in other contexts that favour individual rights over groups rights.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Horvitz Sigmund A., Nehs Robert M.

Proportionality and international humanitarian law: an economic analysis
in *Global Change, Peace & Security*, vol. 23, n. 2 , 195-206

ABSTRACT: Protocol I, Additional to the Geneva Conventions, in Article 57, mandates the rule of proportionality governing military attacks. The literature on international humanitarian law, however, reflects a widely-held view that this mandate is often ignored. Motivated by that view, this paper discusses three strategies, which, by appealing to ubiquitous social values, can encourage respect for and, in turn, compliance with the proportionality rule. These strategies are: first, interpreting a proportional attack as one which requires a rational and equitable balance, in cost-benefit terms, of the conflicting military and humanitarian interests, respectively, of the attacking and the attacked Parties (without sacrificing the desired military advantage of the former); second, requiring a planned attack to be 'objectively proportional', as measured by the preferences, quantified in statistical terms, of the 'reasonable military commander'; and, third, requiring the attacking Party to compensate victims for incidental civilian damage resulting from



an attack that is not objectively proportional. Observance of the principle of proportionality depends upon voluntary compliance, induced by respect for this principle, since compliance is not compelled under current international law.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Boudin Chesa

Publius and the Petition: Doe v. Reed and the History of Anonymous Speech
in **Yale Law Journal (The)**, Vol. 120, issue 8 , 2140-2181

This Note argues that signatures on petitions intended for use in direct democracy processes such as ballot initiatives should be subject to public scrutiny and disclosure. They should not benefit from free speech protections allowing for anonymity. Signatures used in these proceedings should not be considered petitions or speech at all, but rather lawmaking. Through historical, doctrinal, and prudential analysis, this Note distinguishes between core First Amendment rights, which might include signatures on a general petition with no legislative implications or minority associational rights, and speech-like activity that forms part of the regulated lawmaking process.

Full text available at:

<http://www.yalelawjournal.org/images/pdfs/989.pdf>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Chandler Adam D.

Puerto Rico's Eleventh Amendment Status Anxiety
in **Yale Law Journal (The)**, Vol. 120, issue 8 , 2183-2197

Full text available at:

<http://www.yalelawjournal.org/images/pdfs/990.pdf>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Cofrancesco Dino

Pur en finir col Partito d'azione

in **Ventunesimo Secolo. Rivista di Studi sulle Transizioni**, Anno X, n. 24, febbraio

Once the historical episode of the Partito d'Azione had come to an end, in the history of the Italian post-war period the so-called "azionista question" started to take shape, understood as a political-cultural question concerning the way of conceiving democracy, the genesis of fascism, the unfinished nature of the Risorgimento or the issue of the "betrayed" Resistance. With the aid of a Weberian methodological analysis the author defines the essential characteristics of the "ideal-type" of azionismo: on the one hand, its anti-historicism, not always conscious or theorised, that unfolds in the continuing trial against the Italian Risorgimento, upon which a hyper-democratism has been grafted, which by singing



the praises of perpetual progress, arrives at a mistrust of the political parties. On the other hand, an absolute anti-qualunquismo – the author calls “the Italian modality of Jacobin and Rousseauvian aristocratism” – that is transformed into a peremptory orthodoxy of antifascism. However, in this scenario, the author suggests, the ideas coming from liberals such as Benedetto Croce and Luigi Einaudi should not be overlooked. By influencing azionista intellectuals, they legitimised the azionista self-representation of the Crocian and/or Einaudian “Left”. If, then, the azionista “diaspora” closed a chapter of the history of the Italian political parties, this essay tells us to what extent, on the contrary, it continues to represent a salient characteristic of Italian “ideology.”

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Buchanan Allen

Reciprocal legitimation: Reframing the problem of international legitimacy

in Politics, Philosophy & Economics, Vol. 10, n. 1, February , 5-19

Theorizing about the legitimacy of international institutions usually begins with a framing assumption according to which the legitimacy of the state is understood solely in terms of the relationship between the state and its citizens, without reference to the effects of state power on others. In contrast, this article argues that whether a state is legitimate vis-a-vis its own citizens depends upon whether its exercise of power respects the human rights of people in other states. The other main conclusions are as follows. First, a state’s participation in international institutions can contribute to its legitimacy in several ways. Second, when international institutions contribute to the legitimacy of states, their doing so can contribute to their own legitimacy. Third, a theory of international legitimacy ought to recognize reciprocal legitimation between states and international institutions.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Zakaria Fareed

Remembering Samuel Huntington

in Foreign Policy, Issue 186, January

A man of towering intellect, who never shied away from going for the jugular.

http://www.foreignpolicy.com/articles/2011/01/05/remembering_samuel_huntington

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Candido Alessandro

Residenze Sanitarie Assistenziali e rette dei degenti: tra livelli essenziali e diritto alla tutela della salute

in Quaderni Regionali , n. 3

No abstract available



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Fukuyama Francis

Samuel Huntington's Legacy

in Foreign Policy, Issue 186, January

Why his works on world order -- political and otherwise -- are still relevant today.

http://www.foreignpolicy.com/articles/2011/01/05/samuel_huntingtons_legacy

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kuokkanen Rauna

Self-determination and Indigenous Women - "Whose Voice Is It We Hear in the Sámi Parliament?"

in International Journal on Minority and Groups Rights, Volume 18, Number 1 , 39-62

The Sámi self-determination discourse has always been state-centric in its tendency to invoke the central role of the Nordic states in shaping national policies and legislation on Sámi rights. This article examines the meaning of Sámi self-determination from the perspective of Sámi women: how do Sámi women understand the concept, how do they evaluate the current efforts to implement self-determination by Sámi political institutions and what kind of forms their socio-political participation takes in contemporary Sámi society? It argues that Sámi self-determination is often understood in relational terms as discussed by Iris Marion Young.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Hough Dan

Small but Perfectly Formed? The Rise and Rise of Germany's Smaller Parties

in German Politics, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 186-199

This article analyses the reasons for the rise and stabilisation of the Free Democrats, the Greens and the Left Party as long-term actors in the German party system. It explains why they have become more electorally relevant in recent years and also analyses what effect this is having on the dynamics of everyday political life in Germany. It analyses the bases of their support as well as their future prospects, before concluding with a discussion of their impact on the German party system.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

ALFIO CERAMI

Social Mechanisms in the Establishment of the European Economic and Monetary Union

in Politics & Policy, Volume 39, Issue 3 , 345-372



This article investigates the reasons, the transformative processes, and the social mechanisms involved in the establishment of the European Economic and Monetary Union (EMU). Contrary to commonly accepted theories used to explain institutional change, it argues that the establishment of the EMU has not simply been the product of historical paths, the rational choices of actors, or social construction of new economic ideas and preferences, but also it has been the product of self-fulfilling prophecies that have facilitated and accelerated the process of institutional change. This article also discusses the role of context-bounded rationality, embodied institutions, reflexivity, and double contingency.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Marcus Holmes

Something old, something new, something borrowed: rerepresentations of anarchy in International Relations theory

in International Relations of the Asia-Pacific, Volume 11 Issue 2 May , 279-308

There are many stories to be told regarding the development of International Relations (IR) theory in the United States over the last century. Some have pointed out IR's evolutionary properties, emphasizing the debates that have produced fitter theory with empirical reality. Others have argued that the development has been largely scientific with knowledge built hierarchically through time. In this article, I propose an alternative view of American IR's development. Specifically, I argue that IR theory is best understood through heterarchical organization, with core ideas and concepts rerepresented in new ways, and various levels of analysis, over time. In making this argument I trace dual processes of borrowing ideas from other disciplines and rerepresenting those ideas in new forms in order to solve vexing theoretical problems. The article demonstrates how conceptions of anarchy have been significantly affected by other disciplines and relates those conceptions to views of international security both at home and abroad, particularly in the Asia-Pacific region.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Mariia M. Fedorova

Sovereignty as a Political-Philosophical Category of Modernity

in Russian Social Science Review, Vol. 52, n°1 , 29-43

The author analyzes the evolution of the concept of sovereignty from feudal times through early modernity to the present day. She examines the problematic relationship between the ideas of sovereignty, democracy, and pluralism, and discusses the decline and possible disappearance of sovereignty in the context of globalization.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Lorca Arnulf Becker

Sovereignty beyond the West: The End of Classical International Law

in Journal of the History of International Law, Volume 13, Issue 1 , 7-73

The historical processes through which international law became, conceptually, a universal legal order and, geographically, an order with a global scope of validity, are long and complex. These transformations, which began to



appear during the second half of the nineteenth century, did not end until post-War-World-II decolonization. This article examines one particular aspect of these transformations: once non-Western states were admitted and begun to participate in the international community, did the rules of international law governing the interaction between Western and non-Western States change? What did it mean for semi-peripheral states to acquire sovereignty? The article argues that during the first decades of the twentieth century, semi-peripheral lawyers realized that sovereignty, so longed-for during the nineteenth century, conferred, under classical international law, much less autonomy and equality than they had anticipated. Moreover, at the turn of the century, the specific challenges faced by semi-peripheral states in their interaction with Western powers shifted, so that classical international law exhausted its power and stopped being useful. The article thus offers, from the perspective of the semi-periphery, an explanation of the shift from classical to modern international law.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Merloni Francesco

Spoils system: il timore dell'overruling impedisce alla Corte di fare chiarezza

in **Regioni (Le)**, n. 5 , 1136-1145

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Elff Martin, Rossteutscher Sigrid

Stability or Decline? Class, Religion and the Vote in Germany

in **German Politics**, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 107-127

This article looks at the development of the relation between social divisions and voting in Germany in the Bundestag elections after German unification. Considering the data from German electoral studies since 1994, it examines how social class impinged on support for the Social Democrats and for the post-communist PDS/Left and how church attendance and religious denomination affects the tendency to vote for Christian Democrats. It seems that it is much too early to write off the electoral relevance of social cleavages. The 'core constituencies' of cleavage-based parties have anything but disappeared and still show marked differences in voting patterns. In addition there are striking east-west differences in the patterns of electoral behaviour, especially regarding support for the post-communists. There is some, though not overwhelming, evidence of change in the social patterns of voting. But these changes hardly justify the elimination of the concept of social cleavages from electoral research. Instead, the results are consistent with the view that the politicisation of social cleavages depends on parties' appropriate mobilisation strategies and policies.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Allan Dafoe

Statistical Critiques of the Democratic Peace: Caveat Emptor

in **American Journal of Political Science**, Volume 55, Issue 2, April 2011 , 247-262



The “democratic peace”—the inference that democracies rarely fight each other—is one of the most important and empirically robust findings in international relations (IR). This article surveys the statistical challenges to the democratic peace and critically analyzes a prominent recent critique (Gartzke 2007). Gartzke's claim that capitalist dynamics explain away the democratic peace relies on results problematically driven by (1) the censoring from the sample of observations containing certain communist countries or occurring before 1966, (2) the inclusion of regional controls, and (3) a misspecification of temporal controls. Analysis of these issues contributes to broader methodological debates and reveals novel characteristics of the democratic peace. Gartzke and other critics have contributed valuably to the study of IR; however, the democratic peace remains one of the most robust empirical associations in IR.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

David Coletto, Harold J. Jansena, Lisa Young

Stratarchical Party Organization and Party Finance in Canada

in **Canadian Journal of Political Science--Revue canadienne de science politique**, Volume 44, Issue 01 , 111-136

Abstract. Based on an examination of constitutional and other party documents, Canadian political parties have been described as stratarchically organized (Carty, 2002). We identify four models of internal party financial flows that correspond to different models of internal party organization. We then trace the financial flows into and within the four major Canadian political parties from 2004 to 2007 with a view to identifying the model of party organization that these flows indicate. Our evidence in some respects supports Carty's assertion that Canadian parties are stratarchically organized, but it also suggests that changes to the regulatory regime governing political finance have contributed to a centralization of power at the level of the national party and at the expense of candidates and local associations. This centralizing tendency is significant, as it may disrupt the bargain that underlies the stratarchical organization of Canadian parties.

Résumé. À la lumière d'une revue des constitutions et de divers autres documents des partis politiques canadiens, ces derniers ont été décrits comme étant organisés de manière stratarchique (Carty, 2002). Nous dégageons quatre modèles de flux monétaires internes des partis qui correspondent à différents modèles d'organisation interne des partis politiques. Nous retraçons les entrées de fonds des quatre principaux partis politiques canadiens et leur distribution interne de 2004 à 2007 en vue d'identifier le modèle d'organisation de parti qui correspond à ces flux monétaires. Sous certains rapports, nos résultats appuient l'argument de Carty affirmant que les partis canadiens sont organisés de manière stratarchique, mais ils suggèrent aussi que les changements apportés au régime régulateur gouvernant le financement politique ont contribué à une centralisation du pouvoir au niveau national des partis et ce aux dépens des candidats et des associations locales. Cette tendance centralisatrice est importante, car elle peut rompre le compromis qui sous-tend l'organisation stratarchique des partis politiques canadiens.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Neem Johann N.

Taking Modernity's Wager: Tocqueville, Social Capital, and the American Civil War

in **Journal of Interdisciplinary History (The)**, Volume 41, Issue 4, Spring , 591-618

Alexis de Tocqueville watched with horror as American society and politics changed in the two decades following the



publication of Democracy in America. During the 1840s and 1850s, the factors that Tocqueville had earlier identified as sustaining the republic—its land and location, its laws, and its mores—had begun to undermine it. Recent work on civil society, the public sphere, and social capital is congruent with a Tocquevillian analysis of the causes of the Civil War. The associational networks that had once functioned as bridging social capital fractured under the stress of slavery, becoming sources of divisive regional, bonding social capital.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Zohlnhöfer Reimut

The 2009 Federal Election and the Economic Crisis

in German Politics, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 12-27

The 2009 German federal election took place during the deepest recession in German post-war history. It brought to power a coalition of Christian democrats and liberals while the social democrats suffered by far their worst result at a general election since 1949. This paper discusses whether there is a causal relationship between the government's response to the crisis and the election result. While voters basically supported the government's management of the banking crisis they were much more sceptical with regard to the grand coalition's management of the recession. Interestingly, a majority of the voters disapproved of some of the interventionist policies the SPD had suggested and believed that the Christian democrats were the most competent crisis managers. Therefore, the economic crisis may well have helped the bourgeois parties win the election.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Krewel Mona, Schmitt-Beck Rüdiger, Wolsing Ansgar

The Campaign and its Dynamics at the 2009 German General Election

in German Politics, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 28-50

This article analyses the 2009 German federal election campaign with specific emphasis on the three categories of actors that play key roles in contemporary election campaigns - parties and their candidates, the mass media, and the voters. Mainly aiming at a theoretically informed comprehensive description, the article addresses some key themes of the recent literature on electioneering. The Bundestag election on 27 September 2009 was preceded by a campaign that lacked drama. There were several reasons for the absence of a more polarised campaign, not least the fact that CDU/CSU and SPD had been tied together in a Grand Coalition and had to deal with massive political challenges. Against the background of an unclear picture painted by the media, the feasibility and likelihood of various types of government coalitions were dominant topics of the campaign. The CDU/CSU in many respects had an edge over the SPD.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Schillmeier Michael, Pohler Wiebke

The Danube and ways of imagining Europe

in Sociological Review, Volume 58, Special Issue, December 2010 , 23-43



Abstract

This paper is concerned with the River Danube as a European object that articulates forms of relations which, by linking human and non-humans in highly specific ways, create actor-networks that dispute common societal divisions and (b)orders. By discussing the contested social relevance of the River Danube, this paper visualizes different ways of imagining Europe. Following some of the controversies concerning the River Danube, we outline a process oriented, transnational research agenda for a specific European object with the conceptual explication of human and non-human relations at its core.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Moyn Samuel

The First Historian of Human Rights

in American Historical Review, Volume 116, Number 1, February , 58-79

The first attempt by a professional historian to place the Universal Declaration of Human Rights of 1948 in a historical lineage was offered by a German conservative, Gerhard Ritter, in that same year. No American historian thought of doing so until 50 years later. Ritter's 1948 essay resituates the whole idea of human rights in that decade. Recent work tends to tell a teleological and triumphalist credentialing narrative. Ritter's agenda is alien to this easy characterization and points to the conservative and religious sources of human rights in the 1940s. The German's essay makes the risk of constructing "usable pasts" unusually vivid, and offers a more realistic vision of the ambiguous interaction of norms and powers in history. With Barack Obama having revived Ritter's "Christian realism" as his own foreign policy philosophy, the first history of human rights remains surprisingly relevant today.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Bachl Marko, Brettschneider Frank

The German National Election Campaign and the Mass Media

in German Politics, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 51-74

The 2009 German national election took place under extraordinary conditions: the two major parties, CDU/CSU and SPD, entered the election race as partners in a Grand Coalition. Throughout the whole year preceding the election, the financial and economic crisis was the predominant issue among mass media, voters and politics. This special framework influenced the campaigns of the competing parties as well as the political news coverage. Building on the literature on political campaigning and on data derived from content analyses of the main evening newscasts in the months prior to the election, we analyse the campaign strategies of all parties and their reflection in the news media. Our analysis suggests that the smaller opposition parties, especially the FDP, adjusted their campaign more successfully to the special circumstances, while the SPD and the CSU failed to get 'their' issues onto the media agenda. The CDU chose a different - and in the end effective - approach by avoiding controversial issues and instead highlighting the value of stability and their popular Chancellor Merkel.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Jianxing Yu; Ziyang He

The Tension Between Governance and State-Building

in *Journal of Chinese Political Science*, Volume 16, Number 1 / March , 1-17

In this article we probe the tension between governance and state-building. Governance stresses diversification, reflexive rationality, heterarchic interaction, negotiation and coordination, whereas state-building emphasizes centralization, procedural rationality, hierarchic order, control and regulation. Despite the conflict resulting from the differences between their respective essences, there is some blending between the two. On the one hand, the process of state-building is simultaneous with the process of the establishment of civil rights and democracy. On the other hand, a strong state is needed to provide the footstone for governance because of the risks associated with governance failure and the necessity of meta-governance. Such conflicts and blendings construct the tension and dialectic between governance and state building. With respect to the functioning of this dialectic, it is necessary to keep such tension rightly based on the rule of law.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Brown, C.

The development of International Relations theory in the UK: traditions, contemporary perspectives, and trajectories

in *International Relations of the Asia-Pacific*, Volume 11 Issue 2 May , 309-330

British International Relations (IR) theory is distinguished by a concern with institutions and norms, and by an emphasis on history, philosophy, and law rather than the formal methods of the social sciences; in both respects, but especially the latter, it differs from American IR theory. The origins of British IR theory are traced, and the importance of the 'English School' (ES) is stressed, partly because of the work it stimulates, but also because of its role as a brand which helps to establish the independence of British IR from the otherwise dominant American profession. Along with ES scholarship (pluralist and solidarist), political theory and IR, and critical theory, including critical security studies, are the major areas where contemporary IR theory in Britain is located. This is likely to persist, but the generally critical approach taken to social scientific theorizing may be changing, with the increasing importance of historical sociology and critical realist work. It may also be the case that the privileged status of IR theory in British IR may be under challenge.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kustermans Jorg

The state as citizen: state personhood and ideology

in *Journal of International Relations and Development*, Volume 14, Number 1, January , 1-27

An important debate in International Relations and International Law is whether states are persons. In this article, it is argued that they are. That is, they are real persons-as-status. Furthermore, state personhood is argued to be an



ideological category, marked by ideological variety. Roughly, one can tell apart liberal and republican conceptions of state citizenship. In a case study, the conceptual toolkit of state citizenship is put to work to assess the liberal credentials of modern international society. While modern international society rests on firm liberal principles, expressed most clearly in the Charter of the UN, important republican elements can be discerned, not in the least in the constitution of NATO.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Rathbun Brian C.

The 'Magnificent Fraud': Trust, International Cooperation, and the Hidden Domestic Politics of American Multilateralism after World War II

in *International Studies Quarterly*, vol. 55, issue 1, march , 1-21

ABSTRACT: This article seeks to overturn the conventional wisdom that World War II forced a decisive, bipartisan break in American grand strategy. As they had after World War I, American political elites debated the relative merits of unilateralism and multilateralism. Assessments of the relative costs and benefits of a cooperative and multilateral solution to American security depended on judgments about the likelihood of opportunism by America's partners. Democrats were more trusting than Republicans, expecting cooperation where the latter anticipated defection. This led to different preferences for the creation and design of the United Nations and the North Atlantic Treaty. Drawing on theories of "social orientation" and political ideology, I explain why the left is more trusting than the right. Rationalist accounts of the creation and design of the UN and NATO overstate the case for ideological convergence and therefore the importance of structure because they largely ignore behind-the-scene bipartisan consultations that allowed for a compromise prior to the votes on the respective treaties. My social psychological theory of international cooperation demonstrates that multilateralism is a dispositional trait, not a simple functional response to some objective security situation.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Nencioni Tommaso

Tra neutralismo e atlantismo. La politica internazionale del Partito socialista italiano 1956-1966

in *Italia Contemporanea*, n° 260, settembre

L'articolo illustra gli elementi di continuità e di rottura nell'azione internazionale del Partito socialista italiano, e la stretta relazione tra i cambiamenti nei riferimenti internazionali del partito e le mutazioni nella strategia da esso adottata per la lotta politica in Italia. Nella prima parte, l'autore analizza i caratteri del dibattito teorico che si sviluppa all'interno del partito socialista nel periodo in cui esso definisce la sua strategia in termini neutralisti. Sono passati in rassegna i termini del dibattito ideologico tra la corrente autonomista guidata da Nenni e Lombardi e quella di sinistra sui temi del neutralismo: europeismo, sostegno al Movimento dei non allineati, riavvicinamento al socialismo europeo e azione da svolgere in politica estera col governo di centrosinistra. Nella seconda parte dell'articolo l'autore esamina il ruolo della politica internazionale nella definizione degli equilibri del centrosinistra e il dibattito sull'Europa e sulle rivoluzioni in atto nel terzo mondo che si sviluppa all'interno del Psi, fino alla riunificazione di questo col Partito socialdemocratico e il suo



ingresso nell'alveo del socialismo europeo.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Jun Uwe

Volksparteien under Pressure: Challenges and Adaptation

in **German Politics**, Volume 20, Issue 1, Special Issue: The German Election of 2009 , 200-222

The result of the 2009 Bundestag election strengthened the chorus of observers diagnosing the demise of the 'Volksparteien' (catch-all parties). Both German catch-all parties, the Christian Democratic CDU/CSU and the Social Democratic SPD, are under enormous pressure, which is reflected in standard quantitative data: the catch-all parties are losing voters both in absolute numbers and in terms of their share of the vote; they are losing party members; and they are losing public confidence regarding their perceived ability to solve important political and social problems. Apparently, the basic political idea of Volksparteien, namely vertically and horizontally to integrate different interests, ideas, social groups, opinions and trends, is less and less in demand in society. This article discusses the various, partially contradictory but mostly complementary, theories that seek to explain the downward trend of the Volksparteien. The article shows how the catch-all parties are attempting to address these detrimental developments in terms of both their organisation and strategies.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Dunoffa Jeffrey L.

What is the purpose of international law?

in **International Theory**, Volume 3, Issue 02, July , 326-338

<http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=8309887&fulltextType=MR&fileId=S1752971911000054>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Rohrleitner Marion

Who We Are: Migration, Gender, and New Forms of Citizenship

in **American Quarterly**, vol. 63, n. 2, June , 419-429

Placed at the intersection of the immigration and welfare debates, migrant mothers and their children occupy a precarious place between public and private discourse, a position that has been exacerbated by recent challenges in Congress to the right to citizenship for U.S.-born children of undocumented migrants. The relationship between motherhood and national belonging is historically contested terrain.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Duus-Otterström Göran, Jagers Sverker C.

Why (most) climate insurance schemes are a bad idea

in **Environmental Politics**, Volume 20, Issue 3, May , 322-339

Various insurance schemes are increasingly considered as part of a comprehensive set of responses aimed at adapting the world to future climate change. Insurance is believed to provide resources needed to rebuild societies following adverse effects of extreme weather events, and do so in a way that encourages preventive, risk-reducing action. After investigating the idea of climate insurance from a normative standpoint, it is argued that when understood conventionally - i.e. commercially - climate insurance is a highly unattractive idea. There are more defensible models of reactive adaptation that retain aspects of insurance, including, in particular, a model that is more reminiscent of a (global) social insurance model.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Darrel Moellendorf

Why Global Inequality Matters

in **Journal of Social Philosophy** , Vol. 42, n°1 , 99-109

The author summarizes in this article some of the key arguments of his book "Global inequality matters", explaining why one important reason that global inequality matters is that respect for human dignity matters.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kristine Hoeglund; Camilla Orjuela

Winning the peace: conflict prevention after a victor's peace in Sri Lanka

in **Contemporary Social Science** , Vol. 6, n°1 , 19-37

How can a relapse into violent conflict be prevented in Sri Lanka? This article examines how the case of Sri Lanka effectively exposes the limitations of the international discourse and practice of conflict prevention. Conflict prevention in Sri Lanka has to take place within a global and domestic context which is largely unaccounted for in the conflict-prevention literature and policy discourse. Changes in the international power balance over the last decade have decreased the room of manoeuvre for actors such as the United States and European Union while giving Asian powers such as China—with a different approach to conflict prevention—more influence over domestic policies in countries like Sri Lanka. Moreover, the conflict prevention discourse and 'tools' tend to assume a negotiated peace agreement where the conflict parties have an interest in preventing conflicts rather than merely suppressing them. The significant power asymmetry between the winning and the losing sides in the Sri Lankan conflict, coupled with the lack of power or interest of international actors to influence Sri Lanka's domestic affairs—have rendered 'conflict prevention' a tool for continued domination and containment of conflicts. The article further highlights the risks that conflict-prevention measures may exacerbate conflict or undermine other conflict-prevention measures. A number of challenges for conflict prevention—in the areas of (1) demilitarisation/militarisation, (2) political power sharing, (3) justice and reconciliation, and (4) post-war reconstruction and economic development—are addressed.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Ali Perveen

'I am Iraq' Law, life and violence in the formation of the Iraqi state

in *Utrecht Law Review*, Vol. 7, issue 2 , 4-28

his paper investigates how law, life and violence combined to reconfigure sovereignty in the 2003 invasion of Iraq and the subsequent rise of the insurgency. It considers how legal practices, including justifications for military intervention, neoliberal democratic governance, states of emergency and normative discourses were also spatial practices in the formation of the new Iraqi state and were critical to the emergence of differing visions of political authority within it. They facilitated the spatiotemporal manifestations of the states of exception that proliferated within Iraq, as Iraq was unilaterally designated as an exception within the global order, and insurgent and sectarian militias challenged, appropriated and reproduced these expressions of sovereign power and decisions upon life in their violent competition for control of the state. However, as the state of exception emerged as the dominant paradigm of governance, and the emergency became indistinguishable from the norm, sovereignty was revealed as contingent and processual, delocalised and decentred - an ideology and fiction of power.

Full text available at:

<http://www.utrechtlawreview.org/index.php/ulr/article/viewFile/URN%3ANBN%3ANL%3AUI%3A10-1-101280/158>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Eriksen Stein Sundstøl

'State failure' in theory and practice: the idea of the state and the contradictions of state formation

in *Review of International Studies (The)*, Vol. 37, Issue 1, January , 229-247

This article provides a critique of the discourse of 'failed states', and outlines an alternative approach. It is argued that by taking the model of the modern state for granted, and by analysing all states in terms of their degree of correspondence with or deviation from this ideal, this discourse does not help us understand the nature of the states in question, or the processes that lead to strong or weak states. Instead, the idea of the state should be treated as a category of practice and not as a category of analysis. Post-colonial state formation could then be analysed by focusing on the inter-relationship between the idea of the state and actual state practices, and on the ways that states have become linked to domestic society on the one hand and their relations with the external world on the other.