



Bulletin n. 2/2011 - October 2011

List of contents

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

Subsection 1. The theory of federation

Rosenzweig Luc

Belgique: la crise finale?

in *Politique internationale*, n. 132 - Ete, 2011

Without a federal government since April 2010, Belgium is experiencing seemingly insurmountable rifts. It is not impossible that a compromise may eventually be found, allowing for the formation of a government led by Elio Di Rupo, President of the Francophone Socialist Party. However, whatever the outcome of this crisis, there are certain centrifugal forces, fuelled by the intransigence of the Flemish separatists and their charismatic leader Bart De Wever, that will continue to undermine the foundations of the Kingdom. A partition of the country would lead to great uncertainty: Should Flanders, having become independent beside a "preserved" Belgium in Wallonia and Brussels, be subjected to a membership process, like any new country wishing to join the European Union? Can Brussels maintain its status of Triple Capital - of Belgium, Flanders and the EU? The scenario is completely new, in any case, and is likely to subject the institutions of our Old Continent to a sort of trial by fire.

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

Subsection 1. The theory of federation

Woods Neal D., Bowman Ann O'M.

Blurring Borders: The Effect of Federal Activism on Interstate Cooperation

in *American Politics Research*, Vol. 39, n. 5, September , 859-884

Interstate compacts are an increasingly important policy tool available to states, one that allows them to tackle regional and national issues. What effect does policy activity at the federal level have on state participation in interstate compacts? Drawing on theories of functional federalism, the authors explore the possibility that a state's response to federal activism varies across policy domains. For economic policy the authors hypothesize that federal activism causes an increase in compact participation, as states attempt to defend themselves against federal intrusion. In other policy areas the authors expect that states are more likely to enter into compacts during periods of relative federal inactivity. Results from a set of event-count models generally support these hypotheses. The study findings suggest that states may sometimes use interstate compacts as a mechanism to resist federal incursion but that this is just one facet of a more complex pattern of intergovernmental policy adjustment.

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

Subsection 1. The theory of federation

Rodden Jonathan, Wibbels Erik

Dual accountability and the nationalization of party competition: Evidence from four federations



in Party Politics, Volume 17, Number 5, September , 629-653

This paper assesses the extent to which party systems are nationalized in four federations. In doing so, the research addresses two questions. First, is dual accountability operational across decentralized countries, or do sub-national voters turn to national cues as a means to economize in a complex information environment? By bringing a cross-national dataset to bear on this question, we are able to provide insight into where and why dual accountability might operate. Second, what explains variation in the extent to which party systems are nationalized across countries and time? We build on previous literature to suggest a number of factors likely to impact the extent of nationalization. We examine those factors in the context of provincial-level elections in Argentina, Canada, Germany and the United States. Using national and sub-national economic data, we find little evidence of dual accountability in any of our countries. We find that economic performance matters little for regional electoral outcomes, and where it does, sub-national outcomes reflect national rather than sub-national conditions. More important are the roles of partisan relations across levels of government and election timing. Sub-national co-partisans of the nationally governing party lose votes, particularly as the time from the most recent national election grows. The strength of these effects varies across our cases in predictable ways.

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

Subsection 1. The theory of federation

Kailash K. K.

Federal Calculations in State Level Coalition Governments

in India Review, Volume 10, Issue 3, July , 246-282

When political parties organize, compete and maintain interests at different levels, they bring interconnections both between as well as horizontally across levels. This study suggests that the autonomy of state politics formulation may have to pay greater attention to the federal framework and give more consideration to the role of polity-wide parties. This study uses the autonomy thesis as a heuristic tool and expands the discussion beyond state politics as considered by Yogendra Yadav-Suhas Palshikar. It examines the interface between the rise of the state as the primary unit and the functioning of political parties, especially in a multi-party competitive scenario where parties are forced to enter into coalitions. By situating India and its coalition experiences within a broader literature of comparative politics, the study tries to enrich our understanding about the relationship between federalism, political parties and coalition politics.

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

Subsection 1. The theory of federation

Dann Philipp

Federal Democracy in India and the European Union: Towards Transcontinental Comparison of Constitutional Law

in Verfassung und Recht in Ubersee, vol. 44, issue 2 , 160-177

No abstract available

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

Subsection 1. The theory of federation



Pursley Garrick B.

Federalism Compatibilists

in *Texas Law Review*, Vol. 89, issue 6 , 1365-1394

Full text available at:

<http://www.texasrev.com/sites/default/files/issues/vol89/pdf/Pursley.pdf>

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

Subsection 1. The theory of federation

Portaluri Pier Luigi

Modello ed esperienza costituzionale dell'organizzazione federalista

in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 10

No abstract available

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

Subsection 1. The theory of federation

Gabriel Pérez Pérez

Nacionalidad y ciudadanía en México. Entre la formalidad institucional y la marginación social

in *El Cotidiano : revista de la realidad mexicana actual* , n. 169 , 97-106

El presente artículo aborda el tema de la nacionalidad y la ciudadanía en México, sus marcos legales, así como las instituciones de representación política de la ciudadanía. Al mismo tiempo, el documento confronta los problemas de los grupos de alta marginación social, particularmente el caso de los indígenas, quienes a pesar de poseer la nacionalidad y la ciudadanía mexicana no pueden ejercer sus derechos a plenitud debido a sus condiciones de marginalidad, lo cual ha justificado –hasta cierto punto– el levantamiento armado del ezln. Desde sus orígenes el movimiento zapatista se ha caracterizado por ser una organización autonómica, desafiante del control territorial del Estado mexicano, que sin llegar a constituirse en un movimiento nacionalista, el conflicto representa un déficit para la consolidación democrática de nuestro país. Por último, se destacan una serie de temas que son parte de la agenda para la Reforma del Estado, los cuales en su discusión y puesta en marcha, suponen una serie de elementos para la inclusión de la ciudadana en la política nacional y el desarrollo de la democracia.

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

Subsection 1. The theory of federation

Berdahl Loleen

Region-building: Western Canadian joint cabinet meetings in the 2000s

in *Canadian Public Administration*, Vol. 54, issue 2 , 255–275



Joint cabinet meetings are increasingly used for inter-governmental dialogue, at both international and sub-state levels. Provincial governments in western Canada, in particular, have employed the joint cabinet meeting format, and, between 2003 and 2009, nine such joint cabinet meetings were held. The resulting inter-provincial collaboration at these meetings produced over thirty inter-provincial agreements. Using the details of these particular joint cabinet meetings as a case study, this article considers three questions: First, why do governments hold joint cabinet meetings? Second, are joint cabinet meetings effective mechanisms for inter-governmental policy-making? And, third, particular to the Canadian context, what are the implications of joint cabinet meetings for federalism and democracy? The author argues that joint cabinet meetings are designed to build relationships and trust between governments and to allow a "whole-of-government" approach for inter-governmental policy-making. The joint cabinet meeting model appears to facilitate expedient inter-governmental policy-making, but the effectiveness of the resulting policies depends on the political will of the participating governments. Furthermore, in the Canadian context, joint cabinet meetings have the potential of reinforcing regionalism and the undemocratic tendencies associated with executive federalism.

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

Subsection 1. The theory of federation

Zakharov Andrei

Russian Federalism as a "Dormant" Institution

in Russian politics and law, vol. 49, n. 4, July-August , 8-17

The author foresees the reanimation of "dormant" federal institutions as the current regime loses its grip, but he warns that unless a viable party system is created first, this will entail a return to the "executive federalism" of the 1990s, again endangering Russia's territorial integrity.

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

Subsection 1. The theory of federation

Kynev Aleksandr

Unattainable Symmetry

in Russian politics and law, vol. 49, n. 4, July-August , 18-31

The author considers the underlying motives and variable results of efforts in the 2000s to amalgamate certain regions. He identifies three scenarios for the relationship between amalgamated regions and ethnic territories that have lost autonomous status. He concludes that the federation has become not less but even more asymmetrical.

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

Subsection 2. Constitutional reform

Jones Peris, Langford Malcolm

Between Demos and Ethnos: The Nepal Constitution and Indigenous Rights

in International Journal on Minority and Groups Rights, Volume 18, Number 3 , 369-386

This article examines the contested reception of the Convention concerning Indigenous and Tribal Peoples in



Independent Countries ("ILO Convention 169") in Nepal, particularly in the context of current constitutional reform and post-conflict economic development. Compelling evidence suggests that exclusionary political institutions, laws and structures have been the major cause of exclusion in contemporary Nepal. While Nepal is home to a range of different ethnic, language, religious and caste-based groups, the Adivasi Janajati (around 37 per cent of the population) consider themselves indigenous peoples. With such a sizeable minority, Nepal was the first and so far only Asian country to ratify the ILO Indigenous and Tribal Peoples Convention 169, which has considerable significance in a context of state restructuring and the accommodation of indigenous rights. The form of recognition of indigenous rights in the constitutional drafting process has created much heat, particularly over questions of autonomy and federalism, control over natural resources and land and quotas for political representation, but with less light concerning political consensus. The ILO Convention 169 has figured prominently in this process with various interpretations by different actors. Reconciling international meanings of this treaty with national interpretations used for political purposes in Nepal foregrounds a paradox existing between liberalism (in the form of rights and freedoms) and equality (democracy). Through a range of disciplinary methods, this article analyses the background to indigenous demands, the political and legal contestation over the interpretation of ILO 169 and the specific case of natural resources.

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

Subsection 2. Constitutional reform

Langford Malcolm, Bhattarai Ananda Mohan

Constitutional Rights and Social Exclusion in Nepal

in *International Journal on Minority and Groups Rights*, Volume 18, Number 3 , 387-411

In Nepal, poverty is highly correlated with an individual's ethnicity, caste, language, religion or membership in an indigenous group. In the drafting of the new Constitution, many have called for inclusion of socio-economic and affirmative action rights in order to address social inequalities. This article sets out to assess these demands in an international and domestic context. After this socio-political background is set out in the introduction, section 2 provides a comparative and international analysis of the debates, trends and jurisprudence concerning the constitutional inclusion of equality and socio-economic rights. Section 3 examines the constitutional history of Nepal on this topic with a particular focus on the jurisprudence of the Supreme Court, and section 4 assesses the consequences of this experience for the constitutional drafting process. Section 5 analyses the current draft bill of rights and provides some thoughts on the possible future directions for the constitutional drafting and jurisprudential responses.

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

Subsection 2. Constitutional reform

Maliska Marcos Augusto

Die Geschichte des brasilianischen Föderalismus

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 58, 2010 , 617-633

No abstract available

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

Subsection 2. Constitutional reform

Naeem Naseef



Die bundesstaatliche Ordnung der Verfassung der Vereinigten Arabischen Emirate
in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 58, 2010 , 633-685

No abstract available

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

Subsection 2. Constitutional reform

Yash Ghai

Ethnic Identity, Participation and Social Justice: A Constitution for New Nepal?

in *International Journal on Minority and Groups Rights*, Volume 18, Number 3 , 309-344

For nearly two centuries Nepal has been governed under the hegemony of three upper caste communities: Brahmins, Chettries and Newars. Under the influence of Hinduism and the monarchy, other communities, Dalits, women, indigenous peoples and the people of the southern parts were marginalised. Struggles of democracy in the 1950s were less about social justice than the access of the elite communities to increasing shares in the spoils and administration of the state, which was achieved in the 1990 Constitution. The Maoist rebellion in the mid 1990s seriously hampered the working of the Constitution, although not the hegemony of the upper caste communities. The uprising of the people against the King in April 2006 changed the context of that rebellion, accelerated the ceasefire and introduced a new constitutional agenda, based on social justice and the inclusion of the marginalised community in the affairs and institutions of the state. However, despite the overthrow of the monarchy, a multi-party government, of parties committed to fundamental state restructuring, progress towards a new dispensation has been slow. A new Constitution should have been adopted by April 2010 by an elected, representative Constituent Assembly but disagreements between the former elites, still firmly in control of politics, has diverted attention from constitutional reform.

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

Subsection 2. Constitutional reform

Tamang Seira

Exclusionary Processes and Constitution Building in Nepal

in *International Journal on Minority and Groups Rights*, Volume 18, Number 3 , 293-308

The current constitution building exercise in Nepal must be seen in the context of a history of an exclusionary state run by high-caste, hill, male elites. Past democratic transitions, including the 1990 change, failed to ensure the rights, participation and representation of excluded groups. The April 2006 peoples' movement, the Comprehensive Peace Agreement, the election to the Constituent Assembly of the most representative elected body in Nepal's history and the establishment of a Republic has raised hopes for real change. However, current tendencies to narrowly define the peace process solely in terms of a political settlement between the Maoists and other dominant political parties has marginalised larger commitments made in the peace agreement to tackle deepseated economic, political and social inequalities. In the context of a highly politicised climate and the rise of identity politics, such an orientation risks jeopardising long term, sustainable peace building in Nepal.

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

Subsection 2. Constitutional reform



Føllesdal Andreas

Federalism, Ethnicity and Human Rights in Nepal. Or: Althusius meets Acharya
in *International Journal on Minority and Groups Rights*, Volume 18, Number 3 , 335-342

The article addresses one of the difficult tasks of the Nepal Constituent Assembly: how to translate the idea and mechanisms of federalism in ways that are faithful to the best interests of the Nepal people into a constitution of a democratic, human rights-respecting Nepal republic. The reflections concern four varieties of federal elements, discussing arguments in favour and against each drawn from an interpretation of other states' experiences. Two of the four are territorial: constitutional: an entrenched split of powers, and political: decentralised autonomy. Two are non-territorial: minority rights and minority representation in common decision making bodies. Some of these arguments and lessons may be helpful also for Nepal's challenges, two features of which are especially noteworthy: there are very many different groups that must be accommodated fairly. And members of these groups very often live side by side on the same territory. Human rights protections combined with federal elements of Nepal's new Constitution must serve to prevent future domination, especially by the centres, over these many ethnic groups and castes.

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

Subsection 2. Constitutional reform

Vollan Kåre

Group Representation and the System of Representation in the Constituent Assembly and Future Parliaments of Nepal

in *International Journal on Minority and Groups Rights*, Volume 18, Number 3 , 343-368

A broad representation of all people of Nepal have been a main objective of the system of representation, first of the Constituent Assembly and then of the future Parliament, since the first agreements between the Maoists and the Seven Party Alliance was entered into at the end of 2005. The specific rules have been subject of controversies and the implementation of quotas for the Constituent Assembly elections 2008 represented major challenges. The rules as they were formulated did work towards more inclusiveness in 2008, but there were still groups which were left out of the Assembly. This article discusses the representation of groups of people in the Constituent Assembly, and it also suggests new ways of implementing affirmative action which could accommodate more marginalised groups and at the same time represent significant simplification for parties and election administrators. In addition some thought on the future general system of representation is presented.

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

Subsection 2. Constitutional reform

Mangiameli Stelio

Il significato della riforma a dieci anni dalla revisione del Titolo V della Costituzione

in *Regioni (Le)*, n. 6 , 1235-1246

No abstract available

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

Subsection 2. Constitutional reform



Mohammad Waseem

Pakistan: A Majority-Constraining Federalism
in *India Quarterly*, Vol. 67, n°3 , 213-228

Underlying Pakistan's three experiments with a federal arrangement in the form of the 1956, 1962 and 1973 constitutions, there has been a persistent concern about constraining the numerical majority of the largest province, first East Bengal and later Punjab. The first two constitutions had virtually eliminated the federal principle in West Pakistan by merging the four provinces and various princely states into one megaprovince called One-Unit in order to establish parity between the two wings of the state. In post-Bangladesh Pakistan, while the 1973 Constitution provided a strong centre with scant provincial autonomy, it tacitly acknowledged the linguistic majorities of the four provinces as legitimate representatives of their respective federating units. Together, these developments brought the issue of provincial autonomy to the centre of the stage in Punjab-dominated national politics championed by the three smaller provinces of Sindh, Balochistan and Khyber-Pakhtunkhwa. 37 years after the promulgation of the 1973 Constitution, the 18th Amendment finally addressed this issue with full strength. Pakistan in the following half decade is expected to experience what by all means is going to be a tempestuous process of shifting several ministries and divisions from the federal to provincial capitals. There can be resistance from the army and the centralist bureaucracy against the perceived dilution of state authority on the one hand and 'minorities' from the three smaller provinces against their perceived persecution at the hands of the majority communities of these provinces on the other.

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

Subsection 2. Constitutional reform

Føllesdal Andreas

Rebuilding the Ship while at Sea Introduction to the Special Issue on Nepal's Constitution Writing Process
in *International Journal on Minority and Groups Rights*, Volume 18, Number 3 , 287-291

In order to understand the recent political and constitutional events of Nepal, and to discern feasible and fair ways to move forward, it is essential to consider the complex composition, circumstances and potential for conflicts by and among the many groups and minorities that constitute the people of Nepal. The future inclusion of marginalised groups requires the drafters of the Constitution to attend closely to various models and mechanisms for managing group claims and conflicts. They include a federal Nepal, various group rights, and a voting system of proportional representation. Closer scrutiny reveals that these demands may be interpreted and institutionalised in several ways consistent with the objectives and needs of the population, especially the desire to prevent domination by a predatory centre, and to bolster local autonomy. To understand and facilitate these developments, the present special issue explores several perspectives and analyses.

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

Subsection 2. Constitutional reform

Germán Alfonso López Daza

¿Se necesita una nueva Constitución en México? Algunas reflexiones y seis propuestas
in *Cuestiones constitucionales. Revista mexicana de derecho constitucional*, n. 24 , 141-167

full text available at:



<http://www.juridicas.unam.mx/publica/librev/rev/cconst/cont/24/ard/ard4.pdf>

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

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

Michael Lothar

Abweichungsgesetzgebung als experimentelles Element einer gemischten Bundesstaatslehre

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 59, 2011

No abstract available

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

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

De Falco Vincenzo

Condivisione del potere e tutela dell'ambiente. Riflessioni sul riparto di competenze nel regionalismo italiano e spagnolo

in *Diritto pubblico comparato ed europeo*, n. 2 , 562-576

No abstract available

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

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

Schaal Gary S.

Das Bundesverfassungs- gericht als Motor gesellschaftlicher Integration?

in *Aus Politik und Zeitgeschichte*, Band 35-36, 2011

The full text is free:

www.bpb.de/publikationen/9C5949,0,Das_Bundesverfassungsgericht_als_Motor_gesellschaftlicher_Integration.html

Inhalt

Einleitung

Verfassungsrechtsprechung

Konsensuale und konfliktsche Integrationsmodelle

Konsens und Konflikt aus der Perspektive der Öffentlichkeit

Fazit



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

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

Voßkuhle Andreas

**Die Landesverfassungsgerichtsbarkeit im föderalen und europäischen Verfassungsgerichtsverbund
in Jahrbuch des öffentlichen Rechts der Gegenwart, Band 59, 2011**

No abstract available

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

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

Kildea Paul, Lynch Andrew

**Entrenching 'Cooperative Federalism': Is it Time to Formalise COAG's Place in the Australian Federation?
in Federal Law Review, Volume 39 - Number 1**

No abstract available

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

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

Biebricher Thomas

**Faith-Based Initiatives And The Challenges Of Governance
in Public Administration, Volume 89, Issue 3 , 1001-1014**

The task of this paper is to offer an analysis of the Faith-Based and Community Initiative (FBCI) established by George W. Bush and continued under the Obama administration based on a critical and decentred approach to governance (networks). The paper starts out by placing FBCI in the context of the welfare reform of 1996 arguing that both share certain basic assumptions, for example, regarding the nature of poverty, and that FBCI can be interpreted as a response to the relative failure of some aspects of the reform of 1996. In what follows, FBCI is analysed as a typical case of (welfare) state restructuring from government to governance. Emphasis is given to the way discourses and traditions such as communitarianism and public choice have shaped the formation of this new governance arrangement in the field of social service delivery in order to strive for a 'decentring' of FBCI by drawing attention to actors' beliefs and worldviews. Finally, I argue that it is not least because of a divergence of such views between policy-makers and faith-based organizations that the effect of FBCI remains for the time being limited.

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

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

Deepta Chopra

**Interactions of 'power' in the making and shaping of social policy
in Contemporary South Asia, Volume 19, Issue 2 , 153-171**

This paper focuses on the interactions of power as analysed through the formulation story of a recently enacted social



policy, the National Rural Employment Guarantee Act (NREGA), India. It explains the various drivers that led to the passing of this policy, with a view to analysing the extent and nature of power as was played out in the making of this policy. The paper sets out the way in which social policy formulation can be understood to be arising from interactions and linkages between individual actors, who together make up policy coalitions and networks. These interactions are described through a four-fold classification of processes (parliamentary, executive, party political and civil society) into which the actions and contributions of these actors feed, giving rise to an iterative, messy and complex reality. Power in the policy formulation network is shown as multi-sited as well as relational. The paper concludes with an endorsement for reconfiguring the geographies of power in the form of a kaleidoscope of actors and events, within and through which power flows and is exercised.

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

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

Interpreting Silence: The Roles of the Courts and the Executive Branch in Head of State Immunity Cases in Harvard Law Review, Volume 124 · June 2011 · Number 8

No abstract available

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

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

Crisp Brian F., Desposato Scott W., Kanthak Kristin

Legislative Pivots, Presidential Powers, and Policy Stability

in **Journal of Law, Economics, and Organization**, Volume 27 Issue 2 August 2011 , 426-452

We offer a general model of policy making across presidential systems, exploring how checks and balances interact with legislative party systems to determine the responsiveness of political systems to electoral change. Using the two dominant theories of policy making in the United States as a starting point, we formally model the legislative process across presidential regimes characterized by a wide array of institutional designs, simulate expected policy behavior, and then test our models empirically with data capturing economic policy choices.

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

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

Ryzhenkov Sergei

Local Regimes and the "Power Vertical"

in **Russian politics and law**, vol. 49, n. 4, July-August , 53-63

The author analyzes the interrelated functioning of local regimes and the "power vertical," focusing on the distribution of political rents.

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



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

Eshbaugh-Soha Matthew, Miles Thomas

**Presidential Speeches and the Stages of the Legislative Process
in Congress & the Presidency**, Volume 38, Issue 3, October , 301-321

Presidents go public frequently to increase their success in Congress. Yet scholars know little about when presidents speak within the legislative process or why. If presidential speeches are indeed a source of power for presidents, then presidents are likely to use them throughout the legislative process, not speak only to affect final passage. We argue that presidents speak generally to meet broad electoral and political goals, but target speeches according to their goals at each stage of the legislative process: to frame the debate at the agenda-setting stage, to push bills out of committee, and to finalize support from legislators at the roll call stage. We analyze 116 bills between 1989 and 2004, supplemented by Bush Library archival data and a case study of the Clean Air Act Amendments of 1990. The results illustrate that presidents speak mostly at the agenda-setting and roll call stages and presidential attention at each stage varies by informational cues provided by the larger political environment.

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

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

Wesel Uwe

Recht, Gerechtigkeit und Rechtsstaat im Wandel - Essay
in *Aus Politik und Zeitgeschichte*, Band 35-36, 2011

The full text is free:

www.bpb.de/publikationen/ZMRPDM,0,Recht_Gerechtigkeit_und_Rechtsstaat_im_Wandel_Essay.html

Inhalt

Einleitung

Einrichtung des Bundesverfassungsgerichts

Änderungen des Grundgesetzes

Rechtsprechung des Bundesverfassungsgerichts

Etablierung eines Wertesystems zur Feinsteuerung für Menschenrechte

Gerechtigkeit und Recht

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

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

Vorländer Hans



Regiert Karlsruhe mit? Das Bundesverfassungs- gericht zwischen Recht und Politik
in *Aus Politik und Zeitgeschichte*, Band 35-36, 2011

The full text is free:

www.bpb.de/publikationen/KUXXLY,0,Regiert_Karlsruhe_mit_Das_Bundesverfassungs_gericht_zwischen_Recht_und_Politik.html

Inhalt

Einleitung

Bundesverfassungsgericht als politischer Akteur

Kampf um die Deutungsmacht

Strategie der Selbstautorisierung

"Politisierung der Verfassungsjustiz" und "Verrechtlichung der Politik"

Institutionenvertrauen und Entscheidungsakzeptanz

Bundesverfassungsgericht regiert mit

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

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

Todd BenDor, J. Adam Riggsbee

Regulatory and ecological risk under federal requirements for compensatory wetland and stream mitigation
in *Environmental Science & Policy* , Vol. 14, n°6 , 639-649

In 2008, federal regulators issued formal regulations governing wetland and stream mitigation in an effort to improve ecological quality and reduce uncertainty during the mitigation process. In this article, we explore how the federal regulations ("the Rule") reduce compliance risks assumed by regulators when issuing permits that require wetland and stream mitigation under the U.S. Clean Water Act. Regulatory risk involves the timeliness and adequacy of mitigation provided for permitted impacts. The Rule attempts to accomplish this by requiring more consistent implementation of compensatory mitigation projects in general, largely through a series of provisions that create equivalent ecological and mitigation standards for all sources of mitigation (mitigation banks, permittees and in-lieu fee programs). Between April–May 2009, we administered a national, web-based survey of mitigation bankers and other mitigation professionals (N = 156 responses; 47.7% response rate). Our results reveal banker perceptions that several Corps districts have incompletely implemented equivalent standards, and therefore a variety of barriers to abating regulatory risk continue to exist 1 year after the regulations took effect. Qualitative analysis of respondent comments revealed the reasoning behind these perceptions, including perceptions that regulatory conflicts of interest involving close relationships with in-lieu fee (ILF) programs, as well as regulatory preference for NGO and government sponsored mitigation. Based on



our results, it appears that Rule clarification may be necessary to further reduce regulatory uncertainty and promote high quality compensation.

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

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

O'M. Bowman Ann, Kearney Richard C.

Second-Order Devolution: Data and Doubt

in **Publius: The Journal of Federalism**, vol. 41, n. 4, October, Special issue: The States as Facilitators or Obstructionists of Local Government , 563-585

In this article, we explore changes in state–local relations. Our interest is the degree to which states have devolved power and authority to their localities;...;or not. From our empirical tests, we conclude that although centralization was the dominant trend from the mid-1950s until the mid-1980s, the pattern since then has been somewhat uneven and variable across states. A survey of city managers supports a finding of a loss of local power at the hands of the states, but a survey of legislators offers an alternative perspective. We conclude with a discussion of the meaning and implications of state centralization and suggestions about how the concept could be captured more comprehensively.

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

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

Lemos Margaret H.

State enforcement of federal law

in **New York University Law Review** , Vol. 86, issue 3 , 698-765

Federal law is enforced through a combination of public and private efforts. Commentary on the choice between public and private enforcement has generated a remarkably stable set of arguments about the strengths and weaknesses of each type. But the conventional wisdom tells only part of the story, as it ignores variations within the category of public enforcement. Many federal statutes authorize civil enforcement by both a federal agency and the states. State enforcement is different from federal enforcement in several important respects, representing a unique model of public enforcement. The authority to enforce federal law is also a unique form of state power. As I show, enforcement authority can serve as a potent means of state influence by enabling states to adjust the intensity of enforcement and to press their own interpretations of federal law. To date, enforcement has been neglected in the federalism literature, which tends to equate state power with state regulation. But enforcement authority may exist outside of regulatory authority, allowing states to operate even in areas where state law is preempted or state regulators have chosen not to act. And enforcement empowers a distinct breed of state representatives—elected, generalist attorneys general. Just as state attorneys general differ from federal agencies as agents of enforcement, they differ from state agencies as agents of federal-state interaction. Moreover, attorneys general in most states are independent from the state legislature and governor, and may represent different constituencies. Enforcement authority therefore opens up new outlets for state-centered policy, empowering actors whose interests and incentives distinguish them from the state institutions that dominate other channels of federal-state dialogue.

Full text available at:



http://www.law.nyu.edu/ecm_dlv3/groups/public/@nyu_law_website__journals__law_review/documents/documents/ecm_pro_069452.pdf

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

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

Glaser Andreas

Steuerwettbewerb in föderalen Staaten in rechtsvergleichender Perspektive
in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 58, 2010 , 251-275

No abstract available

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

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

Hernández Antonio

The Distribution of Competences and the Tendency Towards Centralization in the Argentine Federation
in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 59, 2011

No abstract available

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

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

Popelier Patricia, Vandenbruwaene Werner

The Subsidiarity Mechanism as a Tool for Inter-level Dialogue in Belgium: On 'Regional Blindness' and Cooperative Flaws
in *European Constitutional Law Review*, Volume 7 / Issue 02, , 204-228

Subsidiarity in the Treaty on the European Union and the Protocol on the application of the principles of subsidiarity and proportionality – Multi-level governance in federal and regional states – Belgian federalism – Necessity of dialogue – Difficulty of applying subsidiarity principle in a federal system based on exclusivity

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

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

Fabio Udo Di

Vom Recht, Recht zu sprechen: Die Legitimation des Bundesverfassungsgerichts - Essay
in *Aus Politik und Zeitgeschichte*, Band 35-36, 2011



The full text is free:

www.bpb.de/publikationen/RJ1W31,0,Vom_Recht_Recht_zu_sprechen%3A_Die_Legitimation_des_Bundesverfassungs_gerichts_Essay.html

Inhalt

Einleitung

Legitimation der Verfassung

Logbuch der Vernunft

Sehnsucht nach Überparteilichkeit

Elastische Funktionsmechanismen?

Legitimitätskrise aller Verfassungsorgane

Wahl zwischen Resignation und technokratischer Affirmation?

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

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

Henrich-Franke Christian

Wandlungen föderalen Regierens im Deutschen Kaiserreich. Die Entscheidungsfindung im Fall der Sozialgesetzgebung

in *Historische Zeitschrift*, Volume 293, Issue 2 (September 2011) , 373-399

Changes in the Practice of Federal Government in the German Kaiserreich. Decision-Making in the Case of Social Legislation

Abstract

This paper deals with the functionality and change of the German Empire's political system. It takes into consideration the federal decision-making structures within and around the federal council (Bundesrat). These have hitherto hardly been analysed by the historical research. The paper focuses on two hypotheses about federal governance: Firstly, it argues that the federal states discussed a topic before its official presentation as a draft bill within the Bundesrat since the 1870s. This contradicted the decision-making process as it was defined in the constitution. Secondly, policy making was dislocated from the federal council into other bodies at the end of the Bismarckian Era in the 1890s. In that context a federalisation of the parliament (Reichstag) can be observed. It is argued here, that the Bundesrat's increasing importance in the decision-making process must not be equated with an increase of federal power. These hypotheses will be discussed by using the example of the law on accident insurance.



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

Subsection 4. The legislative branch

Hamm Keith E., Hedlund Ronald D., Shirley Post Stephanie

Committee Specialization in U.S. State Legislatures during the 20th Century - Do Legislatures Tap the Talents of Their Members?

in *State Politics & Policy Quarterly*, Vol. 11, n. 3, September , 299-324

The authors use an informational-theoretical perspective to examine the appointment of legislative committees, using new measures of knowledge and expertise as well as a unique database. While competing theories (distributive and partisan) do not deny that legislative committees are a source of vital knowledge and expertise necessary for legislative policy making, information theory places the wisdom and expertise needs of collective decision making—that is, specialization—on very complex topics by legislative generalists as the *raison d'être* for a committee system. Thus, the authors investigate one of the fundamental arguments of information theory—that committees are formed to meet the basic knowledge and expertise needs of a legislative body. The findings from U.S. state legislative data indicate that significant member differences regarding prior knowledge and expertise exist by committee jurisdiction, state, and session, reinforcing the applicability of information theory while also suggesting the impact of setting and organizational factors. The authors also explore implications of these findings.

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

Subsection 4. The legislative branch

Enrique Guillén López

El sistema electoral del Congreso de los Diputados. Principios constitucionales y recientes propuestas de reforma

in *Revista Espanola de Derecho Constitucional*, n. 92

Este artículo tiene por objeto analizar el sistema electoral del Congreso de los Diputados desde el punto de vista de los principios constitucionales que incorpora. En su primera parte se refiere, así, a la representatividad, la proporcionalidad, la integración, la gobernabilidad, la expresión del pluralismo político y la igualdad de voto. En la segunda, analiza las posibles repercusiones en los mismos de las recientes propuestas de reforma del sistema electoral del Congreso de los Diputados. De esta manera se advierte que la discusión sobre el sistema electoral debe ser una constante en la democracia y que debemos perseguir aquella solución políticamente más viable que logre el mayor grado posible de consecución de los principios expuestos.

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

Subsection 4. The legislative branch

SHAUN BOWLER, DAVID M. FARRELL

Electoral institutions and campaigning in comparative perspective: Electioneering in European Parliament elections

in *European Journal of Political Research*, Volume 50, Issue 5 , 668–688



This article develops and tests a number of competing expectations (institutional, party and individual) about what influenced the campaign activity of individual parliamentary candidates for the 2004 European Parliament elections. The principal interest is in the effects of variations in the design of electoral institutions across the Member States of the European Union. Based on the analysis, it is argued that an important distinction needs to be made between campaign effort and campaign goals, with electoral institutional factors having a more significant role over the latter.

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

Subsection 4. The legislative branch

Kintz Melanie

Intersectionality and Bundestag leadership selection

in German Politics, Volume 20, Issue 3, Special Issue: 'Gender, Intersectionality and the Executive Branch: The Case of Angela Merkel', September , 410-427

This article examines how particular personal characteristics – sex, age, and Eastern German origin – influenced the careers of Angela Merkel and other Members of the Bundestag (MdB) in the 13th–16th electoral periods. It seeks to explain what kind of MdB are most likely to rise to parliamentary leadership functions. I argue that while Merkel's career is, in the German context, atypical, this fact makes Merkel typical of female chief executives in other countries, who have often come to power under exceptional circumstances.

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

Subsection 4. The legislative branch

Simonati Anna

La leale cooperazione "informativa": un principio "seminuovo" nei rapporti fra legislatore statale e regionale?

in Regioni (Le), n. 6 , 1330-1336

No abstract available

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

Subsection 4. The legislative branch

Jean-François Godbout, Bjørn Høyland

Legislative Voting in the Canadian Parliament

in Canadian Journal of Political Science--Revue canadienne de science politique, Volume 44 - Issue 02 , 367 - 388

Abstract. We analyze legislative voting in the 35th (1994–1997), 38th (2004–2005), and 39th (2006–2008) Canadian Parliaments. Using Poole's (2005) optimal classification algorithm, we locate MPs and their parties in a two-dimensional geometric model. The first dimension represents the division between governing and opposition parties that has been found in similar parliamentary systems. The second dimension captures the opposition between the Bloc Québécois and the rest of the legislature. We find a clear separation between the Reform party (and later the Conservative party) and the Bloc Québécois in the 35th and 38th Parliaments, with the Liberal and the New Democratic parties occupying the centre. However, in the 39th Parliament, the ordering changes with the Conservatives and the New Democrats near the centre, and Liberal and Bloc MPs occupying the extremes. We explain this change by the capacity of the governing party to control the legislative agenda and the recent minority governments in the House of Commons.



Résumé. Nous analysons le vote législatif au trente-cinquième (1994–1997), au trente-huitième (2004–2005) et au trente-neuvième (2006–2008) Parlement canadien. En utilisant la méthode de classification optimale développée par Poole (2005), nous situons les députés de la Chambre des communes et leurs partis dans un modèle géométrique comprenant deux dimensions. La première dimension représente le conflit entre le gouvernement et les partis d'opposition que l'on retrouve également dans d'autres systèmes parlementaires, alors que la seconde dimension correspond à l'opposition régionale qui existe entre le Bloc Québécois et les partis fédéraux. Nous constatons une nette polarité entre le Parti réformiste (et plus tard le Parti conservateur) et le Bloc Québécois au trente-cinquième et au trente-huitième Parlement, alors que le Parti libéral et le Nouveau Parti démocratique se trouvent au centre. Cependant, au trente-neuvième Parlement, nous observons un changement dans la polarité régionale, puisque ce sont maintenant les Libéraux et les Bloquistes qui occupent les deux extrémités, alors que les Conservateurs et les Néo-démocrates se situent au centre. Nous expliquons ces mouvements par la capacité du gouvernement de contrôler l'agenda législatif et par les récents gouvernements minoritaires à la Chambre des communes.

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

Subsection 4. The legislative branch

Vander Wielena Ryan J., Smith Steven S.

Majority Party Bias in U.S. Congressional Conference Committees

in Congress & the Presidency, Volume 38, Issue 3, October , 271-300

This article examines the representativeness of conference committees in the U.S. Congress by measuring the difference in observed policy preferences between the conference delegations and the parent bodies. We predict and find significant differences between the House and Senate in terms of the partisan bias of conference delegations. House conference delegations are systematically biased in favor of the majority party and away from the chamber median. We take the additional step of exploring the source of this bias. In particular, we examine whether majority party bias in conference is a function of partisan processes at work directly in the selection of conferees. We find evidence that the conditions of majority party influence in the House are consistent with some existing theoretical models of party influence in legislating. There is less conclusive evidence of partisan processes in the Senate, which is consistent with institutional differences in appointment practices.

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

Subsection 4. The legislative branch

Odion Akhaine Sylvester

Nigeria's 2011 elections: The 'crippled giant' learns to walk?

in African Affairs, Volume 110, Issue 441, October 2011 , 649-655

Abstract

Nigeria's 2011 elections have been acclaimed by both domestic and international observers as generally 'free, fair, and credible'. Terrence Macaulay, the US Ambassador to Nigeria, said the conduct of the elections provided the country with an historic opportunity to build its democracy and further enhance its voice on the global stage. The Commonwealth Observer Group in its interim report stated that the 'April 2011 elections marked a genuine celebration of democracy in Africa's most populous country ... Previously held notions that Nigeria can only hold flawed elections are now being discarded and this country can now shake off that stigma and redeem its image.' Reverend Martin Onukwuba of the



Justice Development and Peace Commission said the elections renewed people's confidence in the electoral system as they knew their vote would count...

Beyond the excitement of a success story, the question arises as to why the elections were seen as free and fair, and as such a departure from the stigmatized past experiences? The electoral process provides a crucial part of the answer, but other factors were also important. As this Briefing argues, a distinct blend of political will and patriotism, buttressed by meaningful contribution from citizens, the civil service, and the military all came together to make Nigeria's 2011 elections a success story.

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

Subsection 4. The legislative branch

Cohen Jeffrey E.

Whose Approval Matters? Reelection, Constituency Approval, and Senate Support for President George W. Bush

in Congress & the Presidency, Volume 38, Issue 3, October , 253-270

Debate exists concerning the impact of presidential approval on congressional support for the president. One source of this debate is that while theory specifies an electoral connection, suggesting that legislators will be responsive to approval within their reelection constituency, most research employs national approval measures. Lack of constituency-level data has forced studies to use national measures of approval, but in as much as national and district level approval differ, national approval will not provide quality estimates of district opinion on the president. This article uses Survey USA data from 2005–2006, which provide state-level estimates for approval as well as breakdowns by partisanship (Democrats, Republicans, Independent). Analysis finds that, with controls, state-level approval has a statistically significant, albeit marginal, impact on senator support for the president. Stronger effects on support are found for approval from the senators' reelection constituency, defined as voters of the senators' party. These findings suggest directions for future research.

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

Subsection 5. The executive branch

Jalalzai Farida

A Critical Departure for Women Executives or More of the Same? The Powers of Chancellor Merkel

in German Politics, Volume 20, Issue 3, Special Issue: 'Gender, Intersectionality and the Executive Branch: The Case of Angela Merkel', September , 428-448

Applying a typology of political systems and executive power, this article focuses on German Chancellor Angela Merkel's powers and autonomy in relation to other female executives worldwide. Like most women leaders, Merkel operates within a dual executive system and is subject to a vote of no confidence. Powers are exercised within a cabinet, suggesting collaborative governance. Coalition politics requires Merkel's cooperation with other actors. State powers also compete with the Federal government. In these ways, Merkel supports the prevailing model of the more constrained female executive. However, German presidential powers are generally symbolic, positioning Merkel as the dominant executive. She also enjoys greater insularity from dismissal than most prime ministers. As the only female head of state in a G-8 country, Merkel plays a visible and central role in global politics. In these ways, Merkel ultimately challenges the



weaker model of the female executive, suggesting a mixed pattern overall.

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

Subsection 5. The executive branch

Wilson Ross A.

A Third Way: The Presidential Nonsigning Statement

in *Cornell Law Review*, Volume 96 Number 6

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

Subsection 5. The executive branch

Von Wahl Angelika

A 'women's revolution from above'? Female leadership, intersectionality, and public policy under the Merkel government

in *German Politics*, Volume 20, Issue 3, Special Issue: 'Gender, Intersectionality and the Executive Branch: The Case of Angela Merkel', September , 392-409

Internationally, the number of female leaders has increased in recent years. While the rise of women to political prominence has been explored over the last two decades, we know much less about their actual decision-making. The article investigates what role Merkel's gender has played for governance during her first term in office. Has female leadership made a difference for the substantive representation of women's interests and, if so, how? This article compares and contrasts two explicitly gender-related policy areas, reconciliation and anti-discrimination policy, in a most-similar-case design. While major reforms were passed in the realm of family policy, anti-discrimination policy was considered a marginal political concern. To explain the different outcomes this analysis focuses on the identities and interests of relevant political players in their institutional context. In order to better understand female leadership and governance we use the lens of intersectionality, which has a promising theoretical and empirical potential.

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

Subsection 5. The executive branch

Yoder Jennifer A.

An Intersectional Approach to Angela Merkel's Foreign Policy

in *German Politics*, Volume 20, Issue 3, Special Issue: 'Gender, Intersectionality and the Executive Branch: The Case of Angela Merkel', September , 360-375

Angela Merkel is unique among post-war German chancellors in that she is a woman, she is from the former German Democratic Republic, and she is the first with a background in the natural sciences. This article explores how the intersection of these unique social roles have shaped Merkel's foreign policy. It begins with an exploration of the literature on women and foreign policy and considers its relevance for understanding Merkel's management style, ideology/worldview, and public image. Then the article looks specifically at Merkel's foreign policies toward Russia and the European Union, focusing on the substance of her foreign policy as well as her interactions with other leaders. The



extent to which the chancellor has helped to bring more women into the foreign policy realm is also briefly discussed.

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

Subsection 5. The executive branch

Elias Anwen, Tronconi Filippo

From protest to power: Autonomist parties in government

in Party Politics, Volume 17, Number 4, July , 505-524

In many Western European states, an increasing number of autonomist parties are taking part in government at state and regional levels. To date, however, scholars have paid little attention to the repercussions of government incumbency for these actors. This article aims to take a first step towards redressing this oversight. Based on an extensive literature examining political parties in government, we formulate hypotheses about how autonomist parties will approach, behave within and be affected by government office. We test these hypotheses by examining the participation of autonomist parties in regional and state governments in Western Europe since 1945. The findings demonstrate that the difficult decisions autonomist parties must make when entering government, the subsequent dilemmas and challenges that must be resolved once the threshold of government has been crossed, and the consequences of government incumbency, are similar to those faced by any political party in government. However, the fact that autonomist parties operate within a multi-level political context can render these challenges more complex than is the case for political parties operating (mainly or exclusively) at a single territorial level, usually that of the state. The article concludes by identifying key factors that affect the success of autonomist parties in government.

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

Subsection 5. The executive branch

Davidson-Schmich Louise K.

Gender, Intersectionality, and the Executive Branch: The Case of Angela Merkel

in German Politics, Volume 20, Issue 3, Special Issue: 'Gender, Intersectionality and the Executive Branch: The Case of Angela Merkel', September , 325-341

This introduction provides a theoretical framework for investigating the effect of gender on national-level executive branch leadership. Currently, there is no consensus as to what is expected of a woman who occupies her country's highest office. The article argues that this disagreement is due to the assumption of an idealised 'woman leader'. Adopting an intersectional approach to studying gender and executive leadership, it is argued that it is possible neither to identify a single 'female chief executive style' nor to a priori identify a set of 'female' policy positions. Because gender norms differ within and across countries, we must determine 'what kind' of a female politician we are studying to determine how her particular gender might impact on her governance. The article then considers what might be expected of a German Bundeskanzlerin who is also a Protestant CDU member trained as a natural scientist and raised in the GDR.

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

Subsection 5. The executive branch

Olivetti Marco

Le elezioni canadesi del 2 maggio 2011: ritorno al majority government ed emersione di un nuovo sistema



politico

in *Rassegna parlamentare*, n. 2

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

Subsection 5. The executive branch

Olsen Jonathan

Leadership in Grand Coalitions: Comparing Angela Merkel and Kurt Georg Kiesinger

in *German Politics*, Volume 20, Issue 3, Special Issue: 'Gender, Intersectionality and the Executive Branch: The Case of Angela Merkel', September , 342-349

A comparison between the Kiesinger Grand Coalition government of 1966–69 with the Merkel Grand Coalition government of 2005–09 provides an interesting laboratory for hypotheses on executive leadership. This article argues that although there are some strong similarities between the two Chancellors' leadership style and executive effectiveness, there are also some small, not insignificant differences. Since the constraints of a Grand Coalition per se cannot account for such differences, what can? Using an intersectional approach, the article explores the impact of Merkel's and Kiesinger's biographies, including gender, on their leadership styles as well as on their relative successes and failures as Chancellors of Grand Coalitions. Gender in particular seems to have played some role in the expectations observers had about how dominant a leader Merkel should be. Nevertheless, it is argued that other factors – such as the circumstances in which Grand Coalitions originate, the presence of 'party stars' in the cabinet, and the Chancellor's control over her/his party – also help explain leadership styles and policy outcomes within the constraints of a Grand Coalition.

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

Subsection 5. The executive branch

Michaels Jon D.

The (Willingly) Fettered Executive: Presidential Spinoffs in National Security Domains and Beyond

in *Virginia Law Review*, Vol. 97, issue 4 , 801 ss.

We typically think of the Executive as power aggrandizing. For that reason, we believe it engages in institutional re-design efforts primarily for instrumental gain – to maximize authority and discretion where the President lacks control over particular agencies or responsibilities; or, where she simply wants more.

It would therefore defy conventional wisdom were the Executive to take pains to restructure the institutional architecture in the absence of limitations placed on presidential control in administrative or regulatory contexts already largely exempt from the APA, civil-service protections, public scrutiny, and judicial review. Even more surprising would be were the Executive to engage in re-design efforts that resulted in less presidential control and greater accountability safeguards.

Yet two increasingly important examples – neither of which has been carefully studied or well understood – suggest exactly that (and much more). The Executive already enjoyed unfettered discretion with respect to (1) the CIA developing new technologies for its spies and (2) the President scrutinizing and blocking foreign investments that



threaten U.S. national and economic security. Nevertheless, it created In-Q-Tel, a private venture-capital firm to incubate intelligence technologies; and, it empowered the Committee on Foreign Investment in the United States (CFIUS) to handle most responsibilities associated with screening proposed foreign investments. In doing so, the Executive incurred a host of legal and organizational constraints on its ability to direct and control these two critical functions.

This Article sees In-Q-Tel and CFIUS as embodiments of a counterintuitive and often overlooked trend: the Executive relinquishing control over essential national-security responsibilities, and doing so on its own initiative. Delegating responsibility to In-Q-Tel and CFIUS – rather than retaining it within the CIA and the Oval Office, respectively – serves to limit presidential discretion in contexts where political stewardship would be destructive and illegitimate. Whether this was the Executive's intent all along or an unintended consequence of institutional reorganization, the ways in which In-Q-Tel and CFIUS bear the marks of novel forms of accountability and self-restraint are innovative, compelling, and, most importantly, suggestive of a new chapter of thinking about institutional design, separation of powers, and the optimal amount of Executive control.

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

Subsection 5. The executive branch

Schier Steven E.

The Contemporary Presidency: The Presidential Authority Problem and the Political Power Trap
in **Presidential Studies Quarterly**, Volume 41, Issue 4, December , 793-808

Inconstant political support is a central problem for presidents, a problem of political authority. This article provides empirical evidence of the decline of political authority for American presidents over the last seventy years by examining several indicators comprising the related concept of political capital. Declining political capital lies at the core of the political authority problem besetting recent presidents. The evidence of declining political capital presented here reveals that none of Barack Obama's post-1965 predecessors solved the political authority problem. It is the central political challenge confronted by modern presidents and presently by Barack Obama.

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

Subsection 5. The executive branch

Coe Kevin, Neumann Rico

The Major Addresses of Modern Presidents: Parameters of a Data Set
in **Presidential Studies Quarterly**, Volume 41, Issue 4, December , 727-751

Research that undertakes longitudinal analysis of presidential discourse inevitably wrestles with a difficult issue: which presidential speeches should be analyzed? Surprisingly, there has been essentially no interrogation of this issue. Studies vary in the speeches they analyze: some focus on inaugural addresses, others on State of the Union addresses, yet others focus on some broader body of speeches, often with limited discussion of the criteria used for selection. The result is that when scholars set out to study broad trends in the rhetoric of America's most important political figure, they have little guidance in determining what speeches they should analyze. This article offers a detailed conception of major presidential addresses, argues that such addresses provide an ideal corpus of texts for longitudinal content analysis of



modern presidential speeches, and briefly describes the contours of a data set consisting of 406 such speeches. This data set serves as a resource for scholars to rely upon when studying presidential discourse, one that might standardize future analyses so that more meaningful generalizations can be made and more precise replications can be undertaken.

Section A) *The theory and practise of the federal states and multi-level systems of government*
Subsection 6. The judiciary branch

Advisory Opinions and the Influence of the Supreme Court over American Policymaking
in *Harvard Law Review*, Volume 124 · June 2011 · Number 8

No abstract available

Section A) *The theory and practise of the federal states and multi-level systems of government*
Subsection 6. The judiciary branch

Scott Kevin M., Garrett R. Sam

Assessing Changes in State Representation on the U.S. Courts of Appeals
in *Presidential Studies Quarterly*, Volume 41, Issue 4, December , 777-792

When a seat becomes vacant on a federal court of appeals, the president has the opportunity to nominate a new judge for the Senate's consideration. Geography is often a factor in the decision, particularly in determining whether the new judge will be nominated from the same state as the predecessor. Goldman refers to state affiliations on appeals courts (e.g., a "Missouri seat" or an "Ohio seat") as "state representation." Building on Goldman's work, we seek to accomplish two objectives. First, we demonstrate that although changes in state representation have declined over time, there are still occasions when presidents change the state representation of seats. Second, we investigate and analyze changes in state representation of circuit court judges confirmed since 1891 to test hypotheses about factors that influence changes in state representation.

Section A) *The theory and practise of the federal states and multi-level systems of government*
Subsection 6. The judiciary branch

Burnside Sarah

Australian Judicial Biography: Past, Present and Future
in *Australian Journal of Politics & History* , Volume 57, Issue 2, June , 221-244

This article posits that biographical writing on High Court judges generates insights that may otherwise be overlooked in explorations of national history and politics. Firstly, the article addresses the relative scarcity of such biographies in Australia. It then explores themes common to the existing works and the ways in which they are evoked. The article canvasses some possibilities inherent in judicial biography, expanding briefly on the themes of national and gender identity, before surveying some of the minor controversies of the genre, including the question of who is best qualified to



write it. The discussion concludes with the suggestion that the development of this genre would provide nuanced material for legal scholars, historians and political scientists alike.

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

Subsection 6. The judiciary branch

Sagar Arun

Constitutional Interpretation in Federations and its Impact on the Federal Balance

in *Perspectives on federalism*, Vol. 3, issue 1 , E-1-22

Most of the existing literature on judicial interpretation of federal constitutions focuses either on individual federations or on comparative studies of specific judicial techniques and/or specific fields. This paper argues that the general interpretative philosophy underlying the judicial approach has a huge impact on the balance of power in a federation; an originalist interpretation tends to favour the constituent units, while progressive or 'living' constitutionalism tends to have a centripetal effect. However, even the adoption of an originalist approach is not sufficient to fully counter the general centralising trend noticeable in the constitutional jurisprudence of all the federations studied. Further, the analysis suggests that constitutional courts often adopt a different approach to interpretation in federalism-related issues than they do in other areas of constitutional law, such as fundamental rights

Full text available at:

<http://www.on-federalism.eu/index.php/essays/88-constitutional-interpretation-in-federations-and-its-impact-on-the-federal-balance>

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

Subsection 6. The judiciary branch

Canivet Guy

Débat autour du livre de Stephen Breyer, La Cour suprême, l'Amérique et son histoire

in *Revue internationale de droit comparé*, n. 3

No abstract available

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

Subsection 6. The judiciary branch

Koutrakos Panos

Editorial - The Court of Justice as the guardian of national courts — Or not?

in *European Law Review*, Vol. 36, issue 3 , 319-321

No abstract available

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

Subsection 6. The judiciary branch



Donald R Songera, John Szmera, Susan W Johnson

Explaining Dissent on the Supreme Court of Canada

in *Canadian Journal of Political Science--Revue canadienne de science politique*, Volume 44 - Issue 02 , 389 - 409

Abstract. While there is an extensive literature on the causes of dissensus on appellate courts in the US, few empirical studies exist of the causes of dissent in Canadian Supreme Court. The current study seeks to close that gap in the literature, proposing and then testing what we call a Canadian model of dissent. We find that the likelihood of dissent is strongly related to four broad factors that appear to exert independent influence on whether the Court is consensual or divided: political conflict, institutional structure, legal ambiguity in the law and variations in the leadership style of the chief justice.

Résumé. Les causes de dissension dans les cours d'appel aux États-Unis font l'objet de nombreux articles et publications, mais il existe très peu d'études empiriques sur les causes de dissidence à la Cour suprême du Canada. La présente étude vise à combler cette lacune en proposant, un modèle canadien de dissension, puis en le mettant à l'épreuve. Nous avons constaté que le risque de dissension est fortement lié à quatre facteurs généraux qui semblent exercer une influence indépendante, que la Cour soit en accord ou divisée. Ces facteurs sont le conflit politique, la structure institutionnelle, la présence d'une ambiguïté juridique dans la loi et le style de direction du juge en chef.

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

Subsection 6. The judiciary branch

Marsden Simon

Invoking Direct Application And Effect Of International Treaties By The European Court Of Justice: Implications For International Environmental Law In The European Union

in *International and Comparative Law Quarterly*, Vol. 60, n. 3 , 737-757

This article analyses the contribution made to the effective implementation of international environmental law in the EU by the ECJ invoking direct application and effect of international treaties. It considers the requirements of these doctrines in international law, distinguishing them from related doctrines in EU law. It reviews jurisprudence and literature and evaluates future potential. Implications for direct application and effect from the EU doctrine of primacy and for the principle of effective judicial protection are examined, and alternatives to full transposition, implementation and enforcement explored, including non-compliance procedures.

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

Subsection 6. The judiciary branch

Rosenthal Jeffrey S., Yoon Albert H.

Judicial Ghostwriting: Authorship on the Supreme Court

in *Cornell Law Review*, Volume 96 Number 6

No abstract available

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

Subsection 6. The judiciary branch



Chowdhury Payel Rai

Judicial activism and human rights in India: a critical appraisal

in *International Journal of Human Rights (The)*, Vol. 15, issue 7 , 1055-1071

The responsibilities that a court carries in a country with a written constitution are very onerous – much more onerous than the responsibilities of a court without a written constitution. Because here, they do not just interpret the laws but also the provisions of the constitution, and, are thus entrusted with giving meaning to the cold letter of the constitution. The courts thus act as the supreme interpreter, protector and guardian of the supremacy of the constitution by keeping all authorities – legislative, executive, administrative, judicial or quasi-judicial – within legal bounds. The judiciary has the responsibility to scrutinise all governmental actions and it goes without saying that in a constitution having provisions guaranteeing fundamental rights of the people, the judiciary has the power as well as the obligation to protect the people's rights from any undue and unjustified encroachment.

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

Subsection 6. The judiciary branch

Henry Robert H.

Madison Lecture. Living our Traditions

in *New York University Law Review* , Vol. 86, issue 3 , 673-697

In the annual James Madison Lecture, Robert Henry, former Chief Judge of the United States Court of Appeals for the Tenth Circuit, explores Justice John Marshall Harlan II's notable dissent in *Poe v. Ullman*. President Henry carefully examines Justice Harlan's method of constitutional interpretation. Refusing to adopt a "literalistic" reading of the Constitution and instead looking to the "history and purposes" of a particular constitutional provision, Justice Harlan's approach serves as a source of both flexibility and restraint. Of particular importance is Justice Harlan's recognition of the role that "living" traditions play in supplying meaning to the concept of due process of law. What emerges from this probing review of Justice Harlan's *Poe* dissent is a moderate and thoughtful response to originalism.

Full text available at:

http://www.law.nyu.edu/ecm_dlv4/groups/public/@nyu_law_website__journals__law_review/documents/documents/ecm_pro_069451.pdf

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

Subsection 6. The judiciary branch

Collins Michael G. C- Nash Jonathan Remy

Prosecuting Federal Crimes in State Courts

in *Virginia Law Review*, Vol. 97, issue 2 , 243 ff.

May state courts entertain federal criminal prosecutions? Many scholars assume that the answer is "yes." From the Progressive era to the present, scholars have urged that state courts be allowed to entertain federal criminal prosecutions—prosecutions now within the exclusive jurisdiction of the federal courts. These proposals aim to alleviate pressures on the federal courts caused by Congress's unabated federalization of ostensibly local crimes, by returning many such crimes to local courts for local enforcement. While scholars debate the utility of such proposals, this article



focuses on a different and less well explored problem: whether such proposals are constitutional.

A close review of the evidence—including the Constitution’s framing and ratification, the early practices of Congress and the state courts, as well as more modern developments—suggests that there is far less support for the possibility of concurrent state court jurisdiction over federal crimes than is often assumed. In addition to these jurisdictional concerns, doubts would surround the question whether state prosecutors could be compelled or even authorized to exercise federal prosecutorial power, absent compliance with the Constitution’s Appointments and Take Care Clauses. Even assuming such compliance, cross-jurisdictional prosecutions also raise the question whether criminal defendants facing federal charges in state court would enjoy various constitutional protections still applicable only in federal courts, as well as questions respecting the operation of double jeopardy and the location of the pardon power. While the constitutional problems may not be insurmountable, this article concludes that they are sufficiently pervasive and difficult that proposals for state court prosecutions of federal crimes should be rejected.

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

Subsection 6. The judiciary branch

Taratoot Cole D., Howard Robert M.

The Labor of Judging: Examining Administrative Law Judge Decisions

in *American Politics Research*, Vol. 39, n. 5, September , 832-858

There has been significant scholarly research on judicial decision making and bureaucratic control but little research on bureaucrats who perform a judicial function, namely, administrative law judges. In this article, we analyze the influences on the decisions of administrative law judges (ALJs) from 1991 to 2006. Using ordered logit, we examine the influence of policy preference and hierarchical and political constraint. We find that ALJs are comparable to Federal District Court judges in that they use ideology in their rulings, are also subject to hierarchical control by higher courts, and that they are constrained by separation of powers influences.

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

Subsection 6. The judiciary branch

Schwartz David L., Petherbridge Lee

The Use of Legal Scholarship by the Federal Courts of Appeals: An Empirical Study

in *Cornell Law Review*, Volume 96 Number 6

No abstract available

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

Subsection 6. The judiciary branch

Bailey Michael A, Yoon Albert

‘While there’s a breath in my body’: The systemic effects of politically motivated retirement from the Supreme Court



in *Journal of Theoretical Politics*, Volume 23, n. 3, July , 293-316

Many observers of the US Supreme Court suspect that justices time their departures from the Court based on ideological and political factors. This paper assesses the theoretical effects of such behavior. Does political timing of retirement devalue the appointment process and thereby make the Court less responsive to the public? Do politically motivated retirements lead to more justices serving beyond their productive years? Based on a formal model of retirements, we find that politically motivated retirements have little effect on political influence on the Court because, on average, for every liberal justice who declines to retire because there is a Republican president, there is a conservative justice who retires early because there is a Republican president. The model also implies modest, but non-linear effects of politically motivated retirement on the age composition of the Court as small amounts of such behavior leads to an older Court, but large amounts of politically motivated behavior lead to a younger Court. Imposing term limits on justices would increase responsiveness to electoral outcomes, lower the age of justices and dramatically increase Court turnover.

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

Subsection 7. Economic and fiscal federalism

Sorribas-Navarro Pilar

Bailouts in a fiscal federal system: Evidence from Spain

in *European Journal of Political Economy*, Volume 27, Issue 1, March 2011 , Pages 154-170

This paper investigates bailouts in the fiscal federal system of Spain. An equation is estimated in which central government grants to regions depend on the regions' issue of debt. The data is for the period 1986–2006. The results reveal partial bailouts. This holds for discretionary and in-principle non-discretionary grants. Bailouts are greater or more likely when there are limits on the borrowing autonomy of a region, when the region is responsible for providing health care; and when the region has a high proportion of swing voters).

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

Subsection 7. Economic and fiscal federalism

Alexandra Ferreira-Lopes, Álvaro M. Pina

Business Cycles, Core, and Periphery in Monetary Unions: Comparing Europe and North America

in *Open Economies Review*, Volume 22, Number 4

Using different levels of regional aggregation, we compare Europe with the USA and Canada as regards business cycle synchronization and core-periphery patterns. A long annual sample (1950–2005) makes it possible to study how these aspects have evolved over time. Results support the economic viability of EMU. Average cyclical correlations among European countries have risen significantly, reaching levels close to those of North American regions. Applying fuzzy clustering to the analysis of core-periphery issues, we find European countries to actually outperform USA Census Regions: the core-periphery divide is milder, and peripheral status seems generally less protracted.

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



Subsection 7.Economic and fiscal federalism

Immordino Dario

Con una sentenza sul riparto dei tributi tra Stato e Sicilia la Corte "salva" il federalismo fiscale in Regioni (Le), n. 6 , 1353-1369

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

Bartolini David, Fiorillo Fabio

Cooperation among Local Councils for the Provision of Public Goods

in *Rivista italiana degli economisti*, 1, aprile 2011 , pp. 85-108

In order to provide local public goods, municipalities can cooperate and exploit economies of scale and scope. We present an analytical model of the costs and benefits of two such forms of cooperation: Consortia and Unions. We find that the efficiency of these two forms of cooperation depends on the number of participants, the transaction costs, and most importantly the type of local public good. In particular, the elasticity of substitution among the services pertaining to a particular public good plays a decisive role. For services with a high elasticity of substitution the Union performs better than the Consortium, and vice versa. This provides a guidance for the decision on which institution provides what public good.

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

Subsection 7.Economic and fiscal federalism

George R. Crowley, Russell S. Sobel

Does fiscal decentralization constrain Leviathan? New evidence from local property tax competition

in *Public Choice*, Volume 147, Numbers 1-2 , 5-30

Abstract

This paper reexamines whether fiscal decentralization constrains Leviathan government. Using panel data for Pennsylvania, we compare actual property tax rates to the Leviathan revenue-maximizing rates for municipalities, school districts, and counties. Using spatial econometric methods we also estimate the degree of spatial dependence at the three levels of local government. We find that fiscal decentralization results in stronger intergovernmental competition and lower tax rates. We also find evidence of collusion among school districts that exhibit high interdependence but also high tax rates. This calls into question the current literature's blind use of spatial dependence as a measure of intergovernmental competition

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

Subsection 7.Economic and fiscal federalism

Forges Davanzati Guglielmo

Economia meridionale in regime federalista: scenari possibili

in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 10



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

Subsection 7.Economic and fiscal federalism

Alessio D'Amato, Edilio Valentini

Enforcement and environmental quality in a decentralized emission trading system

in **Journal of Regulatory Economics**, Volume 40, Number 2 , 141-159

Should the powers of monitoring compliance and allocating tradeable emissions allowances be appointed to a unique supranational regulator or decentralized to several local regulators? To answer this question, we develop a two stage-two country game where environmental regulators set the amount of emission allowances and the level of monitoring effort to achieve full compliance while the regulated firms choose actual emissions and the number of permits to be held. Various, possibly conflicting, spillovers between countries arise in a decentralized setting. We show that decentralization is socially harmful if no asymmetry among institutional settings is introduced and can be suboptimal even when decentralization features lower monitoring costs than a centralized setting. Lower monitoring costs are therefore necessary, but not sufficient, to justify decentralization. Also, our analysis reveals that welfare can be higher under decentralization even if the corresponding environmental quality is worse than under centralization. Indeed, better environmental quality is sufficient but not necessary for higher welfare under decentralization. Finally, we discuss how these results can provide a theoretical rationale for the recent evolution of the EU ETS design.

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

Subsection 7.Economic and fiscal federalism

Blume Lorenz, Voigt Stefan

Federalism and decentralization—a critical survey of frequently used indicators

in **Constitutional political economy**, Volume 22, Number 3 / September 2011 , 238-264

The economic effects of federalism are unclear: some papers find that federalism has strong positive effects on a number of economically relevant variables, others find negative effects. The results often crucially hinge on the proxies for federalism used. In this paper, we critically survey the existing indicators for both federalism and fiscal decentralization. We argue that federalism is a constitutional institution, whereas decentralization is the outcome of a policy choice, and that the two ought to be systematically distinguished because decentralization can also occur in nonfederally structured states. We further argue that institutional details are very important with regard to federalism and that dummy variables usually capture only very specific aspects of these institutional details. We use factor analysis to test whether the latent variables behind the observed indicators support these assumptions. More than two important factors are derived, implying that a more fine-grained differentiation beyond simply “federalism” and “decentralization” might be in order. The correlations of the most important proxies for various aspects of federalism and decentralization with a number of quasi-exogenous variables, as well as with institutional variables, are usually rather modest.

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

Subsection 7.Economic and fiscal federalism



Mason Ruth

Federalism and the Taxing Power

in *California Law Review*, Vol. 99, issue 4 , 975-1036

Scholars and courts recognize that the federal government uses its broad spending power to enlist states in achieving federal goals, thereby expanding the federal government's reach beyond the areas enumerated for it in the Constitution. Previously underappreciated, however, is that the federal government can achieve similar ends-it can regulate the states and private parties-through its potentially equally broad taxing power. This Article draws on the spending power literature to illuminate the analogous federalism concerns raised by expansive use of the taxing power. For example, by crowding out state regulation of similar policy areas, federal tax regulation may limit policy diversity and hinder regulatory competition both among the states and between the states and the federal government. But this Article also identifies important differences between taxation and grants that suggest that federal tax regulation represents less of a federalism threat than do conditional grants to the states. For example, because federal tax incentives neither contractually bind states to follow federal policy nor expend state legislative and administrative resources in enacting and enforcing federal policy, states may remain freer under tax incentives than grants to enact concurrent or contrary policies.

Full text available at: <http://www.californialawreview.org/articles/federalism-and-the-taxing-power>

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

Subsection 7.Economic and fiscal federalism

Asprone Maurizio

Federalismo fiscale: dalla legge delega n. 42 del 5 maggio 2009 ad oggi

in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 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

Baskaran Thushyanthan

Fiscal decentralization, ideology, and the size of the public sector

in *European Journal of Political Economy*, Volume 27, Issue 3, September 2011 , Pages 485-506

No consensus has yet emerged on whether fiscal decentralization facilitates or impedes the growth of the public sector. One explanation for this ambiguity in the literature is that the effect of fiscal decentralization on public sector size depends on the government's ideology. This paper therefore develops a simple model to study theoretically how interactions between fiscal decentralization and the ideology of the government may influence the size of the public sector. Thereafter, the implications of the model are tested empirically with panel data from 18 OECD countries over the 1980–2000 period.

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

Subsection 7.Economic and fiscal federalism



Al-Habil Wasim

Fiscal federalism in changeable world

in *Journal of Economics and International Finance*, August 2011; 3(8) , 475–481

The conversations about fiscal federalism, decentralization and devolution have been evolving in the literature since the second half of the 20th century. In the United States and all around the world, the matter of governance and decentralization are on the agenda. This paper aims to find the routes of fiscal federalism by first understanding what is meant by federalism, as it does not simply refer to a form of governance, then laying out the classical foundations of this theory (trumped by Wallace Oates), and followed by some departures from the classical thoughts into some new streams of literature on the matter.

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

Subsection 7.Economic and fiscal federalism

Nayar Baldev Raj

Globalization, the State, and India's Halting March to Common Market: The Political Economy of Tax Reform Under Federalism

in *India Review*, Volume 10, Issue 3, July , 201-245

As a social phenomenon, globalization has been the target of much criticism. One particular line of attack holds that it will lead to the segmentation and disintegration of the national economy. However, an examination of the long process of reform of the indirect tax system in India underlines, paradoxically, the significant role of globalization precisely in fostering domestic economic integration in the form of a common market, which would overcome the economic segmentation existing prior to globalization. Interestingly, such tax reform has, in considerable part, been driven by the need to meet globalization's challenge that India's economy be efficient and internationally competitive. At the same time, one should not underestimate the critically important role of the state as an institutional variable—which critics tend often to ignore—in carrying through the goal of establishing a common market, presently a work still in progress.

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

Subsection 7.Economic and fiscal federalism

Richard E. Wagner

Municipal corporations, economic calculation, and political pricing: exploring a theoretical antinomy

in *Public Choice*, Volume 149, Numbers 1-2 , 151-165

Most thinking about political economy treats states as unitary actors. In contrast, this paper treats states as ecologies of politically-based enterprises. Where a market is a congeries of business enterprises, a state is a congeries of political enterprises. Both sets of enterprises compete with one another in a setting where those who manage corporate capital are largely separate from those who supply it. Competition among political enterprises, however, cannot generate market prices because of the inalienability of property rights. In consequence, what arises is a system of pricing and calculation that exists parasitically upon the system of market prices.

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

Subsection 7.Economic and fiscal federalism



Lars P. Feld, Gebhard Kirchgässner, Christoph A. Schaltegger

Municipal debt in Switzerland: new empirical results

in **Public Choice**, Volume 149, Numbers 1-2 , 49-64

Switzerland has experienced extensive institutional reforms at the local level that could influence local debt. These reforms have included municipal mergers, greater inter-communal cooperation, reformed political decision-making mechanisms, and the introduction of new public management measures. Many of these reforms originated at the cantonal level. However, the institutional diversity among Swiss municipalities hardly has diminished. A cross-sectional analysis for the 137 largest Swiss cities and villages in 2004 shows that direct democratic rights and a high degree of fiscal autonomy lead to a lower level of local debt. There is no statistical support for the hypothesis that reforms following the new public management guidelines had an effect on debt levels.

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

Subsection 7.Economic and fiscal federalism

Sengupta Bodhisattva

Provision of public goods in a federal economy: The role of party politics

in **European Journal of Political Economy**, Volume 27, Issue 1, March 2011 , Pages 104-119

We analyze the role of political parties in the provision of public goods within a federal economy. The public goods are federally funded but locally produced (with costly local revenues), and have interjurisdictional spillover effects. The direction and magnitude of fund flow, which ultimately determine the local provision of public goods, are influenced by the re-election probability of the parties in power at the federal and provincial levels. The prevailing wisdom is that provincial governments, which are ruled by the same political party as that ruling at the federal level, enjoy a higher level of federal transfers. We demonstrate that there exists incentive effect of federal transfer complementing such partisan effects.

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

Subsection 7.Economic and fiscal federalism

Randall G. Holcombe

Public choice in a local government setting

in **Public Choice**, Volume 147, Numbers 1-2 , 1-3

From its beginnings, public choice has always had a substantial component devoted to federalism and local government decision-making. The DeVoe Moore Center at Florida State University has made the study of local government within a public choice framework a core component of its mission. The Center held a conference February 17–19, 2011, on public choice in a local government setting. This special issue of **Public Choice** contains the papers presented at that conference

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

Subsection 7.Economic and fiscal federalism

Peter J. Boettke, Christopher J. Coyne and Peter T. Leeson

Quasimarket failure



in **Public Choice**, Volume 149, Numbers 1-2 , 209-224

The efficiency of “quasimarkets”—decentralized public goods provision subjected to Tiebout competition—is a staple of public choice conventional wisdom. Yet in the 1990s a countermovement called “neoconsolidationism” began to challenge this wisdom. The neoconsolidationists use the logic of government failure to argue that quasimarkets fail and that jurisdictional consolidation is a superior way to supply public goods and services in metropolitan areas. Public choice scholars have largely ignored the neoconsolidationists’ challenge. This paper brings that challenge to public choice scholars’ attention with the hope of encouraging responses. It also offers some thoughts about the directions such responses might take.

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

Subsection 7.Economic and fiscal federalism

Melica Luigi

Ripensare le autonomie nell’ottica del federalismo fiscale: il problema della dimensione territoriale ottimale
in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 10

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

Subsection 7.Economic and fiscal federalism

Schaltegger Christoph A., Somogyi Frank, Sturm Jan-Egbert

Tax competition and income sorting: Evidence from the Zurich metropolitan area
in *European Journal of Political Economy*, Volume 27, Issue 3, September 2011 , Pages 455-470

We provide empirical evidence on the influence of income taxes on the choice of residence of taxpayers at the local government level. The fact that Swiss communities can independently set tax multipliers, thereby shifting the progressive tax scheme that is fixed at the cantonal (state) level, enables us to study the effect of differences in income taxation on individuals’ choice of location within an economically and culturally homogeneous region. Using panel IV regressions covering the years 1991–2003 and 171 communities in the Swiss canton of Zurich and spatial error regressions for the 171 communities in 2003, we find substantial evidence of sorting according to income.

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

Subsection 7.Economic and fiscal federalism

Galati Pietro , Garzia Gabriele

Temi e nodi del federalismo fiscale
in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 10

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

Nicholas Turner

The Effect Of Tax-Based Federal Student Aid On College Enrollment

in *National Tax Journal*, 64, September , 839-61

Tax-based federal student aid — the Hope Tax Credit, Lifetime Learning Tax Credit, and Tuition Deduction — marks a new paradigm for federal aid by offering tax incentives for postsecondary enrollment for the middle class. I exploit policy-induced variation in tax-based aid eligibility to estimate its causal effect on college enrollment. I find that tax-based aid increases full-time enrollment in the first two years of college for 18 to 19 years old by 7 percent. The price sensitivity of enrollment suggests that college enrollment increases 0.3 percentage points per \$100 of taxbased aid. The programs do not appear to substantively affect part-time enrollment in the first two years of college.

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

Subsection 7.Economic and fiscal federalism

Eccleston Richard, Marsh Ian

The Henry Tax Review, Cartel Parties and the Reform Capacity of the Australian State

in *Australian Journal of Political Science*, vol. 46, n. 3 , 437-451

ABSTRACT: The Henry Tax Review is a work in progress, but it has already advanced sufficiently to constitute an important case study of state capacity in Australia. Using the Henry Tax Review as a case study, this paper sheds light on the question of whether the national political system is capable of devising and implementing long-term reforms. Whilst specific policy failures inevitably have a contingent dimension in the form of poor strategy and leadership or unfavourable economic conditions, the paper discusses the erosion of institutional and relational structures which, arguably, has diminished systemic political capacity. This is tantamount to a structural weakening of state capacity in Australia, a development which has the potential to erode the potential of any government to enact significant strategic policy change.

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

Subsection 7.Economic and fiscal federalism

Randall G. Holcombe, DeEdgra W. Williams

The cartelization of local governments

in *Public Choice*, Volume 149, Numbers 1-2 , 65-74

Intergovernmental competition can enhance efficiency. Centralization of government expenditures inhibits intergovernmental competition because it makes governments more homogeneous, and so cartelizes local governments. Cartelization reduces Tiebout competition, and limits benchmark competition in which one government's performance can be compared with neighboring governments. Measuring fiscal centralization as the ratio of local to state and local government expenditures within the state, the evidence shows that more fiscal decentralization is associated with higher levels of state per capita income. Cartelization of local governments negatively impacts income.

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

Subsection 7.Economic and fiscal federalism



Whitney Buser

The impact of fiscal decentralization on economics performance in high-income OECD nations: an institutional approach

in **Public Choice**, Volume 149, Numbers 1-2 , 31-48

This paper examines the impact of public sector decentralization on per capita income. Controlling for differences in institutional arrangements among countries, panel data regressions on a sample of observations from 20 high-income OECD nations spanning the years 1972 to 2005 indicate that decentralization is positively related to income. The empirical analysis shows that institutions consistent with economic freedom enhance the positive income effects of decentralization. Thus, the impact of public sector decentralization is dependent upon a nation's institutional environment

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

Subsection 7. Economic and fiscal federalism

Roger D. Congleton

Why local governments do not maximize profits: on the value added by the representative institutions of town and city governance

in **Public Choice**, Volume 149, Numbers 1-2 , 187-207

This paper provides an explanation for the lack of profit-maximizing local governments and for the historically widespread use of more or less representative forms of town and city governance. The analytical part of the paper suggests that profit-maximizing governments suffer from a "proprietor's dilemma," which can be reduced by including a representative council with veto power over new taxes. Limited but costly mobility plays a role in the analysis, as does the fact that residents often make investments in a town that are difficult to relocate once made.

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

Subsection 8. The Central Bank(s)

Smets Frank, Christoffel Kai, Coenen Günter, Motto Roberto, Rostagno Massimo

DSGE models and their use at the ECB

in **Journal of the Spanish Economic Association**, Volume 1, Numbers 1-2 / March 2010 , 51-65

Bayesian dynamic stochastic general equilibrium (DSGE) models combine microeconomic behavioural foundations with a full-system Bayesian likelihood estimation approach using key macro-economic variables. Because of the usefulness of this class of models for addressing questions regarding the impact and consequences of alternative monetary policies they are nowadays widely used for forecasting and policy analysis at central banks and other institutions. In this paper we provide a brief description of the two main aggregate euro area models at the ECB. Both models share a common core but their detailed specification differs reflecting their specific focus and use. The New Area Wide Model (NAWM) has a more elaborate international block, which is useful for conditioning the euro area projections on assumptions about foreign economic activity, prices and interest rates and to widen the scope for scenario analysis. The Christiano, Motto and Rostagno (CMR) model instead has a more developed financial sector, which allows it to be used for monetary and financial scenarios and for cross checking. Based on the comparison of two models we find a broad agreement on the qualitative predictions they make, although, in quantitative terms, there are some differences. However, the perspectives provided by the two models are often complementary, rather than conflicting.



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

Subsection 8. The Central Bank(s)

David-Jan Jansen

Does The Clarity Of Central Bank Communication Affect Volatility In Financial Markets? Evidence From Humphrey-Hawkins Testimonies

in *Contemporary Economic Policy*, Volume 29, Issue 4 , 494-509

By applying readability statistics to the Humphrey-Hawkins testimonies given by the Federal Reserve Chairman, it is tested whether the clarity of central bank communication affects volatility in financial markets. There are three results. First, when clarity matters, it has a diminishing effect on volatility. Second, clarity of communication matters mostly for volatility of medium-term interest rates. Third, the effects of clarity vary over time. Clarity mattered especially, but not exclusively during Alan Greenspan's Chairmanship. Overall, the analysis illustrates the importance of transparent communication on monetary policy

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

Subsection 8. The Central Bank(s)

Tillmann Peter

Strategic forecasting on the FOMC

in *European Journal of Political Economy*, Volume 27, Issue 3, September 2011 , Pages 547-553

The Federal Open Market Committee (FOMC) of the Federal Reserve consists of voting and non-voting members. Apart from deciding about interest rate policy, members individually formulate regular inflation forecasts. This paper uncovers systematic differences in individual inflation forecasts submitted by voting and non-voting members. Based on a data set with individual forecasts recently made available it is shown that non-voters systematically overpredict inflation relative to the consensus forecast if they favor tighter policy and underpredict inflation if they favor looser policy. These findings are consistent with non-voting member following strategic motives in forecasting, i.e. non-voting members use their forecast to influence policy.

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

Subsection 8. The Central Bank(s)

Ojo Marianne

The Changing Role of Central Banks and the Role of Competition in Financial Regulation during (and in the Aftermath of) the Financial Crisis

in *European law journal*, Volume 17, Issue 4, July , 513–533

Rescue cases involving guarantees (contrasted with restructuring cases) during the recent Financial Crisis, have illustrated the prominent position that the goal of promoting financial stability has assumed over that of the prevention or limitation of possible distortions of competition which may arise when granting State aid. The importance attached to maintaining and promoting financial stability—as well as the need to facilitate rescue and restructuring measures aimed at preventing systemically relevant financial institutions from failure, demonstrate how far authorities are willing to overlook certain competition policies. However, increased government and central bank intervention also simultaneously



trigger the usual concerns—which include moral hazard and the danger of serving as long-term substitutes for market discipline. How far central banks and governments should intervene and how far distortions of competition should be permitted ultimately depends on how systemically relevant a financial institution is.

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

Subsection 8. The Central Bank(s)

Yuanquan Chen, R. A. Wenera

The role of monetary aggregates in Chinese monetary policy implementation

in *Journal of the Asia Pacific Economy (The)*, Volume 16, Issue 3 , 464-488

Monetary targeting has been abandoned in deregulated and liberalized financial systems. Theoretically, this could imply that emerging markets that have not yet deregulated financial markets could employ monetarist policies. We analyse the case of China, in order to explore whether monetary targeting was in theory a possible policy framework for the central bank, and to glean policy lessons for emerging markets. Employing Svensson's criteria for the selection of intermediate targets, we find that a measure such as M1 fulfils the criteria and can serve as an intermediate target. However, it is also found that the relatively small error between monetary target and actual variables may be due to alternative monetary policy procedures, in particular, the use of 'window guidance' credit controls. Next, we test the relevance of the McCallum rule in China, which appears more relevant than the Taylor rule. In particular, we find that the actual movement of M1 fits the McCallum rule reasonably well, even during the high inflation period from 1992 to 1994. This suggests that before the official adoption of M1 as the intermediate target in 1994, the People's Bank of China may have already been 'practising' its use by implicitly following the McCallum rule. It is also found that monetary policy was too loose during 1992–1994 and a little too tight during 1998–2002. We conclude that an analysis of the traditional monetary aggregates is insufficient, and research on the role of credit aggregates would appear to be more promising. Meanwhile, policy lessons from our study include that central banks, even in emerging markets that maintain relatively regulated and 'repressed' financial markets, cannot rely too much on quantitative monetary aggregates, if traditionally defined.

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

Subsection 9. Local government(s)

Maureen M. Donaghy,

"Do Participatory Governance Institutions Matter? Municipal Councils and Social Housing Programs in Brazil"

in *Comparative Politics*, Volume 44, Number 1

Scholars often recommend the implementation of participatory governance institutions to promote pro-poor policy outcomes. Incorporating civil society organizations into decision making should lead to increasing government responsiveness and accountability in addressing key social problems. Few scholars, however, have systematically tested this proposition across contexts. An assessment of the impact of municipal housing councils on the adoption of social housing programs in Brazil indicates that housing councils are associated with an increase in social housing program adoption across municipalities, regardless of whether a strong civil society is in place. This suggests that the act of incorporation into decision making is more important than the strength of civil society for producing pro-poor policy outcomes.



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

Subsection 9. Local government(s)

Piazza Gianni

'Locally unwanted land use' movements: the role of left-wing parties and groups in trans-territorial conflicts in Italy

in *Modern Italy*, Volume 16, Issue 3, 2011 , 329-344

Abstract

In recent years in Italy there have been numerous conflicts related to locally unwanted land use ('Lulu'). Some have taken on a political dimension that goes beyond the local, becoming 'trans-territorial', as they link with similar conflicts elsewhere. This article analyses the role of various left-wing parties and groups (moderate, radical, antagonist) in these conflicts, examining four specific Lulu movements: those against the high-speed rail line (TAV) in Val di Susa; those against the bridge over the Strait of Messina; those against the extension of the US military base in Vicenza (Dal Molin); and those against the construction of a refuse site in the district of Chiaiano (Naples). Analysis of these cases shows that independent variables related to the well-established 'political opportunity structure' (POS) model do not fully explain the role played by the various organisations of the left. Other factors ultimately have greater explanatory power: the policy-making that triggers Lulu conflicts, from which emerge both a new centre/periphery political cleavage (national majoritarian democracy vs. local participatory democracy) and a new economic cleavage (growth/economic development vs. alternative models of development); policies and cleavages in their turn determine the splits between leftist parties nationally and locally and, ultimately, shifts in the Italian party system.

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

Subsection 9. Local government(s)

Linnas Raivo

An Integrated Model for the Audit, Control and Supervision of Local Government

in *Local Government Studies*, Vol. 37, Issue 4 , 407-428

This article considers the issue of the audit, control and supervision of local government units in a new paradigm. The author argues that the treatment of audit, control and supervision activities in the present paradigm, in which they are treated separately from each other, or only as a 'control or audit pyramid', has so many imperfections that it no longer represents a reliable means of modern good governance. The author presents some ideas for the operation of an integrated system of audit, control and supervision for the local government sector, focusing particularly on small, local government units. Although the author's research is based on the case of Estonia, a small, liberal constitutional democracy with an open economy, his ideas are also applicable to other democratic societies.

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

Subsection 9. Local government(s)

Bishnu Sharma, David Gadenne



Balanced Scorecard Implementation in a Local Government Authority: Issues and Challenges
in *Australian Journal of Public Administration*, Volume 70, Issue 2 , 167-187

Over the last decade the balanced scorecard (BSC) has emerged as a popular strategic performance measurement and control system within various public sector organisations as it assists in effectively implementing strategy and in measuring performance. This article investigates whether the implementation of a BSC has been of value to a large Local Government Authority (LGA) within Australia. The research takes a thematic approach to identify the issues, challenges and lessons learnt in relation to the design and implementation of the BSC, which is accomplished through a review of annual reports, published relevant documents and semi-structured interviews with 13 senior managers of various programs and divisions within the LGA. Future research opportunities are also identified in this area.

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

Subsection 9. Local government(s)

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

Citizen "Trust" as an Explanation of State Education Funding to Local School Districts

in *Publius: The Journal of Federalism*, vol. 41, n. 4, October, Special issue: The States as Facilitators or Obstructionists of Local Government , 636-661

Many previous studies have examined the level of state grants to local K-12 school districts. However, these studies have not considered the role of citizen "trust" in state versus local governments as a factor. We hypothesize that the role of the state in funding education reflects citizen "trust" in the relative capabilities of governments. We measure "trust" directly via public opinion polls that capture citizen attitudes about the appropriate responsibilities of state versus local governments; we also measure "trust" indirectly, by the role of state government as revealed by its relative importance in overall service provision (net of K-12 spending). We find that the state share of K-12 education spending tends to be higher when there is greater citizen trust in state versus local governments.

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

Subsection 9. Local government(s)

Alex He Jingwei

Combating Healthcare Cost Inflation With Concerted Administrative Actions In A Chinese Province

in *Public Administration and Development*, Volume 31, Issue 3 , 214–228

This article defies the traditional notion that cost inflation in healthcare could hardly be curbed without the significant revision of economic incentive scheme, but demonstrates the possibility of containing cost inflation with concerted administrative actions in the Chinese context. It examines the case of Fujian Province that embarked on a health bureaucracy-led policy reform without an alteration of economic levers but mainly using administrative tools to combat cost escalation. Through clearly defined, well designed, targeted and concerted administrative measures, effective cost containment is attainable in China's healthcare sector, at least in the short run. If combined well with the powerful economic instruments, administrative tools would be able to augment their effects in cost containment, provided with the government's possession of hospital ownership. At the heart of Fujian's case are the reassertion of the government stewardship, the reconstruction of the collapsed accountability mechanisms, the reconfiguration of policy instruments, and the revision of administrative incentives, rather than the decreased costs per se.



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

Subsection 9. Local government(s)

Carr Jered B., Farmer Jayce

Contingent Effects of Municipal and County TELs on Special District Usage in the United States

in **Publius: The Journal of Federalism**, vol. 41, n. 4, October, Special issue: The States as Facilitators or Obstructionists of Local Government , 709-733

This research examines the joint effects of the tax and expenditure limits states impose on municipal and county governments on the structure of local government in 500 randomly selected U.S. counties. Understanding the contingent effects of these limitations is critical to assessing the consequences of TELs on the structure of local government in communities and the “circumvention” arguments common in this literature. We find evidence of a circumvention effect for restrictive limits on county governments, but not for the limits states place on municipal governments. Also, our findings indicate that the effect of increasing the limits on either government is to mitigate any circumvention effects created by limitations on the other. Our findings indicate that the circumvention question is more complex than previous works suggest.

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

Subsection 9. Local government(s)

Richardson Jesse J. Jr.

Dillon’s Rule is From Mars, Home Rule is From Venus: Local Government Autonomy and the Rules of Statutory Construction

in **Publius: The Journal of Federalism**, vol. 41, n. 4, October, Special issue: The States as Facilitators or Obstructionists of Local Government , 662-685

“Dillon’s Rule” and “home rule” are terms often used to denote limited and expansive local government autonomy, respectively. In particular, much literature attributes Dillon’s Rule with enormous influence over many and varied local government functions. This article explores the questions surrounding the true nature of Dillon’s Rule and its influence, or lack thereof, on local government autonomy. The author explains that Dillon’s Rule is a rule of statutory construction, while home rule lacks easy or uniform explanation. The article finds that home rule and Dillon’s Rule are neither inapposite nor exclusive. The terms denote different concepts, each of which relates to local government autonomy, but in more subtle ways than often thought. Dillon’s Rule exerts limited influence on local government autonomy.

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

Subsection 9. Local government(s)

Sias Michele

Dimissioni del Presidente della Regione, interruzione anticipata della legislatura e forma di governo ad elezione diretta, «contestuale e consonante»

in **Regioni (Le)**, n. 1 , 57-94

No abstract available



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

Subsection 9. Local government(s)

Bychkova Olga, Gelman Vladimir

Economic Actors and Local Regimes in Russia's Large Cities

in Russian politics and law, vol. 49, n. 4, July-August , 64-75

An analysis of four possible patterns of interaction between economic actors and local government becomes the basis for illustrative analyses of local politics in the cities of Cherepovets and Perm.

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

Subsection 9. Local government(s)

Cole Alistair, Palmer Rosanne

Europeanising devolution: Wales and the European Union

in British Politics, Volume 6, Issue 3 (September 2011) , 379–396

On the basis of extensive new empirical evidence, this article offers an assessment of how post-devolution Wales has determined the strategies employed in attempts to engage with, and influence, EU policy-making processes. The primary focus of the article is on domestic political capacity construction, rather than specifically about the impact of European integration on devolved politics (although the two are closely intertwined). What does the involvement of Wales in the European Union tell us about the nature of devolved government in Wales, and, more broadly, the management of the United Kingdom's European policy post-devolution? Addressing broader concerns with multi-level governance, the article proposes a framework based on political capacity building as a novel way for capturing how regional authorities seek to negotiate a position for themselves between the competing pressures of centralisation and decentralisation.

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

Subsection 9. Local government(s)

Marie-Christine Fontana

Europeanization and domestic policy concertation: how actors use Europe to modify domestic patterns of policy-making

in Journal of European Public Policy , Volume 18, Issue 5 2011 , 654-671

The Europeanization literature assumes that European integration affects domestic policies, politics and polities; yet, the impact on domestic corporatist patterns, which characterize policy-making in small European states, has received little attention so far. While contradictory theoretical expectations exist, this paper argues that European market-making policies tend to weaken domestic corporatist policy-making by offering new opportunities to domestic actors, in particular the executive. This allows them to bypass policy concertation. However, the impact depends on the usage domestic actors make of the European policies and is mediated by domestic factors. A comparison across policy sectors in two countries – Belgium and Switzerland – largely confirms these arguments. This means that domestic institutions such as corporatist policy-making are not only mediating factors in the process of Europeanization, but themselves subject to change. This effect even goes beyond the borders of the European Union, affecting policy-making in Switzerland as



well.

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

Subsection 9. Local government(s)

Wood Curtis

Exploring the Determinants of the Empowered U.S. Municipality

in State and Local Government Review, Vol. 43, n. 2, August , 123-139

This exploratory study of 142 U.S. municipalities identifies the factors that determine the scope of municipal discretion. The author finds total municipal discretion is positively correlated with the quality of the relationships between municipal and state officials, population, and education but negatively correlated with population growth. Municipalities located in the north and west have higher total municipal discretion scores than eastern municipalities. The author also finds that structural, functional, and fiscal discretion as well as municipal success/influence with state officials are individually or jointly associated with education level, population growth, population, form of government, region, political culture, local-state relational quality, and state fiscal peril.

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

Subsection 9. Local government(s)

Lucca Maurizio

Federalismo municipale, risorse aggiuntive e interventi per la rimozione di squilibri economici e sociali

in Comuni d'Italia, n. 4

No abstract available

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

Subsection 9. Local government(s)

Jorio Ettore

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

in Comuni d'Italia, n. 3

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

Subsection 9. Local government(s)

Messineo Donato

I poteri di indirizzo e controllo del Governo sulle attività internazionali delle Regioni

in Regioni (Le), n. 1 , 11-56



No abstract available

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

Subsection 9. Local government(s)

Ruffini Patrizia

I premi e le sanzioni per gli enti locali nell'era federalista

in *Comuni d'Italia*, n. 4

No abstract available

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

Subsection 9. Local government(s)

Donati Daniele

Il principio di sussidiarietà nell'ordinamento regionale: enunciazioni, effetti e connessioni

in *Regioni (Le)*, n. 6 , 1399-1436

No abstract available

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

Subsection 9. Local government(s)

Balboni Enzo, Brunetti Leonardo

Il ruolo del CAL nell'applicazione dell'art. 116, ultimo comma, Cost., con particolare riferimento al caso della Lombardia

in *Regioni (Le)*, n. 1 , 205-236

No abstract available

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

Subsection 9. Local government(s)

Häberle Peter

Kommunale Selbstverwaltung unter dem Stern des Gemeineuropäischen Verfassungsrechts

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 58, 2010 , 301-317

No abstract available

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

Subsection 9. Local government(s)

Häberle Peter

Konstitutionelles Regionalismus-Recht: die neuen Regionalstatute in Italien

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 58, 2010 , 443-617



No abstract available

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

Subsection 9. Local government(s)

Pinna Pietro

L'ideologia del contenuto eventuale e della competenza limitata degli statuti regionali

in **Regioni (Le)**, n. 6 , 1247-1264

No abstract available

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

Subsection 9. Local government(s)

Tarli Barbieri Giovanni

L'individuazione dei collegi uninominali nelle elezioni provinciali: un caso (risolto) di vuoto di tutela in materia elettorale

in **Regioni (Le)**, n. 1 , 95-108

No abstract available

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

Subsection 9. Local government(s)

Ferraiuolo Gennaro

La Corte costituzionale torna sul tema della prorogatio degli organi politici regionali. Considerazioni a margine della sent. n. 68 del 2010

in **Regioni (Le)**, n. 6 , 1303-1318

No abstract available

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

Subsection 9. Local government(s)

Cosulich Matteo

La legislazione delle Regioni ordinarie in materia d'ineleggibilità e d'incompatibilità. Quale possibile influenza sulle modalità di selezione della classe politica regionale?

in **Regioni (Le)**, n. 1 , 109-144

No abstract available

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

Subsection 9. Local government(s)

Parisi Stefania



La natura del principio di distinzione tra politica e amministrazione e il suo complicato inveroamento nella forma di governo locale

in *Regioni (Le)*, n. 6 , 1265-1298

No abstract available

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

Subsection 9.Local government(s)

Ruffini Patrizia

Lo stato dell'arte del federalismo municipale

in *Comuni d'Italia*, n. 3

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

Subsection 9.Local government(s)

Berkman Michael B. , Plutzer Eric

Local Autonomy versus State Constraints: Balancing Evolution and Creationism in U.S. High Schools

in *Publius: The Journal of Federalism*, vol. 41, n. 4, October, Special issue: The States as Facilitators or Obstructionists of Local Government , 610-635

Do state curricular standards and examinations constrain the behavior of public school teachers? More specifically, do they interfere with teachers' responsiveness to local district preferences? We explore these questions in the highly contested arena of instruction in evolutionary biology. Drawing upon an original national survey of high school biology teachers, we find that their classroom practices conform to community preferences. This responsiveness occurs largely through a process of assortative employment. However, we show that teachers are less responsive to public opinion when state curricular standards are supported by high-stakes testing. We therefore offer a general model of how policy implementation can be influenced by local community sentiment and, more generally, how the architecture of public policy can attenuate responsiveness to local public opinion.

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

Subsection 9.Local government(s)

Herian Mitchel N.

Local Budgeting and Public Participation - Contextual Predictors of State Laws Mandating Public Input

in *State and Local Government Review*, Vol. 43, n. 2, August , 95-109

This paper examines the political, economic, and institutional variables associated with the presence of state laws that mandate the use of public input in local budgeting. The results show that political and institutional variables can help explain the presence of such laws, but the relationships between variables of interest shift depending on whether laws aimed at cities or counties are the focal point and on which types of public input methods are under consideration. The implications for both theories of public participation in budgeting and intergovernmental relations are discussed within.



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

Subsection 9. Local government(s)

Skalon Vasilii, Rubchenko Maksim

Local Government in the Grip of the “Power Vertical”

in Russian politics and law, vol. 49, n. 4, July-August , 32-36

The introduction of the institution of city managers has deprived local government of its remaining independence. The only way of rectifying the situation is through a fundamental revision of the tax and fiscal system.

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

Subsection 9. Local government(s)

Gelman Vladimir, Ryzhenkov Sergei

Local Regimes in Large Russian Cities

in Russian politics and law, vol. 49, n. 4, July-August , 37-41

In this introduction, Gelman and Ryzhenkov summarize the factors that influence the nature of local regimes in Russian cities.

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

Subsection 9. Local government(s)

Gorenburg Dmitry

Local and Regional Politics in Russia

in Russian politics and law, vol. 49, n. 4, July-August , 3-7

The articles in this issue examine subnational politics in Russia, focusing on both the regional and local levels. They show that subnational politics are strongly influenced by national political trends and by structural conditions in each locality.

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

Subsection 9. Local government(s)

Brian Dollery, Bligh Grant, Lin Crase

Love Thy Neighbour: A Social Capital Approach to Local Government Partnerships

in Australian Journal of Public Administration, Volume 70, Issue 2 , 156-166

While controversy surrounds compulsory consolidation as a means of improving the operational efficiency of local government, the literature suggests that gains can accrue to groups of local councils which form voluntary alliances as



platforms for shared service delivery. However, real-world experience has demonstrated that voluntary alliances in local government are difficult to establish and do not always endure in the longer term. After reviewing the limited extant scholarly literature on shared services and local council voluntary alliances, as well as applications of the social capital approach to inter-organisational endeavour, such as the Weber and Weber (2010) venture capital model, this article argues that the social capital approach can offer insights into local council cooperative alliance and shared service models.

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

Subsection 9. Local government(s)

Blundo Giorgio

L'appropriazione locale delle politiche transnazionali anticorruzione in Senegal

in Meridiana, n. 68, 2010 , 165-178

1. Introduzione. 2. La genesi del Forum Civil: una minoranza elitaria. 3. Il passaggio alla lotta nei confronti della corruzione. 4. Risorse, reti e registri di competenza dei brokers della good governance. 5. La svolta politica? Brokeraggio in good governance e rifondazione dello Stato. 6. Conclusioni.

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

Subsection 9. Local government(s)

Lu Yi, Willoughby Katherine, Arnett Sarah

Performance Budgeting in the American States - What's Law got to do with it?

in State and Local Government Review, Vol. 43, n. 2, August , 79-94

This study examines the content of performance budgeting legislation and its relationship to the quality of implemented performance budgeting systems. Recent research indicates that states with well-functioning performance budgeting systems are more likely to have enacted pertinent laws than states with weak or no performance budgeting system. The authors find that performance budgeting legislation containing detailed instructions on the development, reporting, and use of performance data contributes to stronger use of performance budgeting systems in state governments.

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

Subsection 9. Local government(s)

Borisova Nadezhda

Perm - A Local Regime in a Large Russian City

in Russian politics and law, vol. 49, n. 4, July-August , 85-96

The author analyzes the emergence and evolution of a pluralistic local regime in Perm in relation to developments at the regional and national levels.



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

Subsection 9. Local government(s)

Di Genio Giuseppe

Poteri locali nel quadro europeo del multilevel constitutionalism

in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 10

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

Subsection 9. Local government(s)

De Muro Gianmario

Prorogatio del Consiglio regionale e

in *Regioni (Le)*, n. 6 , 1299-1302

No abstract available

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

Subsection 9. Local government(s)

Gelman Vladimir

State Power, Governance, and Local Regimes in Russia

in *Russian politics and law*, vol. 49, n. 4, July-August , 42-52

The author develops a conceptual framework for and typology of Russian urban regimes and traces their emergence and evolution in the 1990s and the 2000s.

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

Subsection 9. Local government(s)

Nelson Kimberly

State-Level Autonomy and Municipal Government Structure. Influence on Form of Government Outcomes

in *American Review of Public Administration (The)*, September 2011; 41 (5) , 542-561

A number of recent studies have argued that municipal governments have so significantly modified elements of their form of government that it is now difficult to distinguish form. However, none of these studies considers the influence of state government on these choices. This study uses a comprehensive data set of U.S. municipal governments with populations of at least 10,000 and a data set of state legislative provisions related to form of government to investigate the influence of state law on municipal form of government choices. The findings demonstrate that state law is associated with some choices of government form and that structures that hybridize the council-manager and



mayor-council forms of government are still relatively uncommon.

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

Subsection 9. Local government(s)

Blane D. Lewis, André Oosterman

**Sub-National Government Capital Spending In Indonesia: Level, Structure, And Financing
in Public Administration and Development**, Volume 31, Issue 3 , 149-158

Sub-national government capital spending is important for both public service delivery and economic development. Currently, Indonesian sub-national public capital spending appears barely sufficient to cover the annual depreciation of its fixed assets. A substantial proportion of local government investment spending goes to create relatively unproductive assets, such as administrative office buildings. Sub-national governments finance their capital acquisitions out of gross operating budgets and have thus far not used, to any great extent, either borrowed funds or their significant cash reserves for such purposes. Indonesian sub-nationals need to spend more on capital than they do now and also need to focus that spending on more useful types of infrastructure. The major constraints to increasing capital spending at the sub-national level are not related to a dearth of finance, but regulatory rigidities in budget preparation and implementation and, most importantly, a lack of capacity to plan, design and implement investment projects.

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

Subsection 9. Local government(s)

Manatschal Anita

**Taking Cantonal Variations of Integration Policy Seriously — or How to Validate International Concepts at the
Subnational Comparative Level**
in *Swiss Political Science Review - Schweizerische Zeitschrift für Politikwissenschaft - Revue suisse de science
politique*, Volume 17, Issue 3, September 2011 , 336-357

Abstract

Subnational varieties of immigrant integration policy, which are particularly salient in federal states, remain largely neglected by migration studies. Following Lijphart, who long demanded to verify international research at the subnational level, this study aims at capturing subnational policy variations using the example of Swiss cantons. In line with international approaches, cantonal integration policies are conceptualized and measured in terms of immigrants' ease or difficulty of access to civic, political, socio-structural, as well as cultural and religious rights and obligations. The transfer of an international concept to the subnational level facilitates a validation of the former, which constitutes a second neglected research field. Finally, a look at the empirical evidence allows testing the construct validity of our measurement: in line with theoretical assumptions, our data reveal a clear linguistic divide, an institutionalised "Röschigraben", with German speaking cantons exhibiting overall more restrictive policies than Latin cantons.

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

Subsection 9. Local government(s)

Guillamón Maria-Dolores, Bastida Francisco Benito Bernardino



The Determinants of Local Government's Financial Transparency

in **Local Government Studies**, Vol. 37, Issue 4 , 391-406

This paper contributes to the scarce literature on government transparency by analysing the impact of political and socio-economic factors on municipal financial transparency. Our sample covers the 100 largest Spanish municipalities in 2008. Compulsory publicity and transparency are key to public management (rule-of-law theory). Our data show that Spanish municipalities are providing financial information beyond the legal requirements, thus exceeding the compulsory disclosures required by the rule-of-law theory. The more taxes and more transfers per capita, the more financial information is disclosed and, accordingly, the higher the transparency is. Therefore the municipalities are not taking advantage of fiscal illusion or principal-agent effects, since they are not concealing higher levels of taxes and transfers from citizens. Furthermore, left-wing parties are more transparent than right-wing ones. Finally, the population also has a positive effect on the achievement of financial transparency.

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

Subsection 9. Local government(s)

Krueger Skip, Walker Robert W., Bernick Ethan

The Intergovernmental Context of Alternative Service Delivery Choices

in **Publius: The Journal of Federalism**, vol. 41, n. 4, October, Special issue: The States as Facilitators or Obstructionists of Local Government , 686-708

Research suggests that outsourcing is one way that local governments have to meet rising expectations and unwillingness to pay when resources are constrained. The degree to which resources are constrained is a function not only of local economic and political conditions, but of state rules as well. We build on previous models of local government outsourcing by studying the interaction between state rules and local fiscal, economic, and political conditions. We find that cities in states that place limits on the resources available to local governments choose differently from among the constellation of service provision options than cities in states without such limits.

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

Subsection 9. Local government(s)

Adelberg Michael S.

The Transformation of Local Governance in Monmouth County, New Jersey, during the War of the American Revolution

in **Journal of the Early Republic**, Volume 31, Number 3, Fall , 467-498

Several recent locality-focused studies suggest that the American Revolution was not particularly 'revolutionary'. These studies note continuity of pre and post-independence institutions and local leadership. But the American Revolution was experienced differently in different communities, and the American Revolution was likely more 'revolutionary' along the military frontiers—the subset of localities that experienced prolonged civil warfare—than in more peaceful locales. This study examines one wartorn locality, Monmouth County, New Jersey, to substantiate this hypothesis. The American Revolution split the pre-war leadership in Monmouth County into Whig and Loyalist blocs, and about half of the county's pre-war leaders dropped out of leadership as the war began. The gaps created by Loyalists dropping out of leadership



plus the approximate doubling of local offices created a permeable and democratic, new leadership. Men of modest means came into leadership positions; men disaffected from the cause of independence continued being elected into local offices. Local leaders split into antagonistic factions that faced off at the polls, in the courts, and through a series of rival associations. Local political institutions, such as courts and elections, were scandal-plagued and dysfunctional for long stretches. The State legislature was compelled to censure county leaders for provocative and illegal conduct; twice, it voided the results of the county elections. The crucible of civil warfare created extraordinary stresses in Monmouth County, and by war's end, its leadership and governing institutions were substantially transformed. The pre-war elite were marginalized, new families achieved parity with established families in the leadership ranks, local institutions were re-made, and, despite the tribulations, competent local governance eventually emerged.

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

Subsection 9. Local government(s)

Jauhainen Jussi S., Moilanen Helka

**Towards fluid territories in European spatial development: regional development zones in Finland
in Environment and Planning C: Government and Policy**, Volume 29, Issue 4, August , 728-744

In this paper territoriality is studied in the context of contemporary spatial development theories and practices in the European Union (EU). Primarily, territoriality is examined as a strategy for governing spatial development, and the focus is on the relationships between different modes of territoriality and governing. Territoriality is conceptualized bounded, networked, and fluid territory, and this is indicated in practice with examples of regional development zones (RDZs) in Finland. Potentially, RDZs could be tools to link the current territorial concepts of EU spatial development and poststructuralist spatial planning theories into practices for governing spatial development. Fluid territories—characterized by flexible boundaries, policy integration, and ‘governance of governance’—emerge in spatial development theories and strategies. However, it is challenging to find proper tools for implementing them in practice. A broader consideration of agency, participation, and bottom-up development are crucial for fluid territory and its governing.

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

Subsection 9. Local government(s)

Røiseland Asbjørn

**Understanding Local Governance: Institutional Forms Of Collaboration
in Public Administration**, Volume 89, Issue 3 , 879-893

The article discusses institutional forms of governance, understanding governance as hybrid forms of collaboration, involving government, market actors and/or civil society actors. By utilizing data from a study made of three Norwegian cities, six collaborative efforts are presented, and discussed in relation to analytical characteristics derived from both network theory and organizational theory. This analysis illustrates that these collaboration efforts can, on the one hand, be understood as something located between networks and organizations. On the other hand, one may argue they belong to none of the two theoretical categories, implying the need for new theories regarding collaboration. These observations are followed by some theoretical reflections about how democratic governments can influence collaborations, and ensure that the common will can actually become real.



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

Subsection 9. Local government(s)

Violini Lorenza

Università e Regioni: quale autonomia? Quali reti per lo sviluppo dei territori?

in *Regioni (Le)*, n. 1 , 3-10

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

Chessa Omar

La specialità sarda e il federalismo asimmetrico

in *Rivista giuridica del mezzogiorno*, numero 1-2, marzo-giugno , 553-574

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

Subsection 10. Processes of federalization and decentralization

Bob-Milliar George M.

'Te NYƆGEYƐNG Gbengbeng!' ('We are Holding the Umbrella Very Tight!'): Explaining the Popularity of the NDC in the Upper West Region of Ghana

in *Africa: The Journal of the International African Institute*, Volume 81, Number 3, August , 455-473

This article analyses the reasons why, since the beginning of the Fourth Republic in 1992, the Upper West Region (UWR) has become one of the strongholds of the National Democratic Congress (NDC) in northern Ghana. In all five general elections to date, the NDC has won more than half of the presidential vote and over 70 per cent of the parliamentary seats. The article explores the factors that explain the NDC's electoral dominance in the UWR. At the regional level the accepted argument has been that the NDC's predecessor extended developments to the area. However, if voting preferences are based on development considerations, why didn't loyalty shift to the NPP? I argue that political loyalty is generational and that the popularity of the NDC in the UWR can be understood through an appreciation of the recent history of the region. On 14 January 1983, PNDC Law 41 decreed the creation of the Upper West Region, carved out of what was then the Upper Region. I conclude that the political and socio-economic opportunities that came along with decentralization are historical memories of high value, which the NDC capitalizes on in its electioneering campaigns.

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

Subsection 10. Processes of federalization and decentralization

Thomas Barfield

Afghanistan's Ethnic Puzzle. Decentralizing Power Before the U.S. Withdrawal

in *Foreign Affairs*, Volume 90, Number 5

In 2001, fearing ethnic strife, the international community pushed for a strong central government in Kabul. But such



fears were based on a false reading of Afghan history and fostered a system of regional and ethnic patronage. To correct matters, the United States should de-emphasize Afghanistan's ethnic fault lines and push for more devolved and inclusive governance.

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

Subsection 10. Processes of federalization and decentralization

Agyemang, Yaw Sarkodie

Crisis of Legitimacy: Secularisation and the Authority of Asante Traditional Rulers in Ghana's Decentralization in Perspectives on Global Development and Technology, Vol. 10, n°2, 300-326

Ghana's attempt at decentralization has brought into collision course two systems of governance because of the poor interface between traditional authorities and district assemblies, creating a crisis of legitimacy. Previous studies on this development situate the crisis on the existence of two legitimacies or dual governments. The paper theorizes this development around the tension between the sacred and the profane. It argues that the war of legitimacy arises because representation is differently understood by these two systems of governance. Using historical and phenomenological approaches, the paper observes that it is the religious basis of the chieftaincy institution as against the secular basis of decentralized institutions that is creating a tension between the sacred and the profane. It therefore concludes that secularization has created differentiation leading to polycentric sources of power making the traditional authorities lose their hegemony over people, land, and its resources. The traditional authorities in their attempt to claw back their lost power are using the sacred basis of their legitimacy to insist on their right to represent their communities.

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

Subsection 10. Processes of federalization and decentralization

Beha Adem

Decentralisation in Kosovo: A Challenge to Deal With?

in Peace, Conflict and Development, Issue 17, August, 23-42

The decentralisation process in Kosovo emerged as a pathway to integrate the Serbian community. This article investigates the evolution of this process and by so doing underlines the key characteristics of this process since Kosovo was declared an independent and sovereign state on 17 February 2008. The article also argues that whilst the two largest ethnic groups in Kosovo have tried to take advantage of the decentralisation process, there is no other realistic alternative to decentralisation, except the partition of Kosovo's territory that might start a domino effect throughout the Balkan region. There are two key documents that are essential to understanding the limits and scope of the decentralisation process in Kosovo – The Kai Eide Report and the Comprehensive Proposal for the Kosovo Status Settlement delivered by the UN Secretary General's Special Envoy for the Future Status Process for Kosovo, Martti Ahtisaari. In order to prevent the atomization and the fragmentation of the Kosovo society through the decentralisation process, the article concludes that, civil society in Kosovo should be empowered to play the 'middle ground' role between Kosovo state authorities and the Serbian community affected by the decentralisation process. Full text available online: <http://www.peacestudiesjournal.org.uk/dl/Iss%2017%20Art%206%20Final.pdf>.

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

Subsection 10. Processes of federalization and decentralization



I. V. Langran

Decentralization, Democratization, and Health: The Philippine Experiment

in *Journal of Asian and African Studies* , Vol. 46 no. 4, August , 361-374

In 1991, the Philippines joined a growing list of countries that reformed health planning through decentralization. Reformers viewed decentralization as a tool that would solve multiple problems, leading to more meaningful democracy and more effective health planning. Today, nearly two decades after the passage of decentralization legislation, questions about the effectiveness of the reforms persist. Inadequate financing, inequity, and a lack of meaningful participation remain challenges, in many ways mirroring broader weaknesses of Philippine democracy. These concerns pose questions regarding the nature of contemporary decentralization, democratization, and health planning and whether these three strategies are indeed mutually enforcing.

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

Subsection 10. Processes of federalization and decentralization

Diawara Mamadou

Development and Administrative Norms: The Office du Niger and Decentralization in French Sudan and Mali

in *Africa: The Journal of the International African Institute*, Volume 81, Number 3, August , 434-454

This article analyses the historical roots of decentralization, a policy which is presented in the development world as the miracle cure to Third World evils. The text is based on the current literature on the topic as well as field research carried out in Mali in the Office du Niger region, which, already in the colonial period, represented a particular decentralization challenge. It offers a critical perspective on the concept of decentralization, which some trace back to the Middle Ages, and examines colonial experiences. How can the Malian state, inherited from the colonial state, decentralize everything whilst adopting the policy according to which the lands of the central delta of the Niger have been state-owned property since 1935? The aim is to show the analogy between problems encountered by the French colonial state and those that plague the Malian post-colonial state, whilst guarding against the sirens of a false authenticity reeking of neo-traditionalism.

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

Subsection 10. Processes of federalization and decentralization

Mullen Tom

Devolution in Scotland: Increasing Autonomy?

in *European public Law*, Volume 17 (2011) Issue 3 , 399-414

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

Voßkuhle Andreas

Die Landesverfassungsgerichtsbarkeit im föderalen und europäischen Verfassungsgerichtsverbund

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 59, 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

Lippi Andrea

Evaluating the 'Quasi Federalist' Programme of Decentralisation in Italy since the 1990s: A Side-effect Approach

in *Local Government Studies*, Vol. 37, Issue 5 , 495-516

This article concerns institutional policy in Italy since the 1990s, when Parliament and Central Government enacted a long-term programme of decentralisation, here labelled 'quasi federalist'. The programme envisaged major changes to the intergovernmental setting, and it has pursued three main general goals: increasing performance, promoting effectiveness and improving democratic accountability. In the almost 20 years since its introduction, the programme has induced a radical change in multi-level governance and vertical subsidiarity through a wide range of laws. This article aims at evaluating the effects of this 'quasi federalist' setting in Italy, assuming a 'side-effect' approach to depict the wide range of observed outcomes. The evaluation strategy collects evidence through a secondary analysis using different sources. The ex-post evaluation looks over a well articulated range of indicators concerning many kinds of expected changes: legal aspects, financial performance, institutional arrangements, organisational innovation, etc. Two different main effects are examined: institutional effects and performance effects. At the same time, side effects and unanticipated consequences are also considered. The final assessment points out that the main effects have been only partially achieved, while relevant side effects can be observed. For this reason, the programme remains a 'work in progress' toward federalism, while some strategic problems still have to be solved before any further conscious programme can be developed in this direction, whether it relates to the procedural or to the performance aspect. The ambiguity of the former arrangement seems to have been partially solved, but it will be a hard task to improve democratic accountability.

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

Subsection 10. Processes of federalization and decentralization

Lutrino Daniele

Federalismo possibile fra prospettive regionali e protagonismo delle autonomie locali

in *Nuova rassegna di legislazione, dottrina e giurisprudenza*, n. 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

Rauna Kuokkanen

From Indigenous Economies to Market-Based Self-Governance: A Feminist Political Economy Analysis

in *Canadian Journal of Political Science--Revue canadienne de science politique*, Volume 44 - Issue 02 , 275 - 297



Abstract. This paper examines the apparent contradiction between the current tendency of many Indigenous groups and their political institutions to embrace the capitalist economic model as the one and only solution in establishing contemporary Indigenous self-governance, on the one hand, and on the other, the detrimental force of the market economy on Indigenous societies, past and present. The starting point is the following question. If the global market economy historically played a significant role in the loss of political and economic autonomy of Indigenous societies and women, how meaningful or sustainable is it to seek to (re)build contemporary Indigenous governance on the very economic model that was largely responsible for undermining it in the first place? Shouldn't this history be taken into consideration when discussing and shaping models and policies for contemporary Indigenous governance and hence be more critical of the standard economic development frameworks hailed as the path toward self-governance?

Résumé. Cet article examine l'apparente contradiction entre la tendance actuelle de nombreux groupes autochtones et de leurs institutions politiques à adopter le modèle économique capitaliste contemporain en tant que seule et unique solution pour constituer une autonomie gouvernementale autochtone d'une part, et de l'autre, les forces néfastes de l'économie de marché dans les sociétés autochtones, passées et présentes. Au départ, se pose la question suivante : si l'économie de marché mondiale a historiquement joué un rôle important dans la perte d'autonomie politique et économique des sociétés autochtones et des femmes, jusqu'à quel point est-il pertinent ou viable de chercher à bâtir ou à rebâtir l'autonomie gouvernementale contemporaine des peuples autochtones sur le même modèle économique qui a été largement responsable de la saper en premier lieu? Cette dimension historique ne devrait-elle pas être prise en considération lors de l'examen et de l'élaboration des modèles et des politiques de gouvernance autochtone contemporains et, par conséquent, inciter à une vision plus critique des cadres de développement économique convenus qui sont salués comme le chemin vers l'autogouvernance?

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

Subsection 10. Processes of federalization and decentralization

Ghazia Aslam, Serdar Yilmaz

**Impact Of Decentralization Reforms In Pakistan On Service Delivery—An Empirical Study
in Public Administration and Development, Volume 31, Issue 3 , 159-171**

By bringing decision making closer to people, decentralization is expected to improve governance and service delivery outcomes. Yet, the empirical evidence on the impact of decentralization on macroeconomic performance and public sector size presents a mixed picture. However, the findings of cross-country studies in the literature are sensitive to the way decentralization is defined, and how its extent and impact are measured. This article avoids the unwanted effects of incomparability and aggregation in cross-country analysis. We use a unique panel data set from 183 villages in Pakistan to analyze the impact of decentralization reforms implemented in 2001 on the provision of services—street paving, construction of water canals, sanitation sewer lines, and school facilities. Our results show that the magnitude of provision of all services increased significantly following decentralization reforms. We further show that the four services are impacted differently and service delivery improvement is not uniform, but not in ways that conform to the hypotheses of patronage theory.

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

Subsection 10. Processes of federalization and decentralization

Hlepas Nikolaos Komninios, Getimis Panos

Impacts of Local Government Reforms in Greece: An Interim Assessment



in *Local Government Studies*, Vol. 37, Issue 5 , 517-532

Successive waves of local government reforms (territorial and functional) in Greece have depended on factors highlighted in this paper, which focuses on 'institutional evaluation' and the achievement or failure of institutional change. Furthermore, 'performance evaluation' of institutional change is also attempted, based on dimensions/indicators concerning output legitimacy, coordination/steering and input legitimacy. The paper consists of three parts. The first part deals with decentralisation reform during the period 1981–1995, when the need to transfer competence to local government and broaden the latter's legitimacy predominated. The second part concerns the evaluation of territorial reform orientation and its shift towards efficiency priorities within the framework of Europeanisation (1996–2000). The third part considers the strategic priorities of the current third wave of reform. Finally, a comparative evaluation and conclusions are formulated. During the first wave of local government reform (1981–1995), input legitimacy proved to be particularly strong. On the other hand, coordination and steering proved to be particularly weak, while output legitimacy, especially concerning efficiency, was not a major priority. In comparison with the previous reform, the second wave (1996–2000) scores much better in terms of output legitimacy and coordination/steering, while input legitimacy became weaker. The scope and strategic priorities of the current reform procedure seem intended to tackle deficiencies left over from previous reforms. Worth mentioning are the major reform concerns with efficiency, coordination, transparency, control and accountability deficits. However, the final outcome is still open to conjecture, given the current acute fiscal crisis and the question of consensus building.

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

Subsection 10. Processes of federalization and decentralization

Merloni Francesco

Inattuazione del Titolo V e fallimento della via statutaria all'autonomia regionale. Moriremo tutti centralisti? Note italiane alla sentenza 31/2010 del Tribunal Costitucional spagnolo sullo Statuto della Catalogna
in *Istituzioni del federalismo*, n. 1 , 69-92

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

Fiona MacDonald

Indigenous Peoples and Neoliberal "Privatization" in Canada: Opportunities, Cautions and Constraints
in *Canadian Journal of Political Science--Revue canadienne de science politique*, Volume 44 - Issue 02 , 257-273

abstract. This article addresses the impact of the current neoliberal political context for Indigenous governance in Canada. While some observers have argued correctly that the neoliberal context provides new opportunities or points of entry in the political opportunity structure for "self-government" initiatives (Helvin, 2006; Scott, 2006; Slowey, 2008), I examine to what extent recent decentralizing initiatives, generally viewed as "concessions" made by the state to meet the demands of Indigenous peoples, must be evaluated as part of a broader governmental strategy of neoliberalism. This strategy is not simply about meeting the demands of Indigenous peoples but also about meeting the requirements of the contemporary governmental shift towards "privatization" within liberal democratic states. As such, I argue that



certain manifestations of Indigenous self-government are vulnerable to criticisms launched against practices of privatization, practices which include a variety of policies designed to promote a shifting of contentious issues out of the public sphere and thereby limiting public debate and collective—that is, state—responsibility.

Résumé. Le présent article analyse d'un oeil critique l'impact du contexte politique néolibéral actuel sur la gouvernance autochtone au Canada. Certains auteurs ont avancé avec raison que le contexte néolibéral donnait aux peuples autochtones de nouveaux points d'entrée pour leurs initiatives d'autogouvernance (Helvin, 2006; Scott, 2006; Slowey, 2008). Toutefois, j'examine ici dans quelle mesure les tentatives récentes de décentralisation, souvent comprises comme des « concessions » faites par l'État pour répondre aux revendications des peuples autochtones, doivent être évaluées dans le cadre plus vaste d'une stratégie de néolibéralisme du gouvernement. Cette stratégie ne vise pas uniquement à répondre aux besoins des peuples autochtones, mais aussi à permettre au gouvernement de s'orienter vers la « privatisation » qui distingue l'État libéral démocratique contemporain. À ce titre, je soutiens que certaines manifestations d'autogouvernance des Autochtones peuvent se prêter aux mêmes critiques que les pratiques de privatisation, qui comprennent diverses politiques visant à retirer de la place publique certains sujets controversés afin de limiter le débat public et la responsabilité collective, c'est-à-dire celle de l'État.

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

Subsection 10. Processes of federalization and decentralization

Falcon Giandomenico

La legge sul procedimento amministrativo e i caratteri del "federalismo" italiano
in *Regioni (Le)*, n. 6 , 1227-1234

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

Subra de Bieusses Pierre

La sentence du Tribunal constitutionnel espagnol sur le statute de Catalogne: décision du 28 juin 2010
in *Revue du droit public et de la science politique en France et à l'étranger*, n. 4 , 935-964

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

Tornos Mas Joaquín

La sentencia del Tribunal Costitucional español 31/2010 sobre el Estatuto de Autonomía de Cataluña
in *Istituzioni del federalismo*, n. 1 , 13-46

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

Brameret Sébastien

La souveraineté du Parlement britannique après la dévolution écossaise: réflexions autour d'une aporie
in *Revue du droit public et de la science politique en France et à l'étranger*, n. 3 , 667-685

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 Alvarez Luis

Los Estatutos de Autonomía tras la sentencia del Tribunal Costitucional 31/2010
in *Istituzioni del federalismo*, n. 1 , 47-69

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

Subsection 10. Processes of federalization and decentralization

Carrillo Marc

Los derechos estatutarios y sus garantías en la Sentencia 31/2010, de 28 de junio, sobre la reforma del Estatuto de Autonomía de Cataluña
in *Revista Espanola de Derecho Constitucional*, n. 92

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

Ruffolo Giorgio

Nord e Sud tra uniformità organizzativa e federalismo
in *Rivista giuridica del mezzogiorno*, numero 1-2, marzo-giugno , 69-76

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

Subsection 10. Processes of federalization and decentralization

Fedele Marcello

Nord-Sud: una riflessione sul federalismo
in *ItalianiEuropei*, n. 7



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

Subsection 10. Processes of federalization and decentralization

Bowman Laura

Sealing the Deal: Environmental and Indigenous Justice and Mining in Nunavut

in Review of European Community & International Environmental Law, Volume 20, Issue 1, April , 19-28

Nunavut is a territory in Canada's Eastern Arctic inhabited by a majority Inuit population. This population continues to rely on wildlife as a food source, and on harvesting for both cultural and economic well-being. Increased mining investment in Nunavut has resulted in a diminishment of public hearing opportunities for individual Inuk and other residents of Nunavut in non-renewable resource decisions that will affect harvesters. This represents a substantial erosion of the participatory rights the Inuit agreed to when they ratified the Nunavut Land Claims Agreement in 1993.

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

Subsection 10. Processes of federalization and decentralization

Meoli Chiara

Sofferte riforme del regionalismo italiano

in Nuova rassegna di legislazione, dottrina e giurisprudenza, n. 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

Delledonne Giacomo

Speaking in Name of the Constituent Power: the Spanish Constitutional Court and the New Catalan Estatut

in Perspectives on federalism, Vol. 3, issue 1 , N- 1-14

In June 2010 the Spanish Constitutional Court rendered a very important judgment on the constitutional legitimacy of the new fundamental charter (Estatut) of the Autonomous Community of Catalonia. Faced with a very long and ambitious legal document, the Court succeeded in not condemning as illegitimate most of its controversial provisions by means of interpretation consistent with the Constitution. Thus, those provisions aiming at 'constitutionalizing' Catalan identity have been widely neutralized or deprived of their legal significance. By doing so, however, the Court has attracted widespread criticism, possibly paving the way for further conflicts

Full text available at:

<http://www.on-federalism.eu/index.php/notes/89-speaking-in-name-of-the-constituent-power-the-spanish-constitutional-court-and-the-new-catalan-estatut>

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

Subsection 10. Processes of federalization and decentralization



De Peuter Bart, Pattyn Valérie, Wayenberg Ellen

Territorial Reform of Local Government: Evaluation Criteria Underpinning Decisions and Debate in Flanders in Local Government Studies, Vol. 37, Issue 5 , 533-552

In this article three cases of territorial reform affecting the local tier of government in Belgium are analysed from an evaluation perspective. The debate and discourse preceding the centrally introduced reforms were screened in order to identify which types of evaluative criteria and governmental motives underpinned the reforms. On the other hand, the authors looked at evaluations of these reforms that had been commissioned by government, in order to sketch out the evaluation criteria and perspectives. Criteria in the preceding debate and in the ex-post evaluations are compared within each case, as well as between cases. Proceeding along an inductive path, the authors link evaluation practice to theory. Do the criteria identified fit available models of quality in local governance? And, on the other hand, can an existing model grasp all the criteria at stake in such drastic reforms? The three case studies are: the country-wide amalgamation operation of 1976; the introduction of a new and more differentiated framework for inter-municipal cooperation; and the formulation of intra-municipal decentralisation.

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

Subsection 10. Processes of federalization and decentralization

Kuhlmann Sabine, Wollmann Hellmut

The Evaluation of Institutional Reforms at Sub-national Government Levels: A Still Neglected Research Agenda in Local Government Studies, Vol. 37, Issue 5 , 479-494

This article is meant to take a noteworthy step towards conceptually promoting the evaluation of institutional reform policies in the sub-national space. It aims to apply pertinent approaches of evaluation to the field of institutional reform policies in the intergovernmental setting and thus to contribute to a research field that arguably has so far been a 'missing link' in policy evaluation. The authors conceptualise institutional policies (territorial and functional reforms) as a particular type of public policy and contrast them analytically, conceptually and methodologically with 'normal' substantial policies. They reveal particular problems of measurement and of finding relevant indicators to evaluate the results of institutional reforms, one of which is the assessment of the transaction costs of reforms. Finally, an analytical framework for the evaluation of functional and territorial reform policies is suggested that makes a distinction between 'institution evaluation' and 'performance evaluation', and that can be applied in comparative evaluation studies.

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

Subsection 10. Processes of federalization and decentralization

Ebinger Falk, Grohs Stephan, Reiter Renate

The Performance of Decentralisation Strategies Compared: An Assessment of Decentralisation Strategies and their Impact on Local Government Performance in Germany, France and England

in Local Government Studies, Vol. 37, Issue 5 , 553-575

The aim of this paper is to evaluate the impact of differing decentralisation strategies – political, administrative and



horizontal – on administrative performance subsequent to reform. In this respect, the paper presents core results from a comprehensive research project that has been carried out between 2006 and 2009 on the impact of decentralisation in three European countries. The aim of the project has been to develop and apply an analytical framework for the measurement of the effects of national decentralisation policies on local government performance. A total of six reform ventures were scrutinised in French, German and English local communities applying a multidimensional set of performance measures. Surprisingly, many of the theoretical assumptions about the effects of decentralisation strategies could not be confirmed. Moreover, straightforward relations were not discovered between decentralisation strategies and performance effects but between policy fields, political interests and the time elapsed since the reform and performance.

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

Subsection 10. Processes of federalization and decentralization

Peter John, Shaun Bevan, Will Jennings

The policy-opinion link and institutional change: the legislative agenda of the UK and Scottish Parliaments
in *Journal of European Public Policy* , Volume 18, Issue 7 2011 , 1052-1068

Institutions can affect the degree to which public opinion influences policy by determining the clarity of responsibility in decision-making. The sharing of power between national and devolved levels of government makes it difficult for the public to attribute responsibility for decisions. In the UK, this generates the prediction that the devolution of power to territorial units weakens the effect of public opinion on policy both for the UK and Scottish governments. To test this expectation, this paper analyses responsiveness of the legislative outputs of the UK and Scottish parliaments to the issue priorities of the public. It finds the policy-opinion link in the UK appears to be weaker since devolution to the Scottish Parliament in 1999 compared with the period between 1977 and 1998. It shows no evidence of a direct link between issue priorities of the Scottish public and legislative outputs of the Scottish Parliament.

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

Subsection 10. Processes of federalization and decentralization

Cerulli Irelli Vincenzo

Una giustizia amministrativa "territoriale"?
in *Istituzioni del federalismo*, n. 1 , 93-114

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

Sbrescia Vincenzo Mario

Uniformità amministrativa, federalismo, regionalismo e Mezzogiorno alla Costituente
in *Rivista giuridica del mezzogiorno*, numero 1-2, marzo-giugno , 161-206

No abstract available



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

McQuigg Ronagh

How Effective is the United Nations Committee Against Torture?

in European Journal of International Law, Vol. 22, issue 3 , 813-828

This article examines the question of how states have responded to the comments of the United Nations Committee against Torture through an analysis of eight Western European states. It is concluded that the Committee's recommendations have had a substantial impact in four of the states surveyed, however only a limited effect in two other states, and little or no impact in the two remaining states. These findings lead to concerns as regards the effectiveness of the Committee against Torture. The article focuses on the Concluding Observations made by the Committee on the reports submitted by the states in question.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Alizadeh Homayoun

A Proposal for How to Realize Human Rights at the National and Regional Level: A Three-Pillar Strategy

in Human Rights Quarterly, vol. 33, number 3, august , 826-855

ABSTRACT: This article proposes a "Three-Pillar Strategy" (TPS) as an overall human rights protection strategy for OHCHR field presences. The main idea is to integrate recommendations of UN treaty bodies (Pillar One), special procedures (Pillar Two), and the Universal Periodic Review process (Pillar Three) into UN Country Teams' (UNCTs) work and planning, and likewise to integrate UNCTs into the implementation process of the TPS. Within the One UN Concept, the TPS could be used as an entry point to support building and strengthening national human rights protection systems, including the administration of justice, legislative reform, national human rights institutions, and civil society.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Weldehaimanot Simon M.

Arresting Al-Bashir: The African Union's Opposition and the Legalities

in African Journal of International and Comparative Law, Volume 19, Number 2 , 208-235

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Dieng Adama



Capacity-Building Efforts of the ICTR: A Different Kind of Legacy

in *Northwestern University Journal of International Human Rights*, vol. 9, issue 3, summer , 403-422

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Lamp Nicolas

Conceptions of War and Paradigms of Compliance: The 'New War' Challenge to International Humanitarian Law
in *Journal of Conflict and Security Law*, Volume 16 Issue 2 July , 225-262

The article argues that the so-called 'new wars' pose a fundamental challenge to international humanitarian law (IHL). Although not historically new, this type of war differs in crucial respects from the conception of war that underlies the traditional paradigm of compliance of IHL. At the heart of this paradigm lie certain assumptions: that IHL embodies a compromise between the interests of the warring parties and humanitarian concerns, and that the warring parties face a number of incentives to comply with the law. The article argues that these assumptions lose their plausibility under the circumstances of the 'new wars'. As a result, the traditional enforcement mechanisms of IHL invariably fail in these conflicts. The second part of the article discusses the international legal response to the 'new wars'. In particular, it considers international criminal prosecutions, the activities of the International Committee of the Red Cross and measures by the United Nations Security Council. In the common elements of these measures the article identifies the contours of a new paradigm of compliance in IHL that shifts the emphasis from voluntary compliance to external enforcement.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Bordin Fernando Lusa

Continuation of Membership in the United Nations Revisited: Lessons from Fifteen Years of Inconsistency in the Jurisprudence of the ICJ

in *Law and Practice of International Courts and Tribunals (The)*, vol. 10, n. 2 , 315-350

ABSTRACT: The judgment on preliminary objections in *Croatia v. Serbia* provided closure to fifteen years of controversy as to whether Serbia had access to the ICJ from 1992 to 2000, a period in which Serbia was involved in three sets of cases before the Court. At the heart of the controversy lay the question of the status of Serbia vis-à-vis the United Nations following the disaggregation of the former Yugoslavia. Taking as a starting point the series of cases relating to the application of the Genocide Convention and the legality of use of force by NATO states, this article revisits the issue of continuation of membership in the United Nations. It begins by discussing the problems posed by the "horizontal inconsistency" among the Court's jurisdictional findings, which implied that Serbia had and did not have access to the Court in the relevant period. It then offers a critique of the ICJ's decision in *Legality of Use of Force*, and proposes an approach to continuation of membership in the UN that would have allowed the Court not only to avoid inconsistency, but also to clarify an important question of UN law. The argument to be advanced is that, according to the soundest interpretation of the UN Charter, a de facto exercise of membership may produce valid legal effects.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

GARCIA, Eugênio V.

De como o Brasil quase se tornou membro permanente do Conselho de Segurança da ONU em 1945
in *Revista Brasileira de Política internacional* , vol. 54, No. 1/2011 , 159-177

This article aims at investigating how the hypothesis that Brazil could become one of the permanent members of the United Nations Security Council emerged and developed when the organization was created in 1945. The motivations of President Roosevelt in putting forward this proposal in 1944, during the Dumbarton Oaks Conference, the resistances faced, as well as the position adopted by the Brazilian government at the San Francisco Conference, are analyzed by using archival sources and documents from the period under examination.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Kendall Sara

Donors' Justice: Recasting International Criminal Accountability
in *Leiden Journal of International Law*, Volume 24 - Issue 03 , 607-625

International legal scholarship to date has largely neglected the donor-driven dynamics of international criminal justice. This article advances what I term 'donors' justice' as an analytic frame for interpreting the work of international criminal tribunals. Donors' justice is defined as third-party financial support for tribunal activity. It imports market rationalities into the field of criminal accountability, which assume overlapping discursive, political, and economic forms. The Special Court for Sierra Leone provides a case study of the implications of donor-driven logics for international criminal justice, particularly the material problems of insecure funding and the ethical problems of limited personal jurisdiction.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Gowan Richard

Floating Down the River of History: Ban Ki-moon and Peacekeeping, 2007–2011
in *Global Governance*, vol. 17, n. 4, october-december , 399-416

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Schreuer Christoph

From ICSID Annulment to Appeal Half Way Down the Slippery Slope
in *Law and Practice of International Courts and Tribunals (The)*, vol. 10, n. 2 , 211-225



ABSTRACT: Annulment under the ICSID Convention offers a limited remedy on the basis of a few carefully circumscribed grounds. Recently, losing parties have attacked awards for a wide array of reasons. Some ad hoc committees deciding these requests for annulment have taken a broad view of their powers. They have given some grounds for annulment an extremely wide interpretation thereby blurring the line between annulment and appeal. For instance, a perceived mistake in the interpretation of a rule of law has been regarded as an excess of powers for failure to apply the proper law. One ad hoc committee went beyond the reasons for annulment put forward by the applicant. It actively searched for additional grounds and eventually annulled the award for a reason not relied upon by the applicant. Some ad hoc committees have gone beyond the task given to them by the ICSID Convention, offering general criticism and advice to tribunals. The risk that an ICSID award will be annulled is now higher than that a non-ICSID award will be set aside by a competent domestic court.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Babík Milan

George D. Herron and the Eschatological Foundations of Woodrow Wilson's Foreign Policy, 1917-1919

in *Diplomatic History*, vol. 35, n. 5, November , 837-857

This essay seeks to demonstrate the eschatological foundations of Woodrow Wilson's foreign policy during and after World War I through his neglected relationship with George D. Herron, a millennialist theologian and one of the leaders of the Kingdom Movement in American Protestant Christianity. After a brief synopsis of Herron's life and teachings, it provides a detailed exposition of his eschatological reading of the Great War and America's role in it: Herron portrayed the conflict as the final battle between Christ and Satan, Wilson as a divinely appointed messiah, and the League of Nations as the secular fulfillment of the Kingdom of God. Subsequent sections trace the relationship between Herron and Wilson through their correspondence and reveal that the president repeatedly endorsed Herron's interpretation as expressive of his own views. The conclusion reflects on some of the main implications of Wilson's relationship with Herron for the theory and practice of liberal internationalism then and now.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Joshi, Devin

Good Governance, State Capacity, and the Millennium Development Goals

in *Perspectives on Global Development and Technology* , Vol. 10, n°2 , 339-360

International development agencies argue that "good governance" is crucial to attaining the Millennium Development Goals (MDGs), but there are many ways to define and measure good governance. The paper begins by examining the World Bank's minimal state conception of governance and then proposes an alternative approach based on strengthening state capacity. The paper tests this framework by developing a provisional Millennium Governance Index (MGI) for 126 countries. In comparative empirical analysis, the MGI has noticeably higher statistical correlations than the World Bank's governance indicators on six out of seven MDGs even after controlling for per capita income levels.

Section B) Global governance and international organizations



Subsection 1. The United Nations and its system

Papisca Antonio

Governance globale e riforma delle Nazioni Unite. Riflessioni sull'enciclica Caritas in Veritate di Benedetto XVI in Pace Diritti Umani, anno 8, n. 1, gennaio-aprile

ABSTRACT: Paragraph 67 of the papal encyclical starts by emphasising that there is a strong felt need for the reform of the United Nations Organisation as well as of economic institutions and international finance. This is a politically sensitive part of the document, that relaunches the perpetual issue of a new «political, juridical and economic order» in which the principle of the responsibility to protect should be implemented «to give poor nations and effective voice in shared decision-making». The Pope urges to set up «a true world political authority», the lack of which would put international law at risk of being conditioned by the balance of power among the strongest nations. Hence the Charter and the United Nations should be put at the core of a world order whose architecture would be multi-level, with a supranational authority capable to guarantee human rights and fundamental freedoms and to manage the global economy in the direction of social justice. The vision of world order is endowed with original thoughts about subsidiarity, that in turn refers to a sound federalist doctrine. The author of the present essay argues that the reform of the United Nations should be carried out on the assumption that the Charter still keeps full valid, and in the light of strengthening and democratising the Organisation. The UN democratisation should be considered as the independent variable of the overall reform process. It implies that the two-fold articulation of democracy – representativeness and participation – should find room by establishing a UN Parliamentary Assembly as a subsidiary body of the General Assembly in accordance with Article 22 of the Charter, and by reinforcing the present consultive status of NGOs, for instance by giving them a more substantial role, for instance to be expressed in the form of NGOs official «opinions». Another important aspect of the reform should refer to the human rights machinery to be strengthened by conferring more «supranational» powers and more civil society membership. As regards the government of world economy, it should be linked to the principle of interdependence and invisibility of all human rights and the present Economic and Social Council should be endowed with no less authority than the Security Council. This implies to grade down the role of the G8, G20, and similar non legitimated gatherings.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Chapman Audrey R., Carbonetti Benjamin

Human Rights Protections for Vulnerable and Disadvantaged Groups: The Contributions of the UN Committee on Economic, Social and Cultural Rights

in Human Rights Quarterly, vol. 33, number 3, august , 682-732

ABSTRACT: Recognition of the need to protect the rights and interests of the vulnerable and disadvantaged has been a recurrent theme in the work of the UN Committee on Economic, Social and Cultural Rights (CESCR). This article reviews the work of the CESCR to ascertain whether the Committee has had a clear-cut framework or criteria to determine which individuals or groups should be considered vulnerable and disadvantaged and what measures are required to protect their human rights. The first section reviews the Committee's reporting guidelines. The second analyzes the treatment of vulnerability in the Committee's general comments and statements. The third evaluates how the CESCR has approached the subject of vulnerability in its concluding comments for state party reports reviewed between 1997 and 2009. The fourth concludes that despite the importance the CESCR accords to the subject of vulnerability, it does not offer a clear-cut conception or definition of vulnerability or related terminology. Nor does it provide criteria for identifying which individuals or groups qualify as vulnerable or disadvantaged in general or in specific



contexts. Moreover, the CESCR is often vague about what protecting and improving the status of the vulnerable and disadvantaged entails. Therefore the paper recommends that the CESCR address vulnerability in a more conceptually robust and integrated fashion through issuing a general comment or a statement on the topic.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Lanciotti Alessandra, Panetta Antonio

Il mandato d'arresto della Corte Penale Internazionale nei confronti di Gheddafi e dei suoi collaboratori: un passo in avanti nella lotta all'impunità

in *Federalismi*, Anno IX - Nr. 18

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Henderson Christian

International Measures For The Protection Of Civilians In Libya And Côte D'ivoire

in *International and Comparative Law Quarterly*, Vol. 60, n. 3 , 767-778

The interpretation of United Nations Security Council (UNSC) resolutions adopted under Chapter VII of the UN Charter has been the elephant in the room, or more accurately the chamber of the Council, since the bitter divisions over the 'revival argument' and the invasion of Iraq in 2003. Although there has been some evidence of an increase in the specificity of UNSC resolutions in an effort to avoid the same difficulties reoccurring, the margin of appreciation provided to States in interpreting the mandates provided to them has recently come into focus again.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Schabas William A.

International War Crimes Tribunals and the United States

in *Diplomatic History*, vol. 35, n. 5, November , 769-786

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Van Sliedregt , Van Den Herik Larissa

Introduction: The STL Interlocutory Decision on the Definition of Terrorism – Judicial Ingenuity or Radicalism?

in *Leiden Journal of International Law*, Volume 24 - Issue 03 , 651 - 654

No abstract available



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Ambos Kai

Judicial Creativity at the Special Tribunal for Lebanon: Is There a Crime of Terrorism under International Law?
in *Leiden Journal of International Law*, Volume 24 - Issue 03 , 655 - 675

On 21 January 2011, the pre-trial judge of the Special Tribunal for Lebanon (hereinafter 'STL') posed several questions to the Appeals Chamber ('Chamber') pursuant to Rule 68(G) of the Rules of Procedure and Evidence. Three of these questions dealt with the crime of terrorism. (i) Should the Tribunal take into account international notions on terrorism even though Article 2 of the Statute only refers to the Lebanese Criminal Code ('LCC')? (ii) If so, is there an international definition of 'terrorism' and how should it be applied? (iii) If not, how is the Lebanese definition of 'terrorism' to be interpreted by the Chamber? Both the prosecution and defence submitted extensive briefs dealing, inter alia, with these questions. Additionally, two amicus curiae briefs were submitted. On 16 February 2011, the Chamber issued its (interlocutory) decision pursuant to Rule 176 bis (A). The Chamber argues, in a nutshell, that terrorism has become a crime under international law and that the respective international definition influences the (applicable) Lebanese law. In the first part of this paper, I will argue that the Chamber's considerations, albeit innovative and creative, are essentially obiter, since the applicable terrorism definition can be found, without further ado, in the Lebanese law. There is no need to internationalize or reinterpret this law; it should be applied before the STL as understood in Lebanese practice. As to the Chamber's affirmation that there is a crime of terrorism under international law, I will argue, in the second part of the paper, that the available sources indicate, at best, that terrorism is a particularly serious transnational, treaty-based crime that comes close to a 'true' international crime but has not yet reached this status. Notwithstanding, the general elements of this crime can be inferred from the relevant sources of international law.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Valerio Bosc

La conferma di Ban Ki-Moon

in *CeMiSS - Osservatorio Strategico e Quarterly*, XIII, n. 6 , 85-89

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

Saul Ben

Legislating from a Radical Hague: The United Nations Special Tribunal for Lebanon Invents an International Crime of Transnational Terrorism

in *Leiden Journal of International Law*, Volume 24 - Issue 03 , 677-700

In 2011, the Appeals Chamber of the UN Special Tribunal for Lebanon purported to identify a customary international crime of transnational terrorism and applied it in interpreting domestic terrorism offences under Lebanese law. This article argues that the Tribunal's decision was incorrect because all the sources of custom relied upon by the Appeals Chamber – national legislation, judicial decisions, regional and international treaties, and UN resolutions – were misinterpreted, exaggerated, or erroneously applied. The Tribunal's laissez-faire attitude towards custom formation jeopardizes the freedom from retrospective criminal punishment, subjugating the human rights of potential defendants to the Tribunal's own moralizing conception of what the law ought to be. The decision is not good for international law or public confidence in its institutions and processes.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Valerio Bosco

L'estate del CdS: peacekeeping, Africa settentrionale e Medio Oriente

in *CeMiSS - Osservatorio Strategico e Quarterly*, XIII, n. 8 , 88-92

Tra luglio e agosto l'agenda del Consiglio di Sicurezza è stata dominata da una rinnovata attenzione ai temi del peacekeeping. Il dibattito, organizzato dalla presidenza indiana del Consiglio di Sicurezza lo scorso 26 agosto - intitolato "Peacekeeping: Taking stock and preparing for the future" - ha seguito, di qualche settimana, la riunione annuale tra il CdS e i comandanti di alcune delle principali forze di pace dell'Organizzazione. Il mese di settembre, che pure sarà segnato dal proseguimento del dibattito sul peacekeeping, con un focus più specifico sulle forze di pace il cui mandato è prossimo alla scadenza, sarà tuttavia dominato da un rinnovato esame delle situazioni in Libia e Siria. Nello stesso mese dovrebbe infine svolgersi un



dibattito di
alto livello sulla diplomazia preventiva e sul
rapporto in materia che il Segretario Generale dell'ONU presenterà nel corso delle
prossime settimane.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Alvarez-Jiménez Alberto

**Methods For The Identification Of Customary International Law In The International Court Of Justice's
Jurisprudence: 2000–2009**

in *International and Comparative Law Quarterly*, Vol. 60, n. 3 , 681-712

'Sometimes the most important historical events are the non-events: the things that did not occur,' says the British historian Niall Ferguson. Such a statement may well describe in large measure the International Court of Justice's case-law regarding the methods for the identification of rules of customary international law during the period 2000–2009. The previous two decades had been marked by two milestones in this domain: the eighties by the judgment on the merits in Nicaragua, and the nineties by the Court's advisory opinion in Nuclear Weapons. There was, though, no single decision by the Court of comparative significance regarding methods of customary international law during the first decade of the new millennium. Further, some of the most important determinations in this domain were those in which the Court did not declare the existence of a customary international rule. However, this is not to say that the above-mentioned conclusion applies to all of the Court's jurisprudence related to customary international law. The conclusion is limited to the Court's decisions regarding the methods for the recognition of norms of this character. In fact, the Court made very important pronouncements as to the content of customary international law in many domains, such as the use of force, territorial occupation, diplomatic protection, and international humanitarian law.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

AGUILAR ANTON, Mercé; CRUZ GALLEGOS, Carolina and FORERO FORERO, Olga Stella

Ottawa treaty: from the bottom to the top in the international agenda. a classical multilateral institution?

in *Analisis politico* , Vol. 23, issue 69 , 102-120

The Ottawa Treaty is a milestone in the history of multilateralism. For the first time thousands of NGO, UN and Red Cross in a coordinated manner introduced in the international agenda a topic: the end of the use of Mine (MAP), a weapon of war that has caused maiming, killing and suffering to millions. The aim is to analyze the process from the base and show how the question arose to become a matter of international concern, and wanted to discuss the Treaty in the light of the precepts of the theoretical Ruggie (Anatomy of a multilateral institution) and Keohane (legitimacy) to determine how much is about the Ottawa Treaty to a classic multilateral institution.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Hiba I. Hussein

Palestina y la ONU: el camino legítimo para un Estado



in *Política Exterior*, 143 - Septiembre/Octubre

La decisión de los palestinos de solicitar a la ONU su admisión como Estado o una resolución para su reconocimiento como tal hace aún más urgente retomar las negociaciones de paz con Israel.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Mcguinness Margaret E.

Peace v. Justice: The Universal Declaration of Human Rights and the Modern Origins of the Debate
in *Diplomatic History*, vol. 35, n. 5, November , 749-768

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Clark Janine Natalya

Peace, Justice and the International Criminal Court. Limitations and Possibilities
in *Journal of International Criminal Justice*, Volume 9, Issue 3, July , 521-545

This article looks to address a core debate within the transitional justice literature concerning the relationship between peace and justice. The International Criminal Court (ICC) not only features prominently in such debates but is often invoked in support of the contention that justice poses a threat to peace, as particularly highlighted by its intervention in northern Uganda. This article directly engages with such arguments but seeks to portray the ICC neither as an obstacle to nor as an instrument of peace. Rather, it aims to offer a more nuanced, exploratory analysis focused on both the Court's limitations and possibilities as a tool of justice and peace. Stressing that justice entails far more than simply retribution, and underscoring that the relationship between criminal trials and peace remains empirically under-researched, it contends that the ICC can potentially contribute to peace but only as part of a comprehensive approach to justice that is deeper and thicker than criminal trials alone.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Wilson Tamfuh Y.N.

Procedural Developments at the International Criminal Tribunal for Rwanda (ICTR)
in *Law and Practice of International Courts and Tribunals (The)*, vol. 10, n. 2 , 351-380

ABSTRACT: The author seeks to expose the fact that the Rwandan genocide and its aftermath has many lessons for African leaders, especially that modern international criminal law is committed to punishing perpetrators of heinous crimes. The procedural processes at the Arusha International Criminal Tribunal for Rwanda have also operated a successful jurisprudence that has immensely contributed to the development of modern international law. This article looks at the historical context of the genocide, the jurisprudence and case law of the ICTR, the novel concepts that have contributed to the growth of international law, and the significance of rebuilding a post-genocide Rwanda.



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Muravchik Joshua

Protection Racket: 'Responsibility to Protect' Becomes a Doctrine

in World Affairs, Vol. 15, n. 4, July / August

<http://www.worldaffairsjournal.org/articles/2011-JulyAugust/Muravchik.html>

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Valerio Bosc

R2P, il nuovo dibattito all'ONU

in CeMiSS - Osservatorio Strategico e Quarterly, XIII, n. 7 , 80-84

Il 12 luglio si è svolto a New York un nuovo dibattito sulla responsabilità di proteggere le popolazioni civili dai crimini di guerra, genocidio, pulizia etnica e crimini contro l'umanità (responsibility to protect, R2P), il principio sul quale, in occasione del World Summit del 2005, gli Stati membri delle Nazioni Unite, pur riconoscendo la necessità di continuare a riflettere sulla sua natura di norma emergente del diritto internazionale, trovarono un'intesa di carattere generale. Tale intesa sembra oggi essere ridimensionata dagli attriti e dalle divergenze emerse in seno alla Comunità Internazionale in relazione ai casi di Libia e Costa d'Avorio. Nondimeno, il dibattito del 12 luglio, dedicato, in particolare, al ruolo delle organizzazioni regionali e sub-regionali nell'implementazione della R2P – tema oggetto del nuovo rapporto del Segretario Generale – ha offerto una prima occasione per cercare di ricomporre le tensioni emerse nella membership dell'ONU nelle settimane successive all'adozione delle risoluzioni 1970 e 1973

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Ezeudu Martin-Joe

Revisiting corporate violations of human rights in Nigeria's Niger Delta region: Canvassing the potential role of the International Criminal Court

in African Human Rights Law Journal, vol. 11, n. 1 , 23-56

ABSTRACT: The international community awakened to the bitter reality of the failure of traditional international legal system to anticipate and embrace non-state actors at the early conceptualisation of their norms. This reality relates to



the fact that transnational corporations that often wreak havoc in host states appear to be outside the ambit of international law, and therefore beyond its control. However, since the last two decades, governments and international business organisations have attempted to develop initiatives to fill the perceived gap. At the same time, the academic community has engaged in a discourse about the appropriate legal framework that may be deployed to ensure that transnational corporations are confined within a defined scope of international human rights obligations. Focusing on Africa, particularly on the oil-rich Niger Delta region of Nigeria, the article aims to engage in the debate. It takes a nuanced approach to the issue, and argues that an extension of the International Criminal Court's jurisdiction to transnational corporations is imperative. This would be a meaningful way of ensuring respect and compliance with human rights obligations by transnational corporations.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

de Hemptinne Jérôme

Réflexion sur l'évolution des rôles normatif et judiciaire du juge pénal international

in *Revue trimestrielle des droits de l'homme*, n. 87 , 525 ff.

Les rôles normatif et judiciaire du juge pénal international ont considérablement évolué au fil du temps. Le premier a perdu de son importance avec le développement du droit pénal international. Conforme à une conception formelle du principe de la légalité pénale et à la nécessité de protéger davantage les droits de l'accusé, cette évolution ne saurait toutefois aboutir à priver le juge de toute marge de manoeuvre nécessaire. A l'inverse, le rôle judiciaire du juge ne cesse de croître au fur et à mesure du déroulement des procès. Cette évolution est d'autant plus nécessaire qu'elle constitue la seule manière de garantir une plus grande équité et efficacité des procédures.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Harman Sophie

Searching for an Executive Head? Leadership and UNAIDS

in *Global Governance*, vol. 17, n. 4, october-december , 429-446

ABSTRACT: Leadership is one of the central explanatory factors for change within international organizations, yet is often sidelined as a part of wider social processes or understood in the context of domestic and managerial political agency. This article adopts one of the few understandings of leadership within international organization—Robert Cox's 1969 essay on the executive head—as an analytical model for understanding leadership within global HIV/AIDS governance. It does so by applying Cox's framework of analyzing the role of the executive head in relation to the international bureaucracy, member states, and the international system to the position of the former executive director of the Joint United Nations Programme on HIV/AIDS (UNAIDS), Peter Piot. The article argues that the role of leadership transcends the agency of simply opening up the black box of international organizations, but is a realm of political knowledge and agenda-setting that is integral to the formation and subsequent longevity of international institutions, alliances, and the global issues that justify their existence.

Section B) Global governance and international organizations



Subsection 1. The United Nations and its system

Tsagourias Nicholas

Security Council Legislation, Article 2(7) of the UN Charter, and the Principle of Subsidiarity
in *Leiden Journal of International Law*, Volume 24 - Issue 03 , 539-559

This article considers the relationship between the United Nations and its member states in view of the Security Council's assertion of legislative powers. It claims that the exponential growth in UN powers at the expense of the powers of its member states cannot be arrested by legal means, because of the nature of the UN system and the absence of legally enforceable criteria and compulsory dispute-settlement mechanisms. For this reason, it proposes a different approach to law-making in the area of international peace and security – one that is built around the principle of subsidiarity, as reflected in Article 2(7) of the UN Charter. The role of the principle of subsidiarity in this respect is to determine which authority is best suited to exercise legislative power and how such power should be exercised in order to attain the objective of peace and security more efficiently. It is thus contended that the principle of subsidiarity promotes co-operative relations between the United Nations and its member states by protecting the latter's jurisdictional authority from unnecessary interference.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Deen-Racsmány Zsuzsanna

The Amended UN Model Memorandum of Understanding: A New Incentive for States to Discipline and Prosecute Military Members of National Peacekeeping Contingents?
in *Journal of Conflict and Security Law*, Volume 16 Issue 2 July , 321-355

In the past decades, allegations of human rights violations (eg sexual exploitation and abuse (SEA)) committed by UN peacekeepers against the local population repeatedly surfaced, affecting the credibility of UN peacekeeping. In response to reports of such crimes, the UN has implemented various measures to prevent, and ensure accountability for, SEA of the local population by its peacekeepers since 2005. In this process, due to their unique legal position (ie the troop contributors' exclusive jurisdiction over their criminal conduct in the host state under Status of Forces Agreements) the accountability of military members of national contingents (MMsNCs) was addressed distinctly from other categories of personnel, by way of amendments to the UN Model Memorandum of Understanding. The present study evaluates these amendments against the background of the previously prevailing accountability regime applicable to MMsNCs, in the context of the broader package of preventive and accountability measures adopted by the UN, and in light of previous—more ambitious—amendment proposals that have been circulated since 2005. While recognizing the (theoretical) potential of the amendments to contribute to increased accountability, the article critically assesses whether this solution is sufficient to ensure that UN peace operations are not seen as safe havens by paedophiles and sex tourists. In addition, it considers briefly if and how the accountability of MMsNCs could further be enhanced.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Blavoukos Spyros, Bourantonis Dimitris



The EU's Performance in the United Nations Security Council

in *Journal of European Integration*, Volume 33, Issue 6 , 731-742

Performance in the United Nations (UN) is a key element of the EU's 'effective multilateralism' strategy, especially in the UN Security Council (UNSC) that constitutes one of the two most significant political organs of the organization. In this article, we assess the EU's performance in the UNSC by looking at two particular aspects of the EU-UNSC interaction: first, the broader political and financial contribution of EU member states in the UNSC functioning and second, the engagement of EU member states in the different stages of the UNSC reform process. On the first aspect, the analysis suggests a positive EU performance, with some inevitable variation across the cases examined, reflecting different political constellation dynamics in the intra-EU deliberations. On the second aspect, there is a clear lack of a coherent, articulated EU position beyond the rhetorical adherence to the necessity of institutional reform, highlighting the minimal EU relevance for its priority stakeholders to meet their political aspirations.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Van Schaik Louise

The EU's Performance in the World Health Organization: Internal Cramps after the 'Lisbon cure'

in *Journal of European Integration*, Volume 33, Issue 6 , 699-713

This paper analyses the performance of the European Union (EU) in the World Health Organization (WHO). It looks at two core elements of performance: effectiveness and relevance. It also briefly discusses the financial viability of WHO's activities. The article discusses the increased Europeanisation and internationalisation of health issues. These developments make it almost inevitable that the EU is becoming a more unified actor within WHO negotiations. At the same time, the EU's performance is constrained by EU member states' being cautious about ceding competences to the EU on health issues, having widely diverging preferences on issues such as reproductive rights, and not fully trusting the European Commission to take over external representation in WHO negotiations.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Oberthür Sebastian

The European Union's Performance in the International Climate Change Regime

in *Journal of European Integration*, Volume 33, Issue 6 , 667-682

The performance of the European Union (EU) in international climate policy improved significantly over much of the 1990s and 2000s with respect to goal achievement (effectiveness) and relevance. However, the failure of the Copenhagen Summit in 2009 represented a major backlash for the EU. This article argues that internal factors – including in particular the development of internal climate policy – have mostly enhanced the EU's performance conditions, but can hardly account for the Copenhagen backlash. In contrast, situational and structural changes in the international configuration of climate politics first supported and then significantly impeded a good EU performance in



the 2000s. Overall, distinguishing systematically between EU internal factors that are under the direct control of the EU itself and external conditions on which EU influence is more limited allows us to identify the evolution of the external political 'environment' of international EU leadership on climate change, and the failure of the EU to adapt its strategy timely to this evolving environment, as major forces underlying the Copenhagen backlash.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Watt Fergus

**The Global Promise of the Responsibility to Protect in Libya
in Federalist Debate (The)**, Year XXIV, n. 2, July

<http://www.federalist-debate.org/fdb/archive/detail.bfr>

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Weitz Eric D.

The Human Rights Surges of the 1940s and 1990s: A Commentary on Margaret E. McGuinness and William A. Schabas

in **Diplomatic History**, vol. 35, n. 5, November , 793-796

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Ahmad Rusniah, Efevwerhan David I.

The ICJ Opinion on Kosovo: Symphony or Cacophony?

in **Indian Journal of International Law**, volume 50, issue 4 , 545-560

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Wertheim Stephen

The League That Wasn't: American Designs for a Legalist-Sanctionist League of Nations and the Intellectual Origins of International Organization, 1914-1920

in **Diplomatic History**, vol. 35, n. 5, November , 797-836

Two rival conceptions for international organization circulated in America during World War I. The first and initially more popular was a "legalist-sanctionist" league, intended to develop international legal code and obligate and enforce judicial



settlement of disputes. The second was the League of Nations that came into being. This article traces the intellectual development and political reception of the former from 1914 to 1920. Theodore Roosevelt, Elihu Root, and William H. Taft were its most important architects and advocates. Like President Woodrow Wilson, they aimed to create an international polity without supranational authority. Unlike Wilson, they insisted on the codification of law and the necessity of physical sanction: the league had to enforce its word or not speak at all. Wilson fatally rejected legalist-sanctionist ideas. Holding a thoroughgoing organicist understanding of political evolution, he and the League's British progenitors preferred international organization to center on a parliament of politicians divining the popular will and anticipating future needs, not a court of judges interpreting formal codes of law. A flexible model of organization carried over to the United Nations, the alternative forgotten by a world leader that now found it natural to subordinate law to politics.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Wills Siobhan

The Legal Characterization Of The Armed Conflicts In Afghanistan And Iraq: Implications For Protection in Netherlands International Law Review, Vol. 58, issue 2 , 173-208

This article explores the implications for the protection of civilians and other vulnerable persons, of the requalification of a conflict downwards from international to non-international, focusing in particular on the changes in the characterization of the conflicts in Afghanistan and Iraq from 2001 and 2003 respectively.

Determining the legal character of an armed conflict is rooted in an inherently political interpretation of black letter treaty law. It is generally agreed that when the United States and its coalition allies entered the wars in Afghanistan in 2001, and Iraq in 2003, their operations in those countries were initially subject to the laws of international armed conflict. However the International Committee of the Red Cross (ICRC) has determined that the conflict in Afghanistan became non-international with the establishment of the United States' backed government of Hamid Karzai on 19 June 2002 and that the conflict in Iraq became non-international with the establishment of the Iraqi Interim Government on 28 June 2004. The basis for this requalification is Article 2 of the Geneva Conventions read in conjunction with an interpretation of the meaning of 'state' (and of its power to authorize a foreign intervention in its own territory) that is inherently, and possibly inevitably, political.

Changes in the legal characterization of a war have profound implications for the protection of both non-combatants and combatants under international humanitarian law, in particular for humanitarian access; for the protection of non-nationals from deportation; for the protection of detainees; for the conduct of hostilities; and for the protection of persons transferred into the hands of local authorities. The practical consequence of a requalification of an armed conflict downwards to non-international is a marked loss of protection for persons that were protected by the Geneva Conventions in the earlier stages of the conflict.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Brown Chester, Puig Sergio

The Power of ICSID Tribunals to Dismiss Proceedings Summarily: An Analysis of Rule 41(5) of the ICSID Arbitration Rules



in **Law and Practice of International Courts and Tribunals (The)**, vol. 10, n. 2 , 227-259

ABSTRACT: Rule 41(5) of the ICSID Arbitration Rules essentially provides that an ICSID tribunal may dismiss a proceeding summarily if the respondent files an objection within 30 days of the constitution of the tribunal that the claim is “manifestly without legal merit“. In the five years since the introduction of the Rule in April 2006, four ICSID tribunals have considered the provision, with two decisions being handed down in December 2010. In this article, the authors describe the cases decided by these tribunals, and examine the way in which they have interpreted and applied Rule 41(5). The authors' analysis highlights the large measure of consistency in the way that ICSID tribunals are handling objections under this provision, and sets out a useful and timely guide to counsel and arbitrators on the use of this procedure.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Chidi Njoku Mba

The Role of Judicial Institutions in the Restoration of Post-Conflict Societies: The Cases of Rwanda and Sierra Leone

in **Journal of Conflict and Security Law**, Volume 16 Issue 2 July , 357-384

This article examines the contributions of international judicial institutions to the restoration of two post-conflict societies (Rwanda and Sierra Leone). The destruction of the legal and socio-political structures of a society is a typical consequence of armed conflicts. Ultimately, it is essential to restore the system and structures in order to sustain the nascent peace at the end of such conflict. The article examines the contribution of the ad hoc tribunals to the security, legal systems and administration of Rwanda and Sierra Leone. It argues that the two tribunals have the legal and physical capability to supplement efforts of the international community to sustain the stability of the two post-conflict societies. It also establishes that the two ad hoc tribunals in Africa make the case for the positive role of international criminal tribunals in the restoration of post-conflict societies.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Vermeer-Künzli Annemarieke

The Subject Matters: The ICJ and Human Rights, Rights of Shareholders, and the Diallo Case

in **Leiden Journal of International Law**, Volume 24 - Issue 03 , 607-625

On 30 November 2010, the International Court of Justice issued its decision in the merits phase of the Ahmadou Sadio Diallo case. This decision turned on the questions of whether the DRC had violated Mr Diallo's human rights and his rights as a shareholder and manager in two corporations he owned in the DRC. This paper analyses the decision of the Court in the light of the choices it made and the methodology it applied, and demonstrates that both issues raise fundamental questions. The Court's decision on Mr Diallo's human rights is often ambitious to the detriment of clarity, whereas the part of the judgment dealing with corporate rights does not seem to move beyond its 1970 predecessor in *Barcelona Traction*. While understandable, this is also regrettable and the consequences for individuals doing business



and/or residing in foreign countries may be substantial.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Valerio Bosco

**The UNSG Appointment process: a second term for Ban Ki-moon
in CeMiSS - Osservatorio Strategico e Quarterly**, A. IX, Spring , 81-87

Despite being marked by the continuing disagreements within the United Nations Membership membership over several crisis situations, such as Libya, Cote d'Ivoire, Syria and Yemen, the first semester of the United Nations agenda ended with the joint UN Security Council and General Assembly's endorsement of Ban Ki-Moon's second term as Secretary General of the Organization. As anticipated during the previous months, the confirmation of Ban Ki-Moon came as a result of a stalled dialectic within the UN system - accompanied by the absence of other credible candidates – and did not represent the outcome of an open and transparent debate over the performance of the incumbent. The upcoming weeks and months of Ban KiMoon's second term will be populated by as set of old and new challenges to international peace and security which will require both stronger leadership and action by the Chief Administrator of the United Nations.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Choedon Eshi

**The United Nations Peacebuilding in Kosovo. The Issue of Coordination
in International Studies**, vol. 47, n. 1, January , 41-57

ABSTRACT: As the United Nations lacks the capacity to implement the multidimensional tasks of peacebuilding, it resorted to formal inter-organizational networking in Kosovo. The network structure gave birth to various coordination mechanisms and could accomplish some of the tasks, especially those involved with establishing straightforward institutional structures. However, it could not accomplish substantial change in Kosovo to ensure sustainable peace because there was no effective coordination. The analysis highlights the reasons for the lack of coordination among networking organizations and concludes that the United Nations Peacebuilding Commission has to be given more powers in order to overcome these problems and to bring about a degree of accountability among networking organizations.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Fairlie Megan A.

The United States and the international Criminal Court Post-Bush: A Beautiful Courtship but an Unlikely Marriage
in *Berkeley Journal of International Law*, Vol. 29.2



Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Gumboh Esther

The penalty of life imprisonment under international criminal law

in *African Human Rights Law Journal*, vol. 11, n. 1, 75-92

ABSTRACT: In light of the global trend towards the abolition of the death penalty and the stand of the United Nations on the matter, it is not surprising that the maximum penalty available under international criminal law is life imprisonment. However, during the negotiations for the penal aspects of the Rome Statute, some delegates contended that life imprisonment is a violation of human rights such as human dignity and the prohibition against cruel, inhuman and degrading treatment or punishment. On the other hand, some delegates felt that excluding life imprisonment from the International Criminal Court's competence where the death penalty was not available would handicap its mandate to punish gross human rights violators. Adopting a human rights perspective, the article revisits this debate by critically examining the penalty of life imprisonment under international criminal law. It argues that no clear justification has been given for the imposition of life imprisonment and that the release mechanism for lifers needs to be improved. Focusing on the International Criminal Tribunal for Rwanda, the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Court, the article analyses the relevant statutes and rules and the manner in which life imprisonment has been imposed by these tribunals. Further consideration is given to the enforcement of sentences with respect to the prospect of release for 'lifers'. The article concludes by stressing the need for a more focused and cautious approach to life imprisonment and the enforcement of sentences under international criminal law.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Hansberry Hans L.

Too Much of a Good Thing in Lubanga and Haradinaj: The Danger of Expediency in International Criminal Trials

in *Northwestern University Journal of International Human Rights*, vol. 9, issue 3, summer, 357-402

No abstract available

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Knab Cornelia, Ribi Forclaz Amalia

**Transnational Co-Operation in Food, Agriculture, Environment and Health in Historical Perspective:
Introduction**

in *Contemporary European History*, vol. 20, n. 3, July, Special Issue: Transnational Cooperation in Food, Agriculture, Environment and Health in Historical Perspective, 247-255

In September 2000, the United Nations (UN) presented the 'Millennium Development Goals', a universal political agenda



to tackle what it perceived to be the most pressing problems of the coming century. The Millennium Development Goals featured strategies for the fight against extreme poverty, hunger and malnutrition, the improvement of public health, the protection of the environment and the build-up of global developmental structures and partnerships. The achievement of these goals was scheduled, somewhat optimistically, for 2015. The brief time span was intended to illustrate the urgency of the issues and to spur the world into action. Just over a decade after their announcement, and not unexpectedly, the realisation of these goals has proved to be fraught with problems and by now the prospect of their universal achievement has receded into the distant future. Despite huge publicity and public endorsement, the UN's expectations for progress or at least alleviation of major problems are now difficult to maintain as the situation has been exacerbated by global food, economic and financial crises. Comprehensive global success stories, such as the eradication of certain infectious diseases, are rare. As the UN's progress review shows, the close and complex entwinement of these problems within the context of globalisation remains a major challenge.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Nay Olivier

What Drives Reforms in International Organizations? External Pressure and Bureaucratic Entrepreneurs in the UN Response to AIDS

in Governance, Vol. 24, n. 4, October , 689-712

This article explores organizational dynamics that go with the design and implementation of public administration reforms within the United Nations (UN) system. It focuses on management reforms carried out in the UNAIDS Programme, which brings together 10 UN agencies to combat the worldwide HIV/AIDS epidemic. The article suggests that understanding these reforms requires questioning the exposure of UN administrations to pressures emanating from their environment and at the same time, investigating the intentions of bureaucratic entrepreneurs who promote and drive reforms within the UN system. The empirical development demonstrates that the swift incorporation of the external pressure into a reform process in the mid-2000s cannot be dissociated from the active support of some UN agencies who have had a common interest in shifting institutional arrangements inside UNAIDS to expand their bureaucratic authority. In conclusion, the article suggests analyzing reforms within international administrations as social processes driven by both coercion and opportunities.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

O'Brien Terence

What is the true value of the United Nations? Terence O'Brien calls for a revitalisation of the world's premier multilateral organisation

in New Zealand International Review, July 1, 2011

The United Nations faces a crisis of relevance. The emerging role of the G20 summit signals potentially a most significant shift in the architecture of global co-operation. For New Zealand this is problematic. The UN system has long been the principal window through which New Zealand has been viewed by the world, It is important that the system of global multilateralism reflected in the United Nations is rehabilitated, New Zealand has a strong interest in the continued



centrality of a universal forum where convergence of interests and values can be promoted and where diversity can be understood and respected.

Section B) Global governance and international organizations

Subsection 1. The United Nations and its system

Anderson Carol

“The Moral Arc of the Universe Bends Long but It Bends toward Justice”: The Search for Justice in International Law

in *Diplomatic History*, vol. 35, n. 5, November , 787-791

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Rato Rodrigo

A new role for the IMF in the aftermath of the crisis

in *European View* , vol. 10, n. 1, June , 87-94

The global economy continues to evolve, and the future of the IMF and other international institutions will depend on how well they adapt to the new reality. A globalised economy demands an ever-increasing number of global rules which can only be overseen and arbitrated by multilateral institutions. These institutions, however, must reform if they are to earn the legitimacy this role demands. The IMF needs to adapt its governance structure to changing times but has lost none of its importance as a result of the crisis. Rather, it has taken on an enhanced role as the leading supervisor of international financial stability.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Mavroidis Petros C.

Always look at the bright side of non-delivery: WTO and Preferential Trade Agreements, yesterday and today

in *World Trade Review*, Volume 10 - Issue 03 – 2011 , 375-387

The disciplining of Preferential Trade Agreements (PTAs) by the WTO has been ‘relaxed’ recently as a result of the new context (the Transparency Mechanism) within which notified PTAs are being multilaterally reviewed. This is probably a blessing for a number of reasons, including the success of the multilateral trading system in bringing tariffs down over the years (and the ensuing reduced trade diversion), the fact that modern PTAs deal with many non-trade issues as well (for which no WTO disciplines exist), and the recent empirical literature suggesting overall positive welfare implications for those participating in similar schemes. This paper discusses these and other reasons to support the view that the WTO should rather focus on the multilateral agenda instead of diverting its attention towards disciplining PTAs. In more concrete terms, this paper argues in support of the thesis that the Transparency Mechanism should not be simply a de facto substitute of the previous regime (where outlawing a PTA could not a priori be excluded), but the de jure new forum to discuss PTAs within the multilateral trading system, at least for the time being. A first do-no-harm-policy is one



of the rationales for the thesis advocated here.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

McCormack Gerard

**American Private Law Writ Large? The Uncitral Secured Transactions Guide
in International and Comparative Law Quarterly**, Vol. 60, n. 3 , 597-625

This article provides a critical evaluation of the main provisions of the UNCITRAL Legislative Guide on Secured Transactions. It examines the Guide in the context of other international and national secured transactions instruments including article 9 of the United States Uniform Commercial Code. The clear objective of the Guide is to facilitate secured financing. It is very facilitating and enabling, and permits the creation of security in all sorts of situations. Security is seen as a good thing, through enhancing the availability of lower-cost credit. The paper suggests that this closeness in approach to article 9 is likely to militate against the prospects of the Guide gaining widespread international acceptance. This is the case for various interlocking reasons including the battering that American legal and financial norms have taken with the global financial crisis

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Croser Johanna, Anderson Kim

**Changing contributions of different agricultural policy instruments to global reductions in trade and welfare
in World Trade Review**, Volume 10 - Issue 03 – 2011 , 297-323

The GATS was concluded among countries with conflicting interests. Although all its parties were interested in this agreement as an instrument for the enhancement of global trade in services, due balance between this interest and other interests, such as the special status of developing countries and of the sovereign right of Members for domestic regulation, formed a pre-condition for countries' adherence to it. Consequently, these interests were explicitly recognized in the agreement. Nevertheless, analyzing two recent GATS/GATT cases, US–Gambling and China–Publications and AV Products, the article suggests that the WTO adjudicating bodies might be keener to legally assist a complaining developing Member than respondents which are developing Members. It further suggests that in these cases the interests of international trade liberalization seem to prevail over domestic policy goals. The article further analyzes the current and future possible adverse implications of this approach on GATS development as the only multilateral instrument for the enhancement of international trade in services.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Tooheya Lisa

**China And The World Trade Organization:
in International & Comparative Law Quarterly** , Volume 60 - Issue 03 , 788-798

By the end of 2011, China will have been a member of the World Trade Organization (the WTO) for a decade. While China has undergone dramatic changes to implement commitments contained in its Protocol of Accession, debate



continues as to whether China has adequately complied with its obligations under the WTO Agreements in both letter and spirit. Some of this debate remains in the political arena, where China is censured over such issues as currency controls and or equality of access for foreign firms like Google; however, it is in the legal arena, and specifically within the WTO's Dispute Settlement Body, that some of the most controversial issues are raised, both against and by China.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Toohey Lisa

China And The World Trade Organization: The First Decade

in *International and Comparative Law Quarterly*, Vol. 60, n. 3 , 788-798

By the end of 2011, China will have been a member of the World Trade Organization (the WTO) for a decade. While China has undergone dramatic changes to implement commitments contained in its Protocol of Accession, debate continues as to whether China has adequately complied with its obligations under the WTO Agreements in both letter and spirit. Some of this debate remains in the political arena, where China is censured over such issues as currency controls and or equality of access for foreign firms like Google; however, it is in the legal arena, and specifically within the WTO's Dispute Settlement Body, that some of the most controversial issues are raised, both against and by China.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Marcia Don Harpaz

China's WTO Compliance-Plus Anti-dumping Policy

in *Journal of World Trade*, Volume 45 Issue 4 , 727-766

Is China complying with its World Trade Organization (WTO) anti-dumping (AD) commitments? The strong import competition created by the rapid opening of China's domestic market and the continued state involvement in its industry could conceivably generate domestic pressure on the Chinese government to use AD measures intensively and possibly illegally. Moreover, since its exports are a primary global target of AD actions, China might be expected to retaliate by levying questionable AD measures on imports.

Despite factors conducive to a more protectionist bias and possible non-compliance, I argue that China is not only complying with AD rules but also demonstrating domestic restraint, and to a certain extent, a pro-liberalization interpretation of the rules. This policy along with China's Doha Round negotiating proposals on AD suggests what is characterized in this article as a compliance-plus policy. The fact that China has chosen to pursue such a policy is not trivial, taking into account the more protectionist paths taken by other key WTO members. On a broader level, this case study aims at contributing to the contemporary debate regarding China's changing role in the global arena. By complying with WTO rules, China is demonstrating that it is accepting, following, and becoming increasingly vested in their maintenance.

Section B) Global governance and international organizations



Subsection 2. The economic and financial international organizations

Warren H. Maruyama

Climate Change and the WTO: Cap and Trade versus Carbon Tax?

in *Journal of World Trade*, Volume 45 Issue 4 , 679–726

In the rush to enact cap and trade, major World Trade Organization (WTO) concerns have been overlooked. These problems are not necessarily fatal, but fixing them would have political costs. Free emissions allowance rebates to trade-intensive industries represent a WTO-illegal export subsidy, which may make a US cap-and-trade system unworkable for export-dependent economies like Japan, Germany, and China. The best interim solution would be a carbon or energy tax that is imposed on imports and rebated on exports to ensure a level playing field. Such a system could be implemented under the WTO's existing border tax adjustment rules even in the absence of a multilateral climate agreement.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Michaelowa Axel, Michaelowa Katharina

Climate business for poverty reduction? The role of the World Bank

in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 259-286

ABSTRACT: The World Bank is increasingly active in the area of climate change mitigation. While it justifies this engagement with its poverty reduction objective and its capacity to pave the way for new business activities in developing countries, critics blame the World Bank as a “climate profiteer” and as an unfair competitor in private markets. Our econometric analysis of over 2,000 projects registered until May 2010 under the Clean Development Mechanism (CDM) of the Kyoto Protocol allows us to compare the activities of the Bank with those of other, primarily private actors. The results indicate that hardly any of the CDM projects can be considered as strongly pro-poor. Nevertheless, in comparison to the rest of the CDM projects, the Bank’s portfolio shows a relatively clearer orientation towards poor countries. Within these countries, however, the Bank does not show any particular pro-poor focus, and tends to implement those projects that are commercially most attractive. Moreover, there is no evidence of the Bank phasing out its activities once the market becomes fully operational, which goes against its professed pioneering and catalytic role in carbon markets.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Vauber Roland

Comment on Conway (2010): The role of the International Monetary Fund in the financial crisis

in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 477-482

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations



Bernholz Peter

Comment on Joyce and Razo-Garcia (2011): Reserves, quotas and the demand for international liquidity
in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 473-475

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Michaelowa Katharina

Comment on Marchesi and Sitori (2011): Why is two better than one? Some comments on cooperation and competition between the World Bank and the IMF

in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 461-467

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Weaver Catherine

Comment on Michaelowa and Michaelowa (2011): Climate business for poverty reduction: The role of the World Bank

in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 457-460

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Morrissey Oliver

Comment on Mosley (2010): Trust and conditionality, or can the World Bank Leopard change its spots

in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 453-456

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Willett Thomas D.

Comment on Vreeland (2011): Foreign aid and global governance: Buying Bretton Woods—the Swiss-bloc case
in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 469-472

ABSTRACT: This comment discusses highlights of Vreeland's excellent analysis of how Switzerland was able to use foreign aid to secure its election to provide the executive director to the IMF from its group of countries. This sheds light on a little understood aspect of the governance of the IMF. The comment goes on to argue, however, that the formal role



of the executive directors in the operation of the IMF has been substantially diminished over time and that inclusion of more representatives from emerging market countries in the IMF's senior management team is a more important way of substantively increasing the influence of these countries on the behavior of the IMF.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Allee Tod, Peinhardt Clint

Contingent Credibility: The Impact of Investment Treaty Violations on Foreign Direct Investment in International Organization, vol. 65, issue 3 , 401-432

ABSTRACT: During the past few decades governments have signed nearly 2,700 bilateral investment treaties (BITs) with one another in an attempt to attract greater levels of foreign direct investment (FDI). By signing BITs, which contain strong enforcement provisions, investment-seeking governments are thought to more credibly commit to protecting whatever FDI they receive, which in turn should lead to increased confidence among investors and ultimately greater FDI inflows. Our unique argument is that the ability of BITs to increase FDI is contingent on the subsequent good behavior of the governments who sign them. BITs should increase FDI only if governments actually follow through on their BIT commitments; that is, if they comply with the treaties. BITs allow investors to pursue alleged treaty violations through arbitration venues like the International Centre for the Settlement of Investment Disputes (ICSID), a heavily utilized and widely observed arbitral institution that is part of the World Bank. Being taken before ICSID, then, conveys negative information about a host country's behavior to the broader investment community, which could result in a sizeable loss of future FDI into that country. We test these contingent effects of BITs using cross-sectional, time-series analyses on all non-OECD countries during a period spanning 1984–2007. We find that BITs do increase FDI into countries that sign them, but only if those countries are not subsequently challenged before ICSID. On the other hand, governments suffer notable losses of FDI when they are taken before ICSID and suffer even greater losses when they lose an ICSID dispute.

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 2 , 249-265

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

Michael Strange

Discursivity of Global Governance Vestiges of “Democracy” in the World Trade Organization

in Alternatives: Global, Local, Political, 36 (3) , 240-256

Global governance is neither democratic nor entirely undemocratic. For example, within the World Trade Organization (WTO) formally all member-states have equal power over decision making. The WTO's dispute settlement body (DSB) acts to enforce the rule of law over so-called power politics. The WTO's secretariat organizes regular meetings with civil society groups, and resources are spent on facilitating transparency, including putting a vast amount of official documentation online. However, there is large power asymmetry between WTO member-states. This article sidesteps the classic response to such dilemmas, in which debate hinges on how much or how little the institution is able to ameliorate realpolitik, and considers the role the vestiges of “democracy” play in the WTO. Drawing on the work of Ernesto Laclau and Chantal Mouffe, among others, the author argues that the discourse of democracy embodied in the WTO expresses the wider process through which the institution is legitimated as the body of global trade politics. This has implications for understanding not only how global governance is discursively formed but also whether civil society groups critiquing the WTO threaten the WTO or, by accepting the premise of its predominance in global trade politics, effectively strengthen it.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Switzer Stephanie, McMahon Joseph A

EU Biofuels Policy—Raising The Question Of WTO Compatibility

in International and Comparative Law Quarterly, Vol. 60, n. 3 , 713-736

Governments intervene in the energy sector using a variety of measures to pursue a range of objectives, from security of supply and energy efficiency to environmental protection. Recent concerns about the impact of fossil fuels on climate change have resulted in the increasing promotion of biofuels as an alternative to oil. While worries exist with regard to the environmental impact of biofuel production in ecologically sensitive areas, it has been argued that with an effective regulatory framework to promote sustainable production, biofuels could provide a mechanism to provide energy security in an environmentally positive way. The interest of the European Union (EU) in the promotion of biofuels production is a relatively recent phenomenon and it is now the world's largest producer of biodiesel and the fourth largest producer of bioethanol. At its most basic level, the promotion of biofuels as an alternative to fossil fuels is part of a wider EU effort to support the use of renewable energy. The promotion of renewable energy is traceable to a number of goals, a central one of which is ensuring security of energy supply. Other policy goals supported by the promotion of renewable energies include reducing greenhouse gas emissions associated with climate change, decreasing dependence upon imported oil, the promotion of technological development as well as regional and rural development and employment.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Mohd Zin, Shahrizal; Sarah Kazi, Ashraf U



Environment Exceptions under Article XX of the General Agreement on Tariffs and Trade (GATT): The Significance of Customary International Law and its Role in the World Trade Organisation (WTO) Dispute
in *Indian Journal of International Law*, volume 51, issue 1 , 1-21

Section B) Global governance and international organizations
Subsection 2. The economic and financial international organizations
Zimmermann Claus D.

Exchange Rate Misalignment and International Law
in *American journal of international law*, Vol. 105, n. 3 , 423-476

Efforts to control exchange rate manipulation through international law face substantial barriers. Disregarding problems of proof, the relevant IMF standards are legally ineffective; WTO actions based on illegal export subsidies would have a weak legal foundation; potential U.S. legislation, if enacted, would likely violate the WTO Agreement; and the uncertain interface of the WTO and IMF would compromise any WTO claim based on maintaining an undervalued real exchange rate. Ongoing problems concerning exchange rate manipulation will be solved, if at all, through political cooperation, not international law.

Section B) Global governance and international organizations
Subsection 2. The economic and financial international organizations
Moser Christoph, Sturm Jan-Egbert

Explaining IMF lending decisions after the Cold War
in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 307-340

ABSTRACT: This paper empirically investigates the economic and political factors that affect a country's likelihood to sign an arrangement with the IMF and the determinants of the financial size of such a program. Arguably the world and the global financial architecture underwent structural changes after the ending of Cold War and so did the role of the IMF. Hence, we update and extend the work of Sturm et al. (*Economics and Politics* 17: 177–213, 2005) by employing a panel model for 165 countries that focuses on the post-Cold War era, i.e., 1990–2009. Our results, based on extreme bounds analysis, suggest that some economic and political variables are robustly related to these two dimensions of IMF program decisions. Furthermore, we show that it is important to distinguish between concessional and non-concessional IMF loans.

Section B) Global governance and international organizations
Subsection 2. The economic and financial international organizations
Simma Bruno

Foreign Investment Arbitration: A Place For Human Rights?
in *International and Comparative Law Quarterly*, Vol. 60, n. 3 , 573-596



The protection of foreign investment by way of treaties and arbitration has recently suffered attacks on its legitimacy. The article turns on human rights concerns in this context and analyses what legal mechanisms and arguments can be employed to ease the tension between investment protection and human rights. Harmonization in this regard finds two key entry points: first, at the inter-State level of investment agreements, and secondly, at the intra-State level of the foreign investment contract. At the first level, human rights considerations, particularly concerning economic and social rights, can be brought to bear by way of their systematic integration qua treaty interpretation. The article subjects this inroad to close scrutiny but concludes that, while it possesses considerable merits and has attracted a certain attention (albeit still more in the academic world than in that of arbitration practice), it remains an approach *ex post*, possibly leaving excessive discretion to arbitrators. Thus, at the second level, already at the pre-investment stage, efforts should be made to recast investors' "legitimate expectations" under foreign investment contracts by including a "human rights audit" as part of the due diligence to be conducted by the investor and the host State, to survey the host State's human rights treaty commitments and domestic methods for implementing these commitments. The primary objective of this audit would thus be to fully include the prospective host State's international obligations as part of the body of applicable law and thus create a better map of the landscape of an investor's "legitimate expectations".

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Vreeland James Raymond

Foreign aid and global governance: Buying Bretton Woods – the Swiss-bloc case
in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 369-391

ABSTRACT: Power in the world's preeminent international financial institutions—the World Bank and the International Monetary Fund—resides in their Executive Boards. How do governments get elected to these international committees? This study quantitatively explores whether wealthy governments provide more foreign aid to poor governments that offer them political support. The focus is on Switzerland, which is elected to the Executive Board of the Bretton Woods Institutions by a group of countries from Central and Western Asia, and Eastern and Southern Europe. Results confirm the hypothesis. Implications for governance in a multipolar world are discussed.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Fratzscher Marcel, Reynaud Julien

IMF surveillance and financial markets—A political economy analysis
in *European Journal of Political Economy* , Volume 27, Issue 3, September 2011 , Pages 405-422

The International Monetary Fund (IMF) is in the process of re-inventing itself with bilateral and multilateral surveillance emerging as a key function. The paper analyses how IMF surveillance announcements may be influenced by political power that member countries exert at the IMF. First, we analyze the content of Article IV Public Information Notices (PIN), and second, we use the financial market reaction to the released PINs as tools to identify the role of political economy factors for IMF surveillance. For a set of emerging market economies, the paper finds that financial markets react more favorable to PIN releases for politically influential member countries. Moreover, IMF surveillance appears to be systematically more favorable for countries with larger IMF loans outstanding, consistent with the finding in the literature that the IMF may engage in 'defensive surveillance'.



Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Duina Francesco , Morano-Foadi Sonia

Introduction: The Institutionalisation of Regional Trade Agreements Worldwide: New Dynamics and Future Scenarios

in *European law journal*, Volume 17, Issue 5, September , 561–567

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Marchesi Silvia, Sirtori Emanuela

Is two better than one? The effects of IMF and World Bank interaction on growth

in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 287-306

ABSTRACT: We estimate the impact on economic growth of the joint participation in both IMF and World Bank programs. More specifically, using panel data for 128 developing countries over the period 1982–2005, and employing 2SLS to control for the possible endogeneity of participation in an IMF/World Bank program, we find that the interaction between these two organizations has a positive and significant impact on growth. The paper then opens up interesting new research questions related to investigate further on the effects of Bank–Fund simultaneous action and, to the extent to which their stronger impact on growth may depend on Bank–Fund interaction, also ways to optimize their joint effect through greater cooperation.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Decorzant Yann

La Société des Nations et l'apparition d'un nouveau réseau d'expertise économique et financière (1914-1923)

in *Critique Internationale*, N°52, Juillet/Septembre 2011 , 35-50

The League of Nations and the Emergence of a New Network of Economic-Financial Expertise (1914-1923)

This article examines the role played by the League of Nations' Financial and Economic Organization (FEO) as a vector of development of a new expert network in the interwar years. By examining its origins during the First World War and its early years of operation, we will show how, through its activities and the issues they raised, the FEO engendered an expert network that was both internal and external to the LON. The creation of this network and its institutionalization were responses to international and transnational dynamics as well as to a much broader need for regulation, the counterpart to growing interdependence and economic internationalization since the second half of the nineteenth-century. While this study to some degree resembles other recent research on international organizations, it departs from this research by virtue of its structural component, which links the organization to deep movements in economic development and global finance.



Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Adinolfi Giovanna

Le recenti evoluzioni in seno al FMI tra crisi economico-finanziaria e processi di governance economica internazionale

in *Diritto del Commercio Internazionale*, 25.2 , 271-334

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Brown Gordon

Mini-lateralism Will Get Us Nowhere

in *New Perspectives Quarterly*, Vol. 28, Issue 3, Summer , 13-15

The further we get from the crisis moment of the global financial meltdown in 2008–2009, the weaker the momentum to establish an effective system of global governance. Gordon Brown, the former prime minister of Great Britain who hosted the most successful G-20 conclave in London at the apex of the crisis, laments the complacency that has taken over. With the scandalous departure of Dominique Strauss-Kahn as head of the International Monetary Fund, a global debate has opened up over whether the emerging economies should have a greater voice in that institution. Nobel laureate Michael Spence comments.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Alvareds-Jiménez Alberto

Mutually agreed solutions under the WTO Dispute Settlement Understanding: An Analytical Framework after the Softwood Lumber Arbitration

in *World Trade Review*, Volume 10 - Issue 03 – 2011 , 343 - 373

The unprecedented enforcement of the mutually agreed solution (MAS) in the WTO Softwood Lumber disputes – but outside the WTO dispute settlement system – and the recent use of MAS to resolve important trade disputes should trigger a hard look at these dispute settlement instruments provided for by the DSU. This article seeks to provide a detailed framework of analysis of MAS under the DSU that allows the WTO dispute settlement system to adjudicate MAS-related disputes. WTO Members should not go outside the system to enforce MAS. The article illustrates that MAS can create binding obligations and that MAS are WTO law, given the explicit reference to them in the DSU, their intimate relation with the WTO-covered agreements and the requirement for compliance with these agreements. In addition, the article offers an interpretation of the DSU that allows panels and the Appellate Body to regard MAS as applicable law. This interpretation is offered in the view that there is no policy reason to sustain that these controversies – always fully related to WTO rights and obligations and framed under the corners of the covered agreements – have to be resolved



by an adjudication system other than that of the WTO.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Elsig Manfred

Principal–agent theory and the World Trade Organization: Complex agency and ‘missing delegation’
in *European Journal of International Relations* , vol. 17, n. 3, september , 495-517

ABSTRACT: This article analyses the World Trade Organization within a principal–agent framework. The concept of complex agent is introduced to focus on the variety of actors that comprise an international organization. Special attention is paid to the relationship between contracting parties’ representatives and the Secretariat. In the empirical part, the article analyses the role of the Secretariat in assisting negotiations and presents evidence of declining influence. It is shown how principal–agent theory can contribute to addressing this puzzle of ‘missing delegation’. The article concludes with a cautionary note as to the ‘location’ of international organizations’ emerging pathologies and calls for additional research to address the relationship between material and social sources to explain behaviour of the key actors within the complex agency.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Atoyan Ruben, Conway Patrick

Projecting macroeconomic outcomes: Evidence from the IMF
in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 415-441

ABSTRACT: In the process of designing IMF-supported programs, IMF staff members prepare projections of the evolution of key macroeconomic variables for the participating country. These projections are based on countries’ initial situations, and are conditioned on the implementation of reforms and policy measures agreed in the context of programs. In this paper, we examine the accuracy of projections in 291 programs approved in the period 1993–2009. We focus on the projections of three macroeconomic variables (the ratios of the fiscal surplus to GDP and of external current account surplus to GDP, and real GDP growth) during the years immediately following the initiation of an IMF-supported program. We identify several potential reasons for divergence of projected from actual values: (i) mismeasured data on initial conditions; (ii) country-specific differences in forming projections, (iii) projections that do not reflect the dynamic time-series process of the actual data; (iv) policy forecast error; and (v) random errors in the actual data. Our data analysis suggests that the incomplete information on initial conditions and the country-specific differences in projection error are the largest contributors to discrepancies between projection and actual. We also consider whether the IMF’s forecasts have gotten more accurate in recent years; there is evidence that they have for the shortest horizons, but the quantitative impact on forecast error is small.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Sappideen Razeen

Property rights, human rights, and the new international trade regime



in *International Journal of Human Rights (The)*, Vol. 15, issue 7 , 1013-1030

This article examines how the empowering of the multinational corporation (MNC)¹

A note on terminology: acronyms used in this paper apply in the singular and plural depending on their particular context, e.g. LDC (least developed country), and MNC (multinational corporation), etc. View all notes under the World Trade Organization (WTO) agreements affects the human rights of least developed country citizens (LDC). In addition to limited liability, the MNC under the WTO agreements now enjoy the benefits of ease of entry, exit, repatriation of profits, freedom of business activity generally, and more importantly, very strong property rights protection. The article highlights some conflicts of interest arising between MNC and LDC states and its citizens, and the battle between MNC property rights protection and the observance of fundamental human rights, and looks at ways of addressing these problems.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Mosley Paul

RETRACTED ARTICLE: Trust and conditionality; Or, can the World Bank 'Leopard' change its spots?

in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 483

No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Joyce Joseph P., Razo-Garcia Raul

Reserves, quotas and the demand for international liquidity

in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 393-413

ABSTRACT: The foreign exchange reserves held by emerging market economies rose significantly in the last decade. This increase has been attributed to a desire by these countries to self-insure themselves against financial shocks. The rise in reserves may also reflect their concerns about the size of their IMF quotas, which set limits on the amount of credit that countries could draw from the IMF, and the conditionality associated with borrowing from the IMF. We offer a model of the choice by central banks between quotas and reserves to demonstrate that emerging markets will choose to hold relatively more reserves than advanced economies. We then investigate the impact of IMF quotas on reserve holdings for a panel of countries during the period of 1980–2006. In addition to finding evidence of precautionary and mercantilist motives for holding reserves in emerging markets, we also find that reserves in these countries have been inversely related to their IMF quotas.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Di Plinio Giampiero

Rule of law/fazhi: il diritto in Cina tra WTO e Asian Values

in *Diritto pubblico comparato ed europeo*, n. 2 , 326-338



No abstract available

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Renu Modi

The Best and the Worst of the World Bank: Involuntary resettlement and the Mumbai Urban Transport Project (MUTP), India

in Development, Vol. 54, n°3 , 400-406

Looks at the impacts of development-caused displacement in the urban context of Mumbai

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Alessandro Politi

The Brazilian and Venezuelan power system and the election in Peru

in CeMiSS - Osservatorio Strategico e Quarterly, A. IX, Spring , 61-66

During the second quarter of 2011 two structural changes have taken place regarding WTO and green policies.

Brazil has gained in importance at global level by inducing, through a WTO arbitration on orange juice exports, the USA to change long standing and controversial antidumping regulations and, implicitly, to abandon in part the idea that American exceptionalism is a practicable policy.

Bolivia has set a remarkable precedent in the field of green policies by approving in parliament the Mother Earth Law: defining nature as a juridical subject, with specific rights and bodies to enforce these rights, may have in future an impact at United Nations level.

In the same period, a serious illness of the actual president of the Bolivarian Republic of Venezuela, Hugo Chavez, has exposed the lack of credible successors or replacements for the government of the country. Practical solutions need at least some temporary and partial delegation of powers, otherwise the government could risk instability.

The current narco-wars in Latin America have revealed two major developments: the Mexican organised crime war could end with two major victors (Sinaloa and Los Zetas cartels), while at continental level there is a governmental and criminal interaction between Mexico, Colombia and Venezuela. The recent effective collaboration between these two countries against Colombian narco-guerrillas could be jeopardised by the destabilising influence of Mr. Chavez's illness.

The election of Peruvian president, Humala Ollanta, has a significance that goes beyond the usual debate if this politician will be in favour or against so called free-market policies. The most important characteristics of this leader are: economic policies that put together growth and social development; programmes of technological modernisation and the effort to build wider continental alliances around a link with Brazil.



Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Baroncelli Eugenia

The EU at the World Bank: Institutional and Policy Performance

in *Journal of European Integration*, Volume 33, Issue 6 , 637-650

This article investigates the main dimensions of the performance of the European Union (EU) in the World Bank's Executive Board, focusing specifically on the institutional and policy levels, and suggesting potential approaches to explain the EU's field performance in World Bank-coordinated and multi-donor projects. Based on a set of different empirical sources (interviews; documentary surveys on EU, World Bank, and third-party documents), the article identifies the main determinants of the variation in the EU's performance, and provides inputs towards an overall explanatory framework of the Union's achievements at the World Bank.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Mavroidis Petros C., Marchetti J. A.

The Genesis of the GATS (General Agreement on Trade in Services)

in *European Journal of International Law*, Vol. 22, issue 3 , 689-721

The Uruguay Round services negotiations saw the light of day amidst pressures from lobbies in developed countries, unilateral retaliatory actions, and ideological struggle in the developing world. The final outcome, the GATS, certainly characterized by a complex structure and awkward drafting here and there, is not optimal but is an important first step towards the liberalization of trade in services. This article traces the GATS negotiating history, from its very beginning in the late 1970s, paying particular attention to the main forces that brought the services dossier to the multilateral trading system (governments, industries, and academics), and the interaction between developed and developing countries before and during the Uruguay Round. We will follow the actions, positions, and negotiating stances of four trading partners – Brazil, the European Union, India, and the United States – that were key in the development of the GATS. Finally, we will, indicatively at least, try to attribute a 'paternity' (or, rather, a 'maternity') to some key features and provisions of the agreement.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Meltzer Allan H.

The IMF returns

in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 443-452

ABSTRACT: The IMF's role in world financial markets increased following the credit and housing market crises. One good change was the acceptance of a proposal made by the Meltzer Commission to adopt a "flexible credit line" that grants responsible borrowers a line of credit to use in emergencies. Some mistaken changes gave the IMF a large increase in lending resources, relaxed the requirements for reform imposed on borrowers, and increased loans to risky borrowers such as Ukraine. Borrowing should be used to prevent the spread of financial crises, not to bailout imprudent



borrowers that mismanage their economy.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Julie L. Mueller

The IMF, Neoliberalism and Hegemony

in **Global Society**, Volume 25, Issue 3 , 377-402

This article examines the role of the International Monetary Fund (IMF) in supporting the current hegemonic forces in the global economy. It challenges the current rational choice approach to understanding the Fund in mainstream journals as being too narrow in scope and unambitious in its critique of the Fund. I pose an alternative means of critique that assesses the Fund from a historical materialist perspective and examine the Fund's function in promoting hegemonic norms and co-opting elites in the developing world. This type of critique has been absent in recent scholarship and must be the focus of creating meaningful change within the Fund.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Juscelino F. Colares

The Limits of WTO Adjudication: Is Compliance the Problem?

in **Journal of International Economic Law**, Vol. 14, Num. 2 , 403-436

Mainstream international trade law scholars have commented positively on the work of World Trade Organization (WTO) adjudicators. This favorable view is both echoed and challenged by empirical scholarship that shows a high disparity between Complainant and Respondent success rates (Complainants win between 80 and 90 percent of the disputes). Regardless of how one interprets these results, mainstream theorists, especially legalists, believe more is to be done to strengthen the system, and they point to instances of member recalcitrance to implement rulings as a serious problem. This article posits that such attempts to strengthen compliance are ill-advised. After discussing prior empirical analyses of WTO adjudication involving primary rights and obligations under the WTO agreements (i.e. substantive adjudication), this article expands the empirical study into compliance disputes. It finds that 'enforcement' proceedings do protect the pro-free trade interests so overwhelmingly supported in substantive adjudication. Since that is the case, this article investigates the extent to which current levels of non-compliance might constitute a threat to this regime, and theorizes that the observed level is not only acceptable but a necessary feature of the system. I conclude by arguing that compliance-related issues must be viewed in a broader perspective that transcends narrow legalistic views and accounts for the multifaceted interests of, and differences among, WTO members.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Michael N. Jacobs

The Offensive Power of Regional Trade Agreements

in **Journal of World Trade**, Volume 45 Issue 4 , 767-784



Given the bilateral structure of the World Trade Organization (WTO) dispute settlement process, several scholars have concluded that success in the process is determined by the complainant state's ability to make a credible and potentially harmful retaliatory threat to the respondent state. Previous research has found that the trade relationship between the two states in a dispute influences the potential potency of retaliatory threats. This analysis builds off of previous studies and hypothesizes that membership in a Regional Trade Agreement (RTA) will increase a state's bargaining position and its success in the dispute process. A probit regression is used to test this hypothesis. Fifty-seven dispute settlement cases from 1995-1998 are included in the analysis. The results indicate that RTA membership does increase a state's likelihood of success in the WTO dispute settlement process, but only for the complainant state in the dispute.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Flor Elena

**The Palais-Royal Initiative on the Reform of the International Monetary System
in Federalist Debate (The)**, Year XXIV, n. 2, July

<http://www.federalist-debate.org/fdb/archive/detail.bfr>

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Kissack Robert

**The Performance of the European Union in the International Labour Organization
in Journal of European Integration**, Volume 33, Issue 6 , 651-665

This article examines European Union (EU) performance by assessing its effectiveness in the International Labour Organization (ILO) and the relevance of the EU to its major stakeholders between 1992 and 2010. Making a distinction between technical and political domains, it maps the ILO policy-making structures in which the EU must operate. In the technical domain, it argues that although the EU has been effective in uploading its policy preferences into ILO labour standards, the relevance of collective EU representation to the member states has marginally increased since 1992 by comparison to the previous 20 years. In the political domain, there has been considerable progress enhancing EU performance in promoting compliance with labour standards within the ILO's monitoring system, although the increase results more from higher relevance than from greater effectiveness. It also argues that the institutional environment of the ILO, constituted by its rules, norms and practices, plays an important role in assessing EU performance. Doing so calls into question established assumptions about EU behaviour in international organisations.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Spence Michael

**The Process Is the Message: The IMF Leadership and Global Governance
in New Perspectives Quarterly**, Vol. 28, Issue 3, Summer , 15-17



The further we get from the crisis moment of the global financial meltdown in 2008–2009, the weaker the momentum to establish an effective system of global governance. Gordon Brown, the former prime minister of Great Britain who hosted the most successful G-20 conclave in London at the apex of the crisis, laments the complacency that has taken over. With the scandalous departure of Dominique Strauss-Kahn as head of the International Monetary Fund, a global debate has opened up over whether the emerging economies should have a greater voice in that institution. Nobel laureate Michael Spence comments.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Young Alasdair R.

The Rise (and Fall?) of the EU's Performance in the Multilateral Trading System

in *Journal of European Integration*, Volume 33, Issue 6 , 715-729

The multilateral trading system represents an excellent case for analyzing the factors influencing the EU's performance in international institutions, because of the marked changes that have taken place both in the EU and in the multilateral trading system over the past six decades. Moreover, trade is the international policy arena in which the EU has greatest power resources and greatest institutional capacity. Perhaps not surprisingly, therefore, the EU has long performed well in the multilateral trading system. The article, however, argues that internal changes in the late 1980s and early 1990s enabled the EU to advance a more ambitious agenda in the multilateral trading system. The enhanced ambition translated temporarily into enhanced performance within the multilateral trading system, but this was short-lived as the emergence of new trading powers hostile to the EU's agenda in the late 1990s resulted in the erosion of its ambitious agenda in the Doha Development Round.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Broz Lawrence J.

The United States Congress and IMF financing, 1944–2009

in *Review of International Organizations (The)* , vol. 6, n. 3-4, september , 341-368

ABSTRACT: Since 1944, United States financing of the International Monetary Fund (IMF) has been appropriated and approved in Congress by roll-call vote. If voting to increase funds to the IMF is viewed as an observable signal of "support" for the IMF, these votes provide a historical record of legislative support for the IMF in the United States. I analyze roll-call voting on IMF financing from 1944 to 2009 at both the aggregate (congressional) and the micro (legislator) levels. At the aggregate level, I show that support for the IMF has fallen over time in the House of Representatives but not in the Senate. In the micro-analysis, I use a "natural experiment" to establish that this intercameral difference is the result of the Senate's larger and more heterogeneous constituencies, as opposed to other modeled and unmodeled factors. I also find that legislator support for the IMF is shaped strongly by ideology: regardless of chamber, left-wing legislators are as much as 31 percentage points more likely to support the IMF than right-wing legislators. Yet controlling for ideology, senators are more likely to support the IMF than representatives, and



representatives are more sensitive to constituency pressures than senators. I attribute these differences to chamber-specific rules governing the size of constituencies.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Wittig Stephan

The WTO Panel Report on Boeing subsidies: a critical assessment
in *Intereconomics*, Volume 46, Number 3 / June 2011 , 148-153

On 31 March 2011, the World Trade Organisation's Dispute Settlement Body circulated the final Panel Report on US subsidies for the aircraft manufacturer Boeing. The long expected decision marks a turning point in the biggest trade dispute in WTO history, but its interpretations diverge substantially: both the United States and the European Union have claimed a "sweeping" victory, and yet both parties appealed parts of the Panel Report in April 2011. In addition, the Airbus Appellate Body Report in the Airbus case, which was issued on 18 May 2011, reversed many of the Panel's findings against the EU. Which WTO-inconsistent subsidies did the Dispute Settlement Body find and what is the outlook for the future?

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Chang Pao-Li, Lee Myoung-Jae

The WTO trade effect
in *Journal of International Economics*, Volume 85, Issue 1, September 2011 , Pages 53-71

This paper re-examines the GATT/WTO membership effect on bilateral trade flows, using nonparametric methods including pair-matching, permutation tests, and a Rosenbaum (2002) sensitivity analysis. Together, these methods provide an estimation framework that is robust to misspecification bias, allows general forms of heterogeneous membership effects, and addresses potential hidden selection bias. This is in contrast to most conventional parametric studies on this issue. Our results suggest large GATT/WTO trade-promoting effects that are robust to various restricted matching criteria, alternative GATT/WTO indicators, non-random incidence of positive trade flows, inclusion of multilateral resistance terms, and different matching methodologies.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Schill Stephan W.

W(h)ither Fragmentation? On the Literature and Sociology of International Investment Law
in *European Journal of International Law*, Vol. 22, issue 3 , 875-908

Few international legal fields have seen an increase in literature over the past decade as steep as international investment law. This reflects the growing interest in practice and academia in what is probably not only the most dynamic area of international law but also one with significant impact on domestic law and policy-making. What is striking, apart from the sheer enormity of writing, however, is the changes the discourse on international investment law



has undergone. Focus, topics, conceptual and methodological approaches, authorship, and audiences of the present literature differ significantly from that of the turn of the millennium. This reflects both an evolution in the law itself and changes in the professional, political, and institutional practices and communities involved. The literature on international investment law thus is a reflection of the sociological dimension of a discipline that until recently was the province of a small group of specialists and now is rapidly moving mainstream.

Section B) Global governance and international organizations

Subsection 2. The economic and financial international organizations

Reyes Carla L.

WTO-Compliant Protection of Fundamental Rights: Lessons From the EU Privacy Directive
in *Melbourne Journal of International Law*, Volume 12, Issue 1 (June 2011) , 1-36

Nation states often create legislative schemes regulating services industries in order to protect fundamental rights such as human life, economic security, or human security. World Trade Organization members are constrained in their creation of such regulatory schemes by their obligations under the General Agreement on Trade in Services ('GATS'). WTO members raised concerns about such constraints even before the creation of GATS. As a result, GATS contains clauses specifically designed to allow members enough regulatory latitude to protect important domestic social interests, such as fundamental rights, while simultaneously liberalising trade in services. WTO jurisprudence interpreting these clauses, however, has called the robustness of this reserved power into question. Using the European Union's attempt to protect the fundamental right to privacy through a WTO-compliant privacy directive as a case study, this article highlights important aspects of international trade law that policymakers should take into consideration when deciding.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Jian Yang, Rashid Ahmed Siddiqi

About an 'All-Weather' Relationship: security foundations of Sino-Pakistan relations since 9/11
in *Journal of Contemporary China*, Volume 20, Issue 71 , 563-579

The traditionally close relationship between China and Pakistan cooled off somewhat with the end of the Cold War, mainly due to China's efforts to improve its relations with India and the disappearance of the Soviet threat. While China has continued to pursue its rapprochement with India after 9/11, developments since 9/11 have reinforced the security foundations of Sino-Pak relations and have consequently reversed the downward trend in the relationship leading to enhanced cooperation in a number of areas. US involvement in Central Asia and deepening Indo-US collaboration have further increased Pakistan's strategic importance for China. Islamabad also occupies a prominent position in Beijing's energy security and its efforts to stabilize Xinjiang.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Ted Galen CARPENTER

Agli Stati Uniti quest'alleanza non serve più (1999)

in *Limes*, I Classici - 2/2011 - Dream over, l'America torna a casa



Dopo la Bosnia e il Kosovo, il concetto strategico della Nato è diventato molto vago. Le ambiguità di Clinton e l'umanitarismo di Blair favoriscono l'abbandono dei principi originali. I nuovi dispositivi di sicurezza in Europa devono essere europei.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Lee Jones

Beyond securitization: explaining the scope of security policy in Southeast Asia
in *International Relations of the Asia-Pacific*, Volume 11, Issue 3, September , 403-432

Since the late 1980s, the scope of security policy has widened dramatically to encompass a wide range of 'non-traditional' threats. Southeast Asian states have superficially appeared to embrace this trend, broadening their security discourse considerably. However, they are also often criticized for failing to translate this discursive shift into concrete regional cooperation to tackle these new threats. This article critiques the dominant theoretical framework used to explore the widening of states' security agendas – the Copenhagen School's 'securitization' approach – as unable to account for this gap due to its fixation on security discourse rather than practice. Drawing on state theory and insights from critical political economy, the article argues that the scope of regional security policy is better accounted for by the distinctive nature of state–society relations within Southeast Asia. The argument is advanced using case studies of Southeast Asian states' policies toward Burma, environmental degradation, and border conflicts.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

G. Curtis

Charting a Future Course for US-Japan Relations
in *Asia Pacific Review*, Volume 18, Issue 1 , 1-12

This article first examines specific recent issues facing the two countries, namely the Senkaku Islands fishing boat incident and the relocation of the Futenma Marine air base in Ginowan city, Okinawa, and then proceeds to make some observations on the larger issue of the future of the alliance.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Irondelle Bastien, Lachmann Niels

L'OTAN est-elle encore l'OTAN ?

in *Critique Internationale*, N°53 - Octobre/Décembre

La pérennité de l'OTAN après la fin de la guerre froide contredit le postulat des réalistes qui veut que les alliances militaires soient vouées à ne pas survivre à la disparition de la menace qu'elles étaient censées contrer. L'Organisation a même fait de sa capacité de transformation l'une de ses valeurs fondamentales, et cette capacité apparaît démontrée à la fois par ses opérations militaires et humanitaires inédites et par son élargissement à de nouveaux membres. La dynamique centrale est la mutation d'une alliance défendant l'Europe et l'Amérique du Nord en une organisation de gestion de crise intervenant avant tout en dehors de son territoire. Cependant, ce qui a permis à l'OTAN de durer, c'est



l'institutionnalisation de certains éléments de stabilité : une bureaucratie et une structure de commandement permanentes, la relative homogénéité de ses membres, qui sont tous désormais des démocraties, ainsi qu'une prise de décision marquée par la prééminence des États-Unis et le respect de la souveraineté par le principe d'unanimité. La transformation de l'Organisation est toutefois limitée par les dissensions entre des membres toujours plus nombreux et divers et par l'inertie de l'appareil organisationnel. L'étude du changement au sein de l'OTAN montre que les divers types de changement qui peuvent toucher une organisation internationale – dans sa structure, dans l'appartenance et dans la dimension normative et cognitive – ne vont pas forcément de pair.

NATO's survival following the end of the Cold War contradicts the postulate of realists, according to whom military alliances are destined to collapse with the disappearance of the threat they are intended to counter. The Organization has even made a fundamental value out of its ability to transform itself, an ability that seems to have been demonstrated by its unprecedented humanitarian and military operations and its enlargement to include new members. The central dynamic at work here is the transformation of an alliance defending Europe and North America into a crisis management organization that above all intervenes outside of its territory. Yet what permits NATO to survive is the institutionalization of certain arrangements favoring stability: a permanent bureaucracy and command structure, the relative homogeneity of its members (which are now all democracies) and a decision-making process marked by the preeminence of the United States and respect for sovereignty by the principle of unanimity. The Organization's transformation is nevertheless limited by divergences within its ever-growing and more diverse membership and by the inertia of the organizational apparatus. Studying change within NATO shows that the various types of change that can affect an international organization – its structure, membership and normative and cognitive dimensions – do not necessarily go without saying.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Verluisse Pierre

NATO-EU : The Georgian Equation

in *Revue internationale et stratégique*, 2011/2 (n° 82) , 30-39

Following the "Rose Revolution" (2003), Georgia embarked on the process to move closer to NATO membership, with a view of securing its independence from Russia. This being their primary concern, relations with the European Union became secondary in their priorities. The war in August 2008 obliged Tbilissi to rethink its schedule. Russia is in the position to block, de facto any rapprochement between Georgia and NATO. Once the Association Agreement is opened with the EU, Georgia will be able to submit an application for EU membership, a perspective that divides the current member states. While its relations with the EU are being clarified, Tbilissi is keeping its irons hot with NATO, its aim is to pledge and make the necessary reforms which would allow them to enter the EU and/or NATO should the strategic situation give them the opportunity.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

OSCE Delegation Visits Kazakhstani Human Rights Defender in Prison

in *European Union Foreign Affairs Journal*, n°1, 2011 , 107



A delegation of senior officials from the OSCE Office for Democratic Institutions and Human Rights (ODIHR) visited prominent human rights defender Yevgeniy Zhovtis on 3 September 2011 in a settlement colony in Ust-Kamenogorsk, Kazakhstan, where he is serving a four-year sentence for vehicular manslaughter.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Bastien Irondelle

Pourquoi l'OTAN perdure ?

in *Revue française de science politique*, Vol. 61, n. 4, août , 739-741

No abstract available

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

John HILLEN

Superpotenza, non monopotenza (1998)

in *Limes*, I Classici - 2/2011 - Dream over, l'America torna a casa

Un vero leader mondiale non si distingue perché manda i soldati dappertutto, ma perché sa difendere i suoi interessi vitali e sa utilizzare i suoi alleati nelle crisi regionali o minori. Una strategia di 'devoluzione regionale' per l'Alleanza atlantica.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Græger Nina, Haugevik Kristin M.

The EU's Performance with and within NATO: Assessing Objectives, Outcomes and Organisational Practices

in *Journal of European Integration*, Volume 33, Issue 6 , 743-757

This article assesses the EU's performance as a security actor in the context of NATO, both at the institutional level and when acting as a bloc of member states within NATO. Informed by a definition of 'performance' as the ability to achieve preset objectives (effectiveness) in an efficient, relevant and viable manner, we observe that the EU's performance in the context of NATO remains limited. This could be seen as a reflection of underlying political divergences between the two organisations, hampering systematic and formalised intra-institutional cooperation as well as effective cooperation between the EU member states in NATO. More importantly, it has resulted in the emergence of more informal and ad hoc EU practices in the context of NATO as well as parallel EU and NATO practices.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

E. Atanassova-Cornelis



The Political and Security Dimension of Japan–China Relations: Strategic Mistrust and Fragile Stability
in *Pacific Focus*, Volume 26, Issue 2, August , 165-187

Japan–China relations in the 2000s have seen both significant tensions, notably during the term of Koizumi Junichiro, and marked improvement in the post-Koizumi period. This article analyzes the way external and domestic factors in both countries have influenced the political and security dimension of the bilateral relationship. It also assesses the extent of the underlying tensions and the prospects of long-term stability in Sino–Japanese relations.

The article argues that structural changes and a shifting balance of power in East Asia have led to strategic divergences and security dilemma dynamics in the bilateral relations. Additionally, the rise of conservatism in Japan under Koizumi and China's use of the “history card” exacerbated mutual distrust and contributed to souring ties in the first half of the 2000s. While the bilateral relations have stabilized in the post-Koizumi era, with the political leaders of both countries emphasizing mutual engagement and alleviation of the security dilemma, this “cooling-off period” is unlikely to lead to long-term stability in ties between Tokyo and Beijing. Lacking strategic trust on both sides, as well as the significance of the US factor for the bilateral security interactions, suggest that the present stability in Japan–China relations remains fragile.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

M. Duchatel

The Terrorist Risk and China's Policy toward Pakistan: strategic reassurance and the ‘United Front’
in *Journal of Contemporary China*, Volume 20, Issue 71 , 543-561

This paper examines how growing insecurity in Pakistan—affecting the security of Chinese expatriates and neighboring Xinjiang—impacts China's policy towards its ‘all-weather’ friend. It argues that managing the terrorist risk in a changing regional environment has led to a double adjustment in China's policy towards Pakistan. First, counterterrorist cooperation has moved up the policy agenda, albeit with a peculiar modus operandi, focused on sustaining a pro-Chinese ‘United Front’ in Pakistan. Second, Beijing has positively reassessed Pakistan's strategic value and moved towards strategic reassurance, although the construction of a trade-and-energy corridor between Gwadar and Xinjiang has been negatively affected by the risk of violence.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

J. Mustapha

Threat construction in the Bush administration's post-9/11 foreign policy: (critical) security implications for Southeast Asia

in *Pacific Review (The)* , Volume 24, Issue 4 , 487-504

The Bush Administration's ‘war on terror’ was both a set of policies as well as a powerful security narrative that informed the way that threat was understood and constructed post-9/11. This idea is explored specifically with regard to how the articulation of threat in the ‘war on terror’ informed American relations with Southeast Asia, which in turn had active consequences for regional state and non-state actors alike. The importance of discourse is explained with a focus on how the discursive construction of threat within the ‘war on terror’ security narrative is intrinsic to the ‘security project’ of the American state, as well as to American national identity more generally (Campbell 1998, Jackson 2005). From this



analytical perspective, this paper contends that irruptions of the Bush Administration's post-9/11 foreign policy discourse in Southeast Asia were observable, and that these manifestations of discursive construction engendered consequences that contributed to an increase in anti-Americanism and terrorist activities aimed at 'Western' targets, and to a proliferation of anti-democratic and repressive behaviors by Southeast Asian governments under the guise of anti-terror measures.

Section B) Global governance and international organizations

Subsection 3. Security communities and organizations

Smolar Eugeniusz

Transatlantic relations and NATO

in European View, vol. 10, n. 1, June, 127-135

The current international situation presents significant security challenges to Europe and its allies. The North Atlantic Treaty Organization (NATO) has served as the linchpin of Europe-US security cooperation over the last 60 years and continues to play a significant role in their shared defence and in promoting their political aims in the wider world. The importance of NATO was reaffirmed last year by the agreement of the New Strategic Concept. However, this agreement also left many issues unresolved. These include, among other issues, NATO's future role as the United States concentrates on global challenges, mainly in Asia, rather than on Europe; Europe's weakened determination to play an adequate role in facing those challenges together with the US; the effects of military spending cuts amplified by the economic crisis; and the future of US military presence in Europe. It is therefore critical that Europeans, now more than ever, consider their capabilities and contributions to NATO in particular and to security and defence in general. As the European-led effort in Libya now clearly shows, Europe must bolster its capacity to confront threats and to project power when needed, while working within the framework of NATO and the European Security and Defence Policy, in coordination with the US.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Ezell Stephen

A Bretton Woods for Innovation

in World Policy Journal, vol. 28, n. 3, 17-21

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Somek Alexander

A Bureaucratic Turn?

in European Journal of International Law, Vol. 22, issue 2, 345-350

The article discusses the question whether Waldron's new analogy shifts the paradigm of international governance from a relationship that is based on law to a relationship that views participating actors as involved in some kind of common



creative problem-solving effort. The implied change from 'law' to 'process' would raise serious concerns about what it might entail for the rights of citizens.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Wheatley Steven

A Democratic Rule of International Law

in *European Journal of International Law*, Vol. 22, issue 2 , 525-548

This article examines the way in which we should make sense of, and respond to, the democratic deficit that results from global governance through international law following the partial collapse of the Westphalian political settlement. The objective is to evaluate the possibilities of applying the idea of deliberative ('democratic') legitimacy to the various and diverse systems of law. The model developed at the level of the state is imperfectly applied to the inter-state system and the legislative activities of non-state actors. Further, regulation by non-state actors through international law implies the exercise of legitimate authority, which depends on the introduction of democratic procedures to determine the right reasons that apply to subjects of authority regimes. In the absence of legitimate authority, non-state actors cannot legislate international law norms. The article concludes with some observations on the problems for the practice of democracy in the counterfactual ideal circumstances in which a plurality of legal systems legislate conflicting democratic law norms and the implications of the analysis for the regulation of world society.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Horovitz Liviu

A Detour Strategy for the Test Ban Treaty

in *Washington Quarterly (The)*, Volume 34, Number 4, Autumn 2011 , 87-99

The full text is free:

www.twq.com/11autumn/docs/11autumn_Horovitz.pdf

The U.S. Senate defeated the CTBT in October 1999 (it had been opened for signature in 1996 after many decades of negotiations). Although 154 states have ratified the treaty and 182 have signed it, the remaining nine "nuclear capable" countries — China, Egypt, India, Indonesia, Iran, Israel, North Korea, Pakistan, and the United States — whose consent is needed but still pending, wield a de facto veto over the treaty's future and impede its entry into force (EIF). Among them, the United States is often seen as a linchpin for further progress. As such, the CTBT is widely portrayed as a catalyst for further nonproliferation and disarmament measures.

While both Democrats in the U.S. government and CTBT supporters outside of it want the treaty ratified, at this point there is no agreement on the best way to achieve that goal. Congress seems skeptical about the prospects for ratification. Not wanting to close any potential doors, government policymakers remain unspecific. In the non-governmental world, opinions are also divided. While some, such as former Soviet President Mikhail Gorbachev, contended that "the priority now is to ratify the separate treaty banning nuclear testing," many others, such as former Secretary of Defense William Perry, immediately recognized that the CTBT does not stand a chance in the near future.



A short-term approach toward CTBT ratification remains unrealistic. What is needed is a potentially more successful detour strategy that resets the agenda to get CTBT ratification. Test-ban supporters should work on parallel but mutually reinforcing fronts in three countries—the United States, China, and Israel—that have the potential to strengthen the chances of the treaty being ratified before 2015. In the United States, a strong campaign from both within and outside of government has to shape the public discourse about how a complete prohibition of nuclear testing can strengthen U.S. security. The technical prerequisites for ratification must be debated and clarified until they are no longer in question. In China, political leaders need to be convinced that ratification could bolster their country's position as a responsible global stakeholder. Finally, in Israel, test-ban supporters should explain why ratifying the CTBT would be a useful counter to criticism of Israel at nuclear conferences. All of these efforts need to be completed before the Review Conference of the Nuclear Nonproliferation Treaty (NPT) in 2015 in order to push countries with nuclear weapons into action. This approach is neither defeatist nor lacking ambition. It represents a concerted effort with a real chance of success.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Biermann Frank, Gupta Aarti

Accountability and legitimacy in earth system governance: A research framework

in *Ecological Economics*, Volume 70, Issue 11, 15 September - Special Section - Earth System Governance: Accountability and Legitimacy , 1856-1864

Along with concerns over the effectiveness of earth system governance, ways of enhancing its accountability and legitimacy are increasingly coming to the fore in both scholarly debate and political practice. Concerns over accountability and legitimacy pertain to all levels of governance, from the local to the global, and cover the spectrum of public and private governance arrangements. This conceptual article elaborates on the sources, mechanisms and reform options relating to more accountable, legitimate and democratic earth system governance. We proceed in four steps. First, we conceptualize accountability and legitimacy in earth system governance. Second, we place questions of accountability and legitimacy within the larger context of earth system transformation, which, we argue, poses special challenges to the pursuit of accountability and legitimacy. Third, drawing on the contributions to this special section, we analyze different sources and mechanisms of accountability and legitimacy and their effects on the democratic potential and effectiveness of governance. Fourth, in concluding, we outline reform options that may help alleviate persisting deficits in the democratic potential of earth system governance.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Holland Tracey

Advancing Human Rights Education in Peacebuilding

in *Peace Review*, vol. 23, n. 1 , 86-93

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy



Yerima, Timothy F.

African Regional Human Rights Courts: Features and Comparative Critique with the European and Inter-American Courts of Human Rights

in *Indian Journal of International Law*, volume 50, issue 4, 592-617

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Waldron Jeremy

Are Sovereigns Entitled to the Benefit of the International Rule of Law?

in *European Journal of International Law*, Vol. 22, issue 2, 315-343

The applicability of the ideal we call 'the Rule of Law' (ROL) in international law (IL) is complicated by (1) the fact that there is no overarching world government from whom we need protection (of the sort that the ROL traditionally offers) and it is also complicated by (2) the fact that IL affects states, in the first instance, rather than individuals (for whose sake we usually insist on ROL requirements). The article uses both these ideas as points of entry into a consideration of the applicability of the ROL in IL. It suggests that the 'true' subjects of IL are really human individuals (billions of them) and it queries whether the protections that they need are really best secured by giving national sovereigns the benefit of ROL requirements in IL. For example, a national sovereign's insistence that IL norms should not be enforced unless they are clear and determinate may mean that individuals have fewer protections against human rights violations. More radically, it may be appropriate to think of national sovereigns more as 'officials' or 'agencies' of the IL system than as its subjects. On this account, we should consider the analogous situation of officials and agencies in a municipal legal system: are officials and agencies in need of, or entitled to, the same ROL protections as private individuals? If not, then maybe it is inappropriate to think that sovereign states are entitled to the same ROL protections at the international level as individuals are entitled to at the municipal level.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bhuta Nehal

Are Sovereigns Entitled to the Benefit of the International Rule of Law? An Introduction

in *European Journal of International Law*, Vol. 22, issue 2, 313-314

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

McDermott Constance L., Levin Kelly, Cashore Benjamin

Building the Forest-Climate Bandwagon: REDD+ and the Logic of Problem Amelioration

in *Global Environmental Politics*, Volume 11, Issue 3, Special Issue: Climate Bandwagoning: The Impacts of Strategic Linkages for Regime Design, Maintenance and Death, August, 85-103



For those championing an international institutional solution to climate change, the forest-climate linkage through reduced emissions from deforestation and forest degradation and forest enhancement (REDD+) may be one of the most promising strategic linkages to date. Following a series of forest-focused interventions that did not live up to their promise, global forest politics have now, through REDD+ deliberations, been institutionally subsumed into the climate regime. We argue that to realize its potential, REDD+ policy mechanisms must be careful to move away from the commodification of forest stewardship that reinforces short-term strategic positions of powerful producing and consuming interests whose current activities are the culprits of global forest decline. To achieve such an outcome, we argue that institutions must develop on the basis of a “logic of problem amelioration” in which the rationale for achieving clearly defined environmental and social goals is rendered transparent. This could be achieved through the formalization of a “dual effectiveness test” in which interventions are evaluated for their potential to simultaneously ameliorate both global climate change and forest degradation.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Dellas Eleni

CSD water partnerships: Privatization, participation and legitimacy

in Ecological Economics, Volume 70, Issue 11, 15 September - Special Section - Earth System Governance: Accountability and Legitimacy , 1916-1923

Public–private partnerships have been presented as an opportunity to improve the input and output legitimacy of global environmental governance, and they were endorsed by intergovernmental agreement at the Johannesburg Summit in 2002. However, their potential to contribute substantially to these aims has also been questioned. For partnerships working in the water sector, the implications of private sector participation for legitimate water governance have been disputed, for example regarding whether public–private partnerships can provide water that is affordable and accessible to all, and whether they provide opportunities for local stakeholder participation. In this article, these discussions are examined with respect to several examples of public–private partnerships registered with the UN Commission on Sustainable Development. The analysis indicates that these partnerships partially address these criticisms, but also have their own shortcomings.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Urpelainen Johannes

Can Unilateral Leadership Promote International Environmental Cooperation?

in International Interactions, vol. 37, issue 3 , 320-339

ABSTRACT: Why do governments sometimes exercise unilateral leadership in international environmental cooperation, such as the mitigation of global climate change? It is usually the case that unilateral leadership cannot solve the problem at hand, so it is not clear what the benefits of unilateral leadership are. In this article, I provide a new political rationale for unilateral leadership. I show that if a green politician (worried about environmental destruction) fears that he or she will probably lose power soon, he or she may want to unilaterally implement domestic mitigation policies to reduce the domestic cost of mitigation in the future. By exercising unilateral leadership, this politician ensures that even a future brown politician (only mildly interested in environmental protection) is, due to the domestic cost reduction, willing to engage in international cooperation. The findings imply that while unilateral leadership is not a panacea, it may be a



useful commitment device under empirically plausible conditions.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Massetti Emanuele

Carbon tax scenarios for China and India: exploring politically feasible mitigation goals

in International Environmental Agreements: Politics, Law and Economics, Volume 11, Number 3, September , 209-227

China and India are two Asian giants and global players. They both have large populations and booming economies hungry for energy. China and India will therefore play a major role in shaping future global emissions of greenhouse gases. This paper assesses emissions reductions targets that can be realistically adopted by China and India in the following rounds of climate negotiations. The analysis is based on a business-as-usual (BaU) scenario and on four carbon tax scenarios until 2050, developed using the WITCH model. Results show that the lowest level of taxation (starting at 10\$ per tonne of CO₂ in 2020) would reduce emissions in 2050 by 25% in China and by 30% in India, with respect to the BaU, at little cost. The marginal abatement cost curves are, however, steep and a higher level of taxation brings little emissions reductions at high costs. In China, only the two highest tax levels reduce emissions in 2050 below the 2005 level. In India, emissions in 2050 are higher than in 2005 even with the highest tax. Therefore, the pledge of the G8 and the MEF of reducing global emissions by 50% in 2050—with high-income countries cutting them by 80% and low-income ones by 25–30%—appears extremely costly and therefore unrealistic. A more sensible international climate architecture would push for the introduction of a moderate control of emissions in China and India and would avoid overly ambitious targets.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Walsh Sean

China and India's participation in global climate negotiations

in International Environmental Agreements: Politics, Law and Economics, Volume 11, Number 3, September , 261-273

In this paper, we discuss a range of issues concerning developing country participation in current global climate change mitigation negotiations, especially India and China. We argue that the problem of redefining 'common yet differentiated responsibilities' in a way which allows developing countries room to pursue their individual development goals while still achieving the necessary level of carbon mitigation is central to the debate. The choice of negotiating instruments, effective technology transfer and financial support, and other related issues have been raised principally by China and India, and may also be raised by several other countries. Kyoto non-compliance by Annex 1 countries will also greatly impact the negotiating power of China and India and other developing countries. We conclude that, once basic principles are clearly defined, the greatest incentive for China and India to participate in climate change negotiations is the prospect of future negotiating rounds that can be linked to a large number of climate change related issues, such as intellectual property, the potential for financial transfers and trade/market access.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Welsh Jennifer



Civilian Protection in Libya: Putting Coercion and Controversy Back into RtoP

in *Ethics and International Affairs*, vol. 25, n. 3 , 255-262

ABSTRACT: As noted by other contributors to this roundtable, the response of the international community to civilian deaths in Libya—and the threat of further mass atrocities—is unusual in two key respects. First, Security Council Resolution 1973 authorized “all necessary measures” to protect civilians without the consent of the “host” state. The Council's intentions, and actions, could not be interpreted as anything other than coercive. Second, in contrast to other crises involving alleged crimes against humanity (most notably Darfur), diplomacy produced a decisive response in a relatively short period of time. Both of these features suggest that many analysts of intervention (including myself) need to revise their previously pessimistic assessments of what is possible in contemporary international politics.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Jinnah Sikina

Climate Change Bandwagoning: The Impacts of Strategic Linkages on Regime Design, Maintenance, and Death in Global Environmental Politics, Volume 11, Issue 3, Special Issue: Climate Bandwagoning: The Impacts of Strategic Linkages for Regime Design, Maintenance and Death, August , 1-9

The entrée of climate change politics to the center stage of international relations has been accompanied by broad range of strategic linkages, which have produced various institutional interactions. This special issue takes stock of the wide range of ways that international regimes are strategically linked to climate change politics. We do this with a view to better understand both how climate change is shaping the global environmental political landscape, and is being shaped itself through strategic linkages to regimes both within (i.e. forests, biodiversity, fisheries, and desertification) and beyond (i.e. security and human rights) the environmental realm. The contributions that make up this special issue explore when, how, and by whom regime linkages should be pursued, how linkage politics are affecting regime development and function, and in turn how these changes are shaping the evolution of global environmental politics and problem solving writ large.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Lee Ambrose

Co-national and Cosmopolitan Obligations towards Foreigners in Politics, Vol. 31, Issue 3, October , 159-166

This article specifically argues against those who think that, by appealing to Thomas Hurka's argument for co-national obligations in his 'The Justification of National Partiality', these co-national obligations take priority over certain cosmopolitan obligations towards foreigners, when the shared history of the co-nationals is (a) a history of shared suffering, (b) a shared history of mutual benefit or (c) a shared history of jointly benefiting others. I shall argue that if this is the case, then Hurka's account surprisingly gives us a reason to fulfil our cosmopolitan obligations towards foreigners first before fulfilling our special obligations towards co-nationals.



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Conliffe Alexandra

Combating Ineffectiveness: Climate Change Bandwagoning and the UN Convention to Combat Desertification in Global Environmental Politics, Volume 11, Issue 3, Special Issue: Climate Bandwagoning: The Impacts of Strategic Linkages for Regime Design, Maintenance and Death, August , 44-63

This article examines the role of linkage politics in revitalizing the largely ineffective UN Convention to Combat Desertification (UNCCD). I argue that the UNCCD Secretariat has taken a leadership role in driving a regime linkage agenda that has focused disproportionately on linkages to the UN Framework Convention on Climate Change (UNFCCC). By comparing the UNCCD Secretariat's attempts to build desertification-mitigation and desertification-adaptation linkages, I propose three criteria for predicting whether regime linkages are likely to benefit source regimes (here the UNCCD): the linkage's contribution to source governance goals; the credibility of knowledge presented by the source regime; and the linkage's political feasibility for the target regime. This analysis shows secretariats to be important actors in linkage politics whose actions can lead to both beneficial and harmful outcomes for the regimes they are intended to serve. Finally, by asking whether desertification issues that overlap with climate change might be better addressed under the UNFCCC, I question when regime overlap indicates regime redundancy and warrants regime death.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Stinnet Douglas M., Early Brian R., Horn Cale, Karreth Johannes

Complying by Denying: Explaining Why States Develop Nonproliferation Export Controls in International Studies Perspectives , vol. 12, issue 3, august , 308-326

ABSTRACT: The adoption of UN Security Council Resolution (UNSCR) 1540 in 2004 reflects an emerging consensus that more should be done by the international community to address the proliferation of weapons of mass destruction. UNSCR 1540 articulates a universal, legally binding obligation for all states to confront proliferation by adopting effective export control systems. To date, however, there have been no attempts to systematically analyze compliance with this new obligation, making it impossible to assess the success of this measure and the underlying causes of any shortcomings. This study addresses this by conducting a systematic empirical analysis of state compliance with UNSCR 1540. Drawing upon theories of compliance with international law, we investigate two distinct explanations for variation in the degree to which states adopt nonproliferation export controls: one based on state interests and enforcement and the other based on state capacity. Our statistical tests of these theories use a new, cross-national data set detailing the nonproliferation policies of 30 states. The empirical results indicate that compliance with international nonproliferation obligations is influenced most by a state's economic and governmental capacities and has little to do with interest-based factors. These findings suggest that capacity-building programs are the best option for improving the implementation of UNSCR 1540 and of nonproliferation efforts in general.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy



Keohane Robert O., Macedo Stephen, Moravcsik Andrew

Constitutional Democracy and World Politics: A Response to Gartzke and Naoi
in *International Organization*, vol. 65, issue 3 , 599-604

ABSTRACT: According to our constitutional conception, modern democracy is multidimensional: it incorporates the values of faction control, minority rights protection, and informed deliberation, as well as political accountability. The impact of multilateral organizations (MLOs) on democracy is often not straightforward: it requires careful analysis of how particular MLOs interact with preexisting domestic political institutions within specific issue-areas. Thus we reject the conventional wisdom that MLOs are necessarily democracy-degrading simply because they are not directly participatory. Gartzke and Naoi's critique misstates our views on some fundamental issues. We clarify our analyses of the multidimensional nature of constitutional democracy; the relationship between democracy and multilateralism; the Madisonian distinction between interest groups that support the general interest and those that do not; and our understanding of the current state of research. We suggest possibilities for further elaborating our argument, theoretically and empirically.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Agafonow Alejandro

Deliberative Safeguards and Global Governance: A Market-based Approach to Address Garrett W. Brown's 'Deliberative Deficit' within the Global Fund

in *Theoria*, Volume 58, Number 128, September 2011 , 40-54

Abstract:

Garrett W. Brown has argued that donor voting caucuses produce a deliberative deficit between donor and non-donor members in the Global Fund International Board. Although we agree with this assessment, in our research on low-transaction cost alternatives to cope with consistent deliberative conditions (i.e. low-cost arrangements to bring about the exchange among Board members in a certain way) we have found that deliberation and interest-based preference maximisation are not necessarily mutually exclusive, as long as we manage to stop donor members from behaving like monopolists. To this end, we have to open up the Board from its present state of non-transparency, so that new input can be obtained from new constituents. This will also soften the current principal-agent structure that links members to their donors, easing the transition to market-driven governance rules that provide for the replacement of Board members if they do not fulfil the new constituents' expectations.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Lenmarker Göran

Democracy on the move

in *European View* , vol. 10, n. 1, June , 51-57

Abstract

It is surprising how resistant some parts of the world remain to democratic tendencies, taking into account the



remarkable progress of democracy in other regions. This paper reveals that the process of democratisation need not progress at the same pace or follow a precisely laid out pattern in different countries, regions or cultures. Globalisation had and continues to have a positive effect on the democratisation of the world in general. Yet the most successful project so far appears to be the European integration. What lessons or processes are applicable in the hostile environments where democracy seems not to thrive?

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Robert E. Goodin, Steven R. Ratner

Democratizing International Law

in Global Policy, Volume 2, Issue 3, 241–247

Jus cogens are peremptory norms of international law. No treaty between states can violate them. They are based on fundamental moral precepts and are supposed to reflect a global consensus. As a result, the views of the people of the world – not just states and courts and international lawyers – ought to be assessed as part of that. Direct democratic input into what should be considered jus cogens can be promoted by convening Global Citizens' Juries on the norms under discussion. Deliberations in small groups of people drawn from many nations can provide robust indicators of what world opinion would be, if everyone had access to similar information and discussions. Where broad consensus emerges across several such Global Citizens' Juries, countries, courts and others ought to take that into account in deciding what to treat as peremptory norms of international law. Such a process would mark a significant contribution to improving the democratic deficit that currently prevails in making and implementing international law.

Policy Implications

-  International law in general suffers from a democratic deficit, lacking any direct democratic input.
-  The problem is particularly acute for peremptory norms of international law, those 'super-norms' that trump even treaties, which are supposed to reflect a global consensus concerning fundamental moral values.
-  Global Citizens' Juries with people from many nations could test whether the norms under discussion would indeed command such a consensus.
-  Widespread endorsement of a norm by Global Citizens' Juries would suggest that it should be regarded as a peremptory norm of international law.
-  The result would lend more legitimacy to these norms than is achieved by mere governmental endorsement and, ultimately, promote greater respect for them.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Hilpold Peter

Die Schutzverantwortung im Recht der Vereinten Nationen (Responsibility to Protect) - auf dem Weg zur



Etablierung eines umstrittenen Konzepts

in *Schweizerische Zeitschrift für Internationales und Europäisches Recht*, 19 Jahrgang, Heft 2 , 231-242

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Spagnuolo Francesca

Diversity and pluralism in earth system governance: Contemplating the role for global administrative law

in *Ecological Economics*, Volume 70, Issue 11, 15 September - Special Section - Earth System Governance: Accountability and Legitimacy , 1875-1881

This article aims to explore whether procedural rights and administrative law mechanisms – such as, for example, the right to a hearing, the duties to provide a reasoned decision and to disclose relevant information – can enhance the accountability and democratic legitimacy of earth system governance.

The democracy-enhancing potential of such mechanisms and rights – which in the national context have proved to be beneficial in strengthening citizens' participation and the acceptance of decisions – can be limited in the global arena, by a number of factors. One of these factors is “legal imperialism”, understood as the grafting onto the global level rules and institutions that impose the hegemony of western values.

In fact, administrative law mechanisms, being a construct of a certain type of western, liberal model of the state (and its capitalist model of development), could be perceived, in developing countries as an instrument to reproduce the dominant position of advanced industrialized countries and their economic actors.

The analysis suggests that in order to realize their democracy-enhancing potential, these mechanisms should draw, as far as possible, on cross-cultural principles, and be supported by financial and technical instruments enabling “developing countries” and marginalized groups to engage in dialog with the most powerful actors.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Pogonyi Szabolcs

Dual citizenship and sovereignty

in *Nationalities Papers*, Volume 39, Issue 5, September 2011 , 685-704

Abstract

Multiple and dual citizenship in the past decades have become widely accepted worldwide. Leading scholars in citizenship studies claim that the growing tolerance of dual citizenship signals the weakening of state sovereignty and the emergence of transnational, post-national or cosmopolitan norms. This paper argues that multiple citizenship standards are neither universally accepted, nor normatively compelling. The cases referred to are intended to demonstrate that contrary to the above assessments, dual citizenship is also used by states to increase their sovereignty, for example promoting national interest abroad through expatriates and trans-border minorities. It is also argued that, in addition to the classical territorial sovereignty- and security-related dilemmas, dual-citizenship policies may violate the norms of democratic equality and popular sovereignty. The paper concludes that the inevitably growing toleration of non-monogamous state-citizen relationships should not be interpreted as a normative justification of



promiscuous citizenship policies.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Masini Fabio

**Economic Epistemology and Methodological Nationalism: a Federalist Perspective
in Perspectives on federalism**, Vol. 3, issue 1 , N-15-25

Economics is based on the assumption that the only administrative and juridical relevant framework of both theory and policy is the nation-State. We claim that such methodological nationalism is detrimental to the capacity to understand the operation of economic relations and to effectively achieve economic policy goals. The high interdependence worldwide of economic relations calls for a multi-layer perspective of both analysis and governance in economics, where the constitutional principles of federalism may play a significant role

Full text available at:

<http://www.on-federalism.eu/index.php/notes/90-economic-epistemology-and-methodological-nationalism-a-federalist-perspective>

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Zawahri Neda A., Dinar Schlomi, McLaughlin Mitchell Sara

**Facilitating Treaty Formation to Govern International Rivers
in International Studies Quarterly**, vol. 55, issue 3, september , 803-807

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Zawahri Neda A., McLaughlin Mitchell Sara

**Fragmented Governance of International Rivers: Negotiating Bilateral versus Multilateral Treaties
in International Studies Quarterly**, vol. 55, issue 3, september , 835-858

ABSTRACT: Despite warnings of interstate conflict over shared water resources, states are reaching hundreds of treaties and agreements over their international rivers. We have extensive knowledge about the negotiations process of individual treaties, but there is a paucity of systematic analysis of the forces influencing treaty formation. In addition, the few quantitative studies examining the formation of agreements fail to consider the different factors influencing the rise of bilateral versus multilateral agreements on multilateral basins. Correcting this omission is important because scholars have discovered that states frequently sign bilateral agreements over multilateral rivers, which contradicts the integrated river basin management approach advocated by environmentalists, engineers, and water experts. This study seeks to fill this vacuum within the existing literature by distinguishing between the formation of bilateral treaties on bilateral and multilateral basins and comparing these bilateral forms of cooperation to the formation of multilateral treaties on



multilateral basins. Through quantitative analysis, we argue that treaty type is a by-product of state interest, transaction costs, and distribution of power.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Lederer Markus

From CDM to REDD+ — What do we know for setting up effective and legitimate carbon governance?

in **Ecological Economics**, Volume 70, Issue 11, 15 September - Special Section - Earth System Governance: Accountability and Legitimacy, 1900-1907

This article compares two carbon governance instruments – the Clean Development Mechanism (CDM) and Reducing Emissions from Deforestation and Degradation (REDD+) – to assess lessons from the former for the latter regarding effectiveness and legitimacy of such instruments. The article argues that the CDM has a relatively high degree of output-oriented legitimacy resulting in effectiveness and some input-oriented legitimacy, with few discernible tradeoffs between them. In contrasting this to REDD+, the hypotheses are advanced that (i) output-oriented legitimacy/effectiveness can again be achieved but that (ii) a higher degree of input-oriented legitimacy is necessary for REDD+ and thus also a certain trade-off between the two forms of legitimacy can be expected. This is shown through comparing the technologies and methodologies, economic rationales, political support, regulatory structures, and environmental impacts of both instruments.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Domingo Rafael

Gaius, Vattel, and the New Global Law Paradigm

in **European Journal of International Law**, Vol. 22, issue 3, 627-647

Emer de Vattel (1714–1767), in his influential work *The Law of Nations*, established a new international statist paradigm which broke with the classical partition of the law into the three realities of ‘persons, things and actions’ (personae, res, actiones). This new paradigm substituted the state for the person, downgraded the generic concept of ‘things’ to the obligations among states in their relations, and changed the focus of the concept of ‘action’ to that of ‘war’ as a legal remedy to resolve conflicts between and among states. This international paradigm (or statist paradigm) has survived almost up to our time in international praxis. Nonetheless, today the statist paradigm appears to be in every way insufficient, since it does not consider humanity as a genuine political community, nor does it reflect the three-dimensionality of the global law phenomenon. The transformation of the law that governs our international community (international law) into a law that is capable of properly ordering the new global human community (global law) demands the creation of a new paradigm, originating in the following conceptual triad: global human community, global issues, and global rule of law. In the construction of this new global paradigm, cosmopolitan constitutionalism could play a key role.

Section B) Global governance and international organizations



Subsection 4. Global governance, supranational federalism and democracy

Grillot Suzette R.

Global Gun Control: Examining the Consequences of Competing International Norms
in *Global Governance*, vol. 17, n. 4, october-december , 529-555

ABSTRACT: The global spread and misuse of small arms is one of the most alarming and growing security issues of the post–Cold War era. For many reasons, however, controlling the spread of small arms is extremely difficult. Nonetheless, given the serious nature of the small arms issue, numerous states, nongovernmental organizations, and individual activists have sought to address various small arms problems. One of the earliest suggestions that analysts and advocates offered was to develop international norms and standards of behavior that outline the parameters of acceptable small arms activities. Despite the numerous actions that states and NGOs have taken over the past ten years in an effort to combat these problems, corresponding norms are relatively weak or nonexistent. This article seeks to answer why this is the case. It examines why global small arms control norms are largely weak or nonexistent and explain why the prospects for stronger norms are few. Although research on norms in international relations is swelling with studies showing whether, how, and why norms emerge and affect state behavior, few studies focus on cases where norms actually do not emerge or influence action. The primary explanation for weak small arms norms is a competitive normative environment that is facilitated and perpetuated by: (1) competing coalitions that promote opposing norms and ideas; and (2) a great-power consensus that works against stronger arms control norms.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

De Bellis Maurizia

Global Standards for Sovereign Wealth Funds: The Quest for Transparency
in *Asian Journal of International Law*, Vol. 1, issue 2 , 349-382

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.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Dryzek John S, Stevenson Hayley

Global democracy and earth system governance

in *Ecological Economics*, Volume 70, Issue 11, 15 September - Special Section - Earth System Governance: Accountability and Legitimacy , 1865-1874

The issue of climate change confirms the global reach of earth system governance, whose legitimacy and effectiveness



could gain from democratisation. While electoral democracy as practised in states provides no model for global democracy, lessons drawn from the performance and history of states prove helpful in identifying the elements that a well functioning ecological democracy ought to strive for. We capture these elements through reference to the idea of a deliberative system, and show how the idea of such a system can be used to analyse, evaluate, and provide prescriptions for the global governance of climate change.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Child Richard

Global migratory potential and the scope of justice

in *Politics, Philosophy & Economics*, Vol. 10, n. 3, August , 282-300

We live in an era of global migratory potential — a time when a vast number of people have the physical capacity to move relatively quickly and easily between states. In this article, I use this fact to motivate a powerful objection to 'statism', the view that the egalitarian principles of justice which apply to citizens have no application outside the boundaries of the state. I argue that, in a world characterized by global migratory potential, the supposed contrast between the normative standing of citizens and non-citizens on which the doctrine of statism depends is much harder to establish than proponents of the doctrine seem to realize. Focusing initially on the well-known justification for statism based on the notion of reciprocity between cooperators in a joint venture for mutual advantage, I argue that non-citizens play just as important a role as citizens in upholding schemes of cooperation, and that non-citizens should therefore be included in the scope of egalitarian justice along with citizens. I then go on to explain why the problem raised by the fact of migratory potential threatens to undermine not only the reciprocity-based conception, but all other conceptions of statism. The challenge for the proponent of statism is to show that the relationship in which each individual citizen stands with the state is not only a justice-grounding relationship, but also one in which no non-citizen stands with the state. The challenge has not been met so far, and I argue that it is unlikely to be met in the future.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Cassese Sabino

Global standards for national democracies?

in *Rivista trimestrale di diritto pubblico*, n. 3 , 701 ff.

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.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Possenti Vittorio

Governance of globalization and global political authority

in *Rivista di Studi Politici Internazionali*, Volume 78, n. 2, aprile-giugno , 183-194

The recent big world crisis, economic but also political, has brought in again the question of a better operation of financial system, of governance of globalization and its failures. Among these failures momentous is the permanent deficit of the political factor, and consequently of a world political authority responsible for the main systemic decisions. This matter is considered through some fundamental categories and perspectives laid down in the Church social doctrine, especially in the encyclicals *Pacem in terris* (1963) and *Caritas in veritate* (2008), which clearly speaks in favour of public political powers at a worldwide scale: the essential argument is the inherent relation between common good and authority, and the fact that the dimension, by now global, of common good of human family demands a political authority of the same level, structured according to the principle of subsidiarity.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Zhang Zhongxiang

In what format and under what timeframe would China take on climate commitments? A roadmap to 2050

in *International Environmental Agreements: Politics, Law and Economics*, Volume 11, Number 3, September , 245-259

Balancing China's energy needs to fuel its rapid economic growth with the resulting potential impacts of climate change presents an enormous climate policy dilemma, not simply for China but for the entire world. This is the major reason why the role of China is an issue of perennial concerns at international climate change negotiations. In response to these concerns and to put China in a positive position, this paper maps out a realistic roadmap for China's specific climate commitments toward 2050. Taking many factors into consideration, the paper argues that China needs to take on absolute emissions caps around 2030. However, it is hard to imagine how China could apply the brakes so sharply as to switch from rapid emissions growth to immediate emissions cuts, without passing through several intermediate phases. To that end, the paper envisions that China needs the following three transitional periods of increasing climate obligations before taking on absolute emissions caps that will lead to the global convergence of per capita emissions by 2050: First, further credible energy conservation commitments starting in 2013 and aimed at cutting China's carbon intensity by 46–50% by 2020; second, voluntary "no lose" emission targets starting in 2018; and third, binding carbon intensity targets as its international commitment starting in 2023. Overall, this proposal is a balanced reflection of respecting China's rights to grow and recognizing China's growing responsibility for increasing greenhouse gas emissions as China is on its way to becoming the world's largest economy.



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

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

Rosendal G. Kristin, Andresen Steinar

Institutional design for improved forest governance through REDD: Lessons from the global environment facility

in *Ecological Economics*, Volume 70, Issue 11, 15 September - Special Section - Earth System Governance: Accountability and Legitimacy , 1908-1915

This contribution focuses on carbon mitigation and biodiversity conservation in the context of the UN initiative for Reduced Emissions from Deforestation and forest Degradation in Developing countries (REDD). The design of REDD is important as it may channel much of the international funding that will potentially be made available for future environmental problem-solving in developing countries. The most important multilateral environmental funding mechanism is the Global Environment Facility (GEF). With its basic structural similarity to the emerging REDD, it provides a good starting point for drawing lessons relevant to the design of REDD. In explaining GEF priorities and performance we discuss the role of key actors as well as the organizational and institutional structure of GEF. These factors do not encourage coalitions for addressing environmental problems in the poorest countries. The institutional setting of REDD in the Convention on Climate Change may further exacerbate this trend, as neither conservation nor socioeconomic concerns like the rights and well-being of indigenous peoples and local communities are addressed. Factors that favour utilizing a similar organization structure include scope for donor trust, for bringing in established competence and a comprehensive approach. REDD must be wary of catering solely to a Northern environmental agenda.



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Dukalskis Alexander

Interactions in Transition: How Truth Commissions and Trials Complement or Constrain Each Other
in *International Studies Review*, vol. 13, issue 3, september , 432-451

ABSTRACT: While there have been recent advances in theories of transitional justice, there remains a lack of theory about how truth commissions and human rights trials interact with each other to facilitate or constrain efforts at transitional justice. This is an important deficiency to remedy because numerous countries long ago leapt ahead of transitional justice theory by sequencing trials and truth commissions, while the International Criminal Court (ICC) will have to manage relationships with truth commissions as its work accelerates. The aim of this article is to use current literatures on transitional justice and political transitions to build a theory of how trials and truth commissions interact with each other. This will be done in three steps. First, the article will elaborate the goals and critiques of trials and truth commissions in order to provide a foundation for how they might interact. Second, the article will consider these institutions in sequence to understand how they interact when trials operate first, truth commissions first, or when they operate simultaneously. Third, the article will consider these sequences in context to understand how legacies of violence and its termination may affect their relationship. This effort is meant to clarify the theoretical issues at stake in the sequencing of these two important institutions, stimulate debate, and inform institutional design.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Golombek Rolf, Hoel Michael

International Cooperation on Climate-friendly Technologies
in *Environmental & Resource Economics*, Volume 49, Number 4, August , 473-490

We examine international cooperation on technological development as an alternative to international cooperation on emission reductions. We show that without any R&D cooperation, R&D in each country should be increased beyond the non-cooperative level if (i) the technology level in one country is positively affected by R&D in other countries, (ii) the domestic carbon tax is lower than the Pigovian level, or (iii) the domestic carbon tax is set directly through an international tax agreement. We also show that a second-best technology agreement has higher R&D, higher emissions, or both compared with the first-best outcome. The second-best subsidy always exceeds the subsidy under no international R&D cooperation. Further, when the price of carbon is the same in the second-best technology agreement and in the case without R&D cooperation, welfare is highest, R&D is highest and emissions are lowest in the second-best R&D agreement.

Full text available online: <http://www.springerlink.com/content/4jw0q0u271448854/fulltext.pdf>.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Scott Karen N

International Environmental Governance: Managing Fragmentation Through Institutional Connection
in *Melbourne Journal of International Law*, Volume 12, Issue 1 (June 2011) , 1-40



The 'fragmentation' of international law is used as a term of description and — more commonly — as a lament. It emphasises the isolation and disconnect between regimes and institutions and has particular resonance within international environmental law; a complex regulatory field comprising multiple regimes and institutions giving rise to overlapping and, occasionally, conflicting legal and policy mandates. This article will focus on the extent to which environmental governance strategies, in particular, the creation of formal cooperative arrangements and other institutional connections between multilateral environmental agreements ('MEAs'), can be deployed, not just to manage the consequences of overlap and outright conflict between regimes, but also to maximise the benefits that arise from a confluence between MEA mandates. This article will argue that these governance strategies represent an important mechanism for managing the consequences of fragmentation and improving the effectiveness of international environmental governance. Nevertheless, closer cooperation and institutional integration among MEAs also raise serious questions relating to the accountability of the regime to its state parties and, more generally, to the legitimacy of that regime. Moreover, the impact of this new form of international environmental governance potentially extends beyond the realm of international environmental law; these governance strategies arguably challenge the fundamentals of the international legal system itself: who we regard as participants within the system, what the sources of international law are and even International law's ultimate basis in consent.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Lev Amnon

Internationalisation of Law: Historical and Cultural Aspects

in *Nordic Journal of International Law*, vol. 80, issue 3 , 241-257

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Jørgensen Knud Erik, Oberthür Sebastian, Shahin Jamal

Introduction: Assessing the EU's Performance in International Institutions – Conceptual Framework and Core Findings

in *Journal of European Integration*, Volume 33, Issue 6 , 599-620

This article introduces the analytical framework of the collection on the performance of the EU in international institutions and summarizes its main findings. We focus on the role of the EU in the decision-making within international organizations and regimes as a major locus of global governance. We suggest unpacking the concept of EU performance into four core elements: effectiveness (goal achievement); relevance (of the EU for its priority stakeholders); efficiency (ratio between outputs accomplished and costs incurred); and financial/resource viability (the ability of the performing organization to raise the funds required). Based on the case studies of the collection, the findings presented in the second part of the article relate to the identified core elements of performance with a particular emphasis on the dimensions of 'effectiveness' and 'relevance'. Most notably, the EU appears, on balance and over the past two decades, to have become much more relevant for its member states when acting within international institutions. Moreover, the findings highlight four particular factors explaining EU performance in international institutions: the legal framework conditions (including the relevant changes that the Lisbon Treaty has brought about), domestic EU politics, the status of relevant EU legislation and policies, and the international context.



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Hurd Ian

**Is Humanitarian Intervention Legal? The Rule of Law in an Incoherent World
in Ethics and International Affairs**, vol. 25, n. 3 , 293-213

ABSTRACT: The paper asks whether humanitarian intervention is legal and reviews contemporary legal arguments on both sides. It finds that both views are sustainable by conventional accounts of the sources of international law; humanitarian intervention is at once legal and illegal. The paper then considers the implications of this for the idea of the rule of law in world politics. The power of international law in this case comes from its utility as a resource for justifying state policies, not as a means for distinguishing compliance from non-compliance. Law remains important to world politics, but in a different way than usually understood.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Koenig-Archibugi Mathias

**Is global democracy possible?
in European Journal of International Relations** , vol. 17, n. 3, september , 519-542

ABSTRACT: Scepticism about the possibility of a democratically governed global polity is often rooted in beliefs about 'necessary conditions'. Some democracy scholars consider a transition to global democracy to be incompatible with necessary conditions for democratic governance, while some International Relations scholars consider it to be incompatible with necessary conditions for international structural change. This article assesses hypotheses and evidence about democratic transitions within states and transformations in the interaction among states and concludes that arguments based on necessary conditions are not compelling. This suggests that global democracy may be unlikely but it is not impossible.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Muñoz Cabré Miquel

**Issue-linkages to Climate Change Measured through NGO Participation in the UNFCCC
in Global Environmental Politics**, Volume 11, Issue 3, Special Issue: Climate Bandwagoning: The Impacts of Strategic Linkages for Regime Design, Maintenance and Death, August , 10-22

NGOs comprise over half the cumulative number of delegates attending the United Nations Framework Convention on Climate Change (UNFCCC) Conference of the Parties (COP) for the 1995–2009 period. These NGOs represent a wide array of issues, including sustainable development, business, and higher education, to name just a few. Based on UNFCCC publicly available participation statistics, this article analyzes NGO participation from a quantitative issue-based perspective, and compares the results with the relevant conclusions drawn by the other contributors to this



special issue. The findings of this analysis confirm informed expectations about issue-driven NGO participation. In particular, three main findings are that: (1) environment and conservation, academic, business, and energy NGOs dominate civil society participation in the UNFCCC; (2) UNFCCC constituencies do not adequately capture the range of issues addressed by observer NGOs; and (3) since 2007, NGO participation has significantly increased and diversified.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Gardels Nathan

It's Time for China to Start Shaping the New Global System

in New Perspectives Quarterly, Vol. 28, Issue 3, Summer , 2-5

<http://onlinelibrary.wiley.com/doi/10.1111/j.1540-5842.2011.01254.x/abstract>

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Nicholson Simon, Chong Daniel

Jumping on the Human Rights Bandwagon: How Rights-based Linkages Can Refocus Climate Politics

in Global Environmental Politics, Volume 11, Issue 3, Special Issue: Climate Bandwagoning: The Impacts of Strategic Linkages for Regime Design, Maintenance and Death, August , 121-136

This paper makes a normative argument for the greater strategic utilization of human rights institutions, practices, and discourses by those seeking a robust response to climate change. Bandwagoning between these two regimes is hardly a new thing. The environmental movement has long looked to the human rights movement for ideas and support, and vice versa. Here, we argue that there is potential for even more explicit bandwagoning in ways that will most directly benefit those who are suffering, and will continue to suffer, from climate change's greatest impacts. The human rights framework offers a guide to more effective climate action via two interconnected arenas: a legal arena that provides an established set of tools for climate activists, and a political arena that provides a normative underpinning for a range of judicial and non-judicial actions in support of 'climate justice.' Ultimately, moral and strategic guidance from the human rights movement points the way to a more equitable and enduring climate politics, with fairness at its heart.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

De Bernardi Alberto

L'impero totalitario

in Filosofia Politica, numero 2, agosto 2011 , 303-314

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy



Andrea Prontera

Le istituzioni internazionali per la sicurezza energetica: origini, funzioni ed efficacia

in *Rivista Italiana di Scienza Politica*, Vol. XLI, Numero 2, Agosto , 173-198

The architecture of global energy security governance is very complicated. This article uses the complex regimes theory as a framework for the analysis of such institutional scheme. In the first part, this framework is used in order to address the genesis, development and interplay of the elemental regimes composing the energy regime complex. The focus is on three main dimensions of international energy governance: the institutions involved in oil supply security (Iea and Opec); the regimes involved in energy trade and investment protection; and the global forum for energy policy coordination (G8, etc.). In the second part, the concept of regime effectiveness at impact level is used to review the performance of the architecture of international energy security governance and to underline the new threats to its capacity.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bellamy Alex J.

Libya and the Responsibility to Protect: The Exception and the Norm

in *Ethics and International Affairs*, vol. 25, n. 3 , 263-269

ABSTRACT: The Responsibility to Protect (RtoP) played an important role in shaping the world's response to actual and threatened atrocities in Libya. Not least, the adoption of Resolution 1973 by the UN Security Council on May 17, 2011, approving a no-fly zone over Libya and calling for "all necessary measures" to protect civilians, reflected a change in the Council's attitude toward the use of force for human protection purposes; and the role played by the UN's new Joint Office on the Prevention of Genocide and the Responsibility to Protect points toward the potential for this new capacity to identify threats of mass atrocities and to focus the UN's attention on preventing them. Given the reluctance of both the Security Council and the wider UN membership even to discuss RtoP in the years immediately following the 2005 World Summit—the High-level Plenary Meeting of the 60th Session of the General Assembly that gave birth to RtoP—these two facts suggest that significant progress has been made thanks to the astute stewardship of UN Secretary-General Ban Ki-moon, who is personally committed to the principle. Where it was once a term of art employed by a handful of like-minded countries, activists, and scholars, but regarded with suspicion by much of the rest of the world, RtoP has become a commonly accepted frame of reference for preventing and responding to mass atrocities.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Rothe Delf

Managing Climate Risks or Risking a Managerial Climate. State, Security and Governance in the International Climate Regime

in *International Relations*, vol. 25, n. 3, september , 330-345

ABSTRACT: Current international climate governance from a risk-political perspective points to a paradoxical moment in world risk society. While the probability of negative climate impacts increases and we can see the emergence of a common risk perception among international decision-makers, nation states in the international climate regime fail to agree on effective preventive measures that could mitigate the harming effects of global warming. While at the



discursive level climate change is constructed as one of the major risks in the twenty-first century, the focus in international climate governance remains on voluntary measures and market-based instruments. Drawing on discourse theory, this paradox can be explained as the outcome of a discursive struggle in climate politics. Risk, in this perspective, is a political technology to govern the future that is embedded within broader political rationalities. Until 2007, risk management in climate governance was established as a form of advanced liberal government based on individualisation and self-responsibility. The growing consensus on dangerous climate change ultimately reinforces this advanced liberal risk management by presenting climate change as a 'naturalised' de-bounded risk and blurring its socio-economic causes.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Jinnah Sikina

Marketing Linkages: Secretariat Governance of the Climate-Biodiversity Interface

in Global Environmental Politics, Volume 11, Issue 3, Special Issue: Climate Bandwagoning: The Impacts of Strategic Linkages for Regime Design, Maintenance and Death, August , 23-43

In this article I argue that, the Secretariat of the Convention on Biological Diversity (CBD), led by its autonomously entrepreneurial Executive Secretary, influences overlap management by strategically linking biodiversity and climate change issues. Specifically, the Secretariat marketed (filtered, framed, and reiterated) strategic frames of the biodiversity-climate change interface that reframed biodiversity from a passive victim of climate impacts, to an active player in climate response measures (i.e. adaptation). This reframing is significant in that a major hurdle to selling the benefits of biodiversity conservation to countries with more pressing development concerns has been the perceived limited relevance of conservation to human well-being. In emphasizing biodiversity's role in human adaptation and security, the Secretariat has begun to shape member state discourse surrounding the biodiversity-climate change linkage. Ultimately aimed at enriching our emerging theoretical understanding of the role of international bureaucracies in global governance, this article illuminates: (1) how the Secretariat understands and manages biodiversity-climate linkages; (2) the origins of the Secretariat's understanding and activities surrounding this issue; and (3) how Secretariat participation in overlap management is beginning to influence CBD political processes and outcomes.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Rosenthal Erika, Watson Robert

Multilateral Efforts to Reduce Black Carbon Emissions: A Lifeline for the Warming Arctic?

in Review of European Community & International Environmental Law, Volume 20, Issue 1, April , 3-10

Rapid reductions in emissions of the short-lived climate forcers black carbon, tropospheric ozone and methane have been identified as an effective strategy to slow rapid warming and melting in the Arctic and other glaciated areas in the near-term, and avert abrupt, irreversible changes while strategies to reduce emissions of CO₂ are implemented to limit long-term consequences. Black carbon is a component of fine particulate matter, a traditional air pollutant with significant health impacts; it has a short atmospheric residence time of about a week, thus emissions reductions provide rapid climate benefit. This article analyses the mitigation approaches that are being discussed in multilateral fora including the Arctic Council, the Convention on Long Range Transboundary Air Pollution and the International Maritime Organization. Arctic climate dynamics will affect climate globally, which calls for leadership from Arctic nations to spur



faster action to abate emissions.

Full text available online: <http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9388.2011.00705.x/pdf>.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Gartzke Erik, Naoi Megumi

**Multilateralism and Democracy: A Dissent Regarding Keohane, Macedo, and Moravcsik
in International Organization**, vol. 65, issue 3 , 589-598

ABSTRACT: In an article printed last year in International Organization, Keohane, Macedo, and Moravcsik argued that multilateral organizations (MLO) could actually be good for democracy. We argue that KMM discount the prospect that MLO influence can be detrimental to democracies not because MLOs are “distant, elitist, and technocratic” but precisely because MLOs are highly political. International organizations have much to offer in improving the welfare of citizens and facilitating coordinations among states. They are not likely to improve procedural functions of democracies without a cost that itself is problematic for democracy.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Godard Olivier

**Négociations sur le climat: la bifurcation opérée à Copenhague en 2009
in Critique Internationale**, N°52, Juillet/Septembre 2011 , 87-110

Negotiations on climate change : the 2009 Copenhagen turning point

The 2009 Copenhagen Conference has been quite unsuccessful for the EU views and the general expectations generated by the agenda of negotiations. It principally demonstrated a huge change in the balance of influences between the main regions of the world. The Cancun conference in 2010 has confirmed the radical turn operated by the Copenhagen meeting. For two decades, the dominant approach has been to look for more and more stringent quantitative commitments of states in regard to their GHG emission levels, only balanced by flexibility mechanisms, with the idea of a phased-in geographical and temporal expansion of the approach. Instead, at Copenhagen and Cancun, have been laid the foundations of a bottom-up, loosely coordinated and fragmented approach made of unilateral pledges shaped by domestic agendas, just balanced by international review process, new promises of new financial transfers toward developing countries, with a particular attention given to programs against deforestation. Since Copenhagen, it is the vision of an international community taking due steps to wisely develop an appropriate common action for the preservation of a major global public good that blew up.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Brown Garrett W.

**On the Prospect for Market-based Approaches to Incentivise Deliberative Global Governance: Responding to a
Response by Agafonow**

in *Theoria*, Volume 58, Number 128, September 2011 , 55-63



No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Goon Michael

Peacekeeping the Game

in International Studies Perspectives, vol. 12, issue 3, august, 250-272

ABSTRACT: Political science students face the difficult challenge of understanding the obstacles to resolving intrastate conflict. Often, instructors will use negotiation-based role-playing simulations to model arduous discussions between the warring groups and intervening parties. However, the long-term challenges of directing peacebuilding and ensuring security are equally important parts of intrastate conflict resolution that remain unaddressed in current simulations. The design of simulations with board-game-like rules for teaching about intrastate conflict has also been unexplored. This paper lays out a new type of simulation with board-game-like rules that present realistic obstacles to students as they try to balance the various needs of their assigned state. A detailed discussion of the significance of each of the game rules and potential applications of the simulation is included.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Dyzenhaus David

Positivism and the Pesky Sovereign

in European Journal of International Law, Vol. 22, issue 2, 363-372

I argue that Hans Kelsen anticipated the main contribution of Jeremy's Waldron's article: the idea that the place of nation states in the international legal order is akin to that of administrative agencies in the domestic legal order, and thus as wielding delegated rather than original authority. For both wish to understand sovereignty as a kind of metaphor for the unity of a legal system rather than as a pre-legal entity. However, legal positivism is unable to make the move to conceiving of sovereignty that way, since the positivist prejudice against natural law has the result that the idea of a pre-legal sovereign is repressed in one place only to pop up in multiple others. In issue in this debate are two conceptions of the rule of law, a positivistic conception that the rule of law consists mainly of determinate rules and a Fullerian conception in which the rule of law is understood as facilitating a certain process of reason and argument. Since Waldron sees the attraction of the latter conception, and since that conception avoids the problem of the pesky sovereign, I suggest that Waldron should embrace it.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Vandeginste Stef, Sriram Chandra Lekha

Power Sharing and Transitional Justice: A Clash of Paradigms

in Global Governance, vol. 17, n. 4, october-december, 489-506

ABSTRACT: Recent peace negotiations practice has given rise to the emergence of two paradigms. In line with normative developments in global human rights protection, internationally brokered peace processes often address the



options for accountability for abuses committed in the past and generally cannot include blanket amnesties. At the same time, many agreements end armed conflicts by offering power-sharing incentives for warring parties. In most cases, power-sharing arrangements are likely to clash with attempts to meaningfully deal with truth, accountability, and reparation for past abuses. The tension between the two paradigms gives rise to a number of important challenges and constraints for policymakers and, thus far, there is little practical evidence to guide them in managing the clash.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Lassalle Didier

Quelles leçons tirer de l'exemple européen?

in *Cité, philosophie, politique, histoire*, n. 46, 2011 , 99-111

L'immigration est un phénomène planétaire d'ampleur croissante qui résiste aux efforts considérables de contrôle – en moyens humains, techniques et financiers – des États destinataires. Les chiffres donnés par l'oim sont particulièrement éloquentes : le nombre total de migrants internationaux est passé de 150 millions de personnes en...

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Waldron Jeremy

Response: The Perils of Exaggeration

in *European Journal of International Law*, Vol. 22, issue 2 , 389-400

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Weiss Thomas G.

RtoP Alive and Well after Libya

in *Ethics and International Affairs*, vol. 25, n. 3 , 287-292

ABSTRACT: With the exception of Raphael Lemkin's efforts on behalf of the 1948 Genocide Convention, no idea has moved faster in the international normative arena than "the responsibility to protect" (RtoP), which was formulated in 2001 by the International Commission on Intervention and State Sovereignty (ICISS). Friends and foes have pointed to the commission's conceptual contribution to reframing sovereignty as contingent rather than absolute, and to establishing a framework for forestalling or stopping mass atrocities via a three-pronged responsibility—to prevent, to react, and to rebuild. But until the international military action against Libya in March 2011, the sharp end of the RtoP stick—the use of military force—had been replaced by evasiveness and skittishness from diplomats, scholars, and policy analysts.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy



Dinar Shlomi, Dinar Ariel, Kurukulasuriya Pradeep

Scarcity and Cooperation along International Rivers: An Empirical Assessment of Bilateral Treaties
in *International Studies Quarterly*, vol. 55, issue 3, september , 809-833

ABSTRACT: Water scarcity is popularly associated with inter-state conflict, yet the academic literature also touts scarcity as an important variable for understanding cooperation over international freshwater. Building on studies that consider the relationship between scarcity and hydro-political cooperation, this paper empirically investigates why water treaties are negotiated for some rivers and between some riparians, and not others. Rather than considering a linear relationship between scarcity and cooperation, this study hypothesizes a curvilinear relationship expecting agreements to emerge in situations where scarcity is moderate rather than very low or high. Additional variables considered for understanding treaty formation include level of governance among the riparian states, prevailing power dynamics along the river, overall inter-riparian relations (measured by trade, diplomatic ties, and militarized disputes), and the geographical configuration of the entire river. The hypothesized curvilinear relationship between water scarcity and cooperation finds significant support in the empirical analyses. Governance, diplomatic relations, and trade are likewise found to be salient in explaining the levels of cooperation. The geographical configuration of the river was significant in only part of the estimates, and the militarized disputes variable was found to be insignificant across all models. Finally, while results confirm that cooperation may not depend on power asymmetries within riparian dyads, as suggested by some theories, the paper does find support for the contention that more developed states are in a position to provide incentives, such as financial transfers, to less-developed states so as to facilitate an international agreement.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

M. HRABANSKI

Souveraineté alimentaire

in *Revue Tiers Monde*, n. 207 , 151-168

This article analyzes the transnational agricultural collective action which has emerged in the name of food sovereignty, in Western Africa, since 2000. It proposes some thoughts about the role of transnational action in a multi-level governance context. The article begins by analyzing the conditions of the emergence of this notion on the international political scene. Based on the study of a transnational collective action on the one hand, and of the Senegalese case on the other, the article then states the hypothesis that the notion of food sovereignty is appropriated by different actors, at times of transnational mobilizations, in order to support national objectives. Thus, the emergence of food sovereignty participates in the politicization of food debates on the international political scene. This term has created some unexpected coalitions in aid of domestic objectives.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Poole Thomas

Sovereign Indignities: International Law as Public Law

in *European Journal of International Law*, Vol. 22, issue 2 , 351-361

Two analogies lie at the core of Professor Waldron's article. The first is the claim that the standard analogy by which the state in international law is like the individual in domestic law is misleading; the state in international law is more like a



government agency in domestic law. The second is that international law is (or is like) a species of public law and should be treated as such by domestic legal systems. I examine both claims, arguing (a) that even if we accept the first analogy it does not get us to the deeper levels of respect and commitment to international law that Waldron argues for, and (b) that the 'floating normativity' inherent in the second claim leads Waldron to overlook the specific organizational and structural conditions of international law. This leaves Waldron's position weakest where it should have most to offer: namely, in instances where our commitment to international law on one hand and the rule of law on the other seem to pull in opposite directions.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Besson Samantha

Sovereignty, International Law and Democracy

in **European Journal of International Law**, Vol. 22, issue 2 , 373-387

In my reply to Jeremy Waldron's article 'Are Sovereigns Entitled to the Benefit of the International Rule of Law?', I draw upon and in some ways expand Waldron's important contribution to our understanding of the international rule of law. First of all, I suggest that Waldron's argument about the international rule of law can be used to illuminate how we should understand the legitimate authority of international law over sovereign states, but also how some of sovereign states' residual independence ought to be protected from legitimate international law. Secondly, I argue that the democratic pedigree of the international rule of law plays a role when assessing how international law binds democratic sovereign states and whether the international rule of law can and ought to benefit their individual subjects. Finally, I emphasize how Waldron's argument that the international rule of law ought to benefit individuals in priority has implications for the sources of international law and for what sources can be regarded as sources of valid law.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Basilien-Gainche Marie-Laure

Sécurité des frontières et/ou protection des droits

in **Cité, philosophie, politique, histoire**, n. 46, 2011 , 47-68

« La tentation du mur n'est pas nouvelle. Chaque fois qu'une culture ou qu'une civilisation n'a pas réussi à penser l'autre, à se penser avec l'autre, à penser l'autre en soi, ces raides préservations de pierres, de fer, de barbelés, de grillages électrifiés ou d'idéologies closes se sont élevées, effondrées, et nous reviennent encore avec de nouvelles stridences. »...

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Rixen Thomas

Tax Competition and Inequality: The Case for Global Tax Governance

in **Global Governance**, vol. 17, n. 4, october-december , 447-468

ABSTRACT: This article presents the normative case for global tax governance. Contrary to an influential part of the



literature, national tax policy choices cause significant externalities for other nation-states. Focusing on business taxation, the article shows that tax competition undermines the integrity and distributive principles of domestic tax systems and aggravates the inequality between developed and developing countries. Further, it demonstrates that the effects of international tax competition are unjust irrespective of whether a globalist or less demanding internationalist perspective on justice is adopted. The minimum requirement of justice is to devise global rules that ensure that national tax systems remain capable to implement distributive justice as they see fit. Finally, the article presents and discusses a concrete proposal for the global governance of business tax competition, namely, unitary taxation with formula apportionment.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Bordino Giampiero

The Challenge of a World Government

in Federalist Debate (The), Year XXIV, n. 2, July

Book review: Marcel Rouby (Ed.)
Le pari d'un gouvernement mondial
(The Challenge of a World Government)
A2C Medias, Paris, 2010

<http://www.federalist-debate.org/fdb/archive/detail.bfr>

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Wapner Paul

The Challenges of Planetary Bandwagoning

in Global Environmental Politics, Volume 11, Issue 3, Special Issue: Climate Bandwagoning: The Impacts of Strategic Linkages for Regime Design, Maintenance and Death, August , 137-144

This article explores a paradox at the heart of climate bandwagoning. Numerous actors have hitched their efforts to climate policy formation in an effort either to advance their own interests or genuinely contribute to addressing this most urgent global dilemma or both. At the same time, the large number of stakeholders complicates climate negotiations as exceeding numbers of actors bring related but tangential issues into discussions and demand to be heard. The international community is thus faced with an almost existential situation: to address climate change in an effective manner requires nearly everyone in the room (regime bandwagoning); with everyone in the room, however, less is accomplished (regime sclerosis). This article explains such a paradox by stepping back from the cases presented in this special issue, and bringing into high relief the lineaments of regime congestion as they manifest in global climate affairs, and outlining the promises and perils involved.

Section B) Global governance and international organizations



Subsection 4. Global governance, supranational federalism and democracy

George-Duckworth Adriana M.

The Collective Goods Problem in Managing Environmental Issues
in *Peace Review*, vol. 23, n. 2 , 214-220

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Brochmann Marit, Hensel Paul R.

The Effectiveness of Negotiations over International River Claims
in *International Studies Quarterly*, vol. 55, issue 3, september , 859-882

ABSTRACT: Rising demand for water in water-scarce areas has led to frequent predictions of looming “water wars,” although evidence suggests that water is also an important source of cooperation. This paper follows up on recent research suggesting that river disagreements are more likely to lead to both militarized conflict and peaceful negotiations when water demands and water scarcity are greatest, but that river treaties have generally prevented militarization while increasing negotiations. Here, we examine the effectiveness of these negotiations, in order to determine whether factors that promote negotiation onset have different effects on negotiation outcomes. Empirical analysis suggests that negotiations are most likely to succeed when they concern rivers with high value for the negotiating states (with many uses offering the possibility of negotiating tradeoffs), when they concern a current rather than future problem, and when the adversaries share closer overall relations, but less likely when water scarcity is more acute and when they involve a cross-border river with a stronger upstream state.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Ersen Jonas Christoff, Madsen Mikael Rask

The End of Virtue? Denmark and the Internationalisation of Human Rights
in *Nordic Journal of International Law*, vol. 80, issue 3 , 257-278

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Dann Phillipp- Engelhardt Marie.v.

The Global Administrative Order Through a German Lens: Perception and Influence of Legal Structures of Global Governance in Germany
in *German Law Journal*, Vol. 12, issue 7 , 1371-1388

This article examines to what extent and how German administrative law and organisation have been changed by globalization, as well as the increasing reach and depth of global governance. A first chapter analyzes the legal discourse in Germany and finds that international (more than global) administrative law has become a major topic. It



points to three different strands in German scholarship and highlights especially the proposal to conceptualize global governance as an exercise of international public authority. In a second step, the article examines three specific fields of law (environment, health and financial services) and analyzes how national administrative and legal structures have been influenced by globalization. In particular, it inquires what instruments of standard setting and forms of implementation have been used. Finally, the article acknowledges that globalization has had a tremendous effect on German administrative law, and describes seven instrumental and substantive modes of the effect of international rules on the German legal order.

Full text available at: <http://www.germanlawjournal.com/index.php?pageID=11&artID=1365>

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Wessel Ramses A.,

**The Legal Framework for the Participation of the European Union in International Institutions
in Journal of European Integration**, Volume 33, Issue 6 , 621-635

This article addresses to what extent the current EU Treaties regulate the position of the EU in other international institutions. This is a legal question, which explains the strong focus on competences and treaty provisions. The main findings are therefore related to what the EU can do, how it can do this (and has done it), and what the division of competences is in relation to its member states. It is argued that legal competences matter and that they may influence the performance of the EU in international institutions. In that respect, it is concluded that the treaties do allow for the EU to be engaged in international institutions and even to become a full member of other international organizations or participate in treaty regimes, albeit that the treaties do not at all present the relevant provisions in any coherent fashion.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Buck Matthias, Hamilton Clare

**The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising
from their Utilization to the Convention on Biological Diversity**

in Review of European Community & International Environmental Law, Volume 20, Issue 1, April , 47-61

The tenth session of the Conference of the Parties to the Convention on Biological Diversity successfully adopted the 'Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity' in October 2010. This article identifies the main challenges in the final negotiations and explains the framework for access and benefit-sharing established by the Protocol both for genetic resources and for traditional knowledge associated with genetic resources. It also describes in more detail the Protocol's economic, temporal and geographic scope; its relationship to other international instruments; the treatment of pathogens; the role of non-commercial research; and the global multilateral benefit-sharing mechanism. The article then identifies next steps at national level and at international level – in the Intergovernmental Committee set up to prepare the entry into force of the Protocol – to ensure that the Nagoya Protocol becomes a major tool for benefit-sharing as well as for the conservation and sustainable use of biological diversity.



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 Two: Possibilities of Another Round of US Hegemony, Global Collapse, or Global Democracy

in *Globalizations* , Volume 8, Issue 3 , 269-285

This two-part paper discusses developments at the beginning of the 21st century, using the comparative world-systems perspective to see disturbing similarities, and 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. We then use this perspective to consider possible scenarios for the next several decades. In Part One, published in the preceding issue, we considered the major challenges of massive global inequalities, ecological degradation, and a failed system of global governance in the wake of US hegemonic decline. In Part Two that follows, 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 hegemony based on comparative advantage in new lead industries and another round of US political hegemony—instead of supremacy; (2) collapse: interstate rivalry, deglobalisation, financial and economic collapse, ecological disaster, resource wars, and deadly epidemic diseases; and (3) capable, democratic, multilateral and legitimate global governance strongly supported by progressive transnational social movements and global parties, semiperipheral democratic socialist regimes, and important movements and parties in the core and the periphery.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Decaux Emmanuel

The Place of Human Rights Courts and International Criminal Courts in the International System

in *Journal of Politics in Latin America* , Vol 3, No 1 , 597-608

The purpose of this article is to discuss the place of supranational human rights courts and international criminal courts in the general context of public international law. The author analyses whether we can speak of a genuine 'international order' based on the principles of the 1945 Charter, or whether, on the contrary, we should resign ourselves to a 'fragmentation of international law'. After having underlined the problems related to the proliferation of judicial bodies, the author envisages a reconstruction of an international system: on the one hand, a justice system affording civil redress for damage suffered by victims by holding states responsible, in the manner of the European Court of Human Rights, and on the other hand, a justice system based on criminal responsibility of the perpetrators of international crimes, with the victims having no other place in the proceedings than as witnesses.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Capps Patrick, Machin Dean

The Problem of Global Law

in *Modern Law Review (the)*, Vol. 74, issue 5 , 794–810



No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

d'Aspremont Jean

The Rise and Fall of Democracy Governance in International Law: A Reply to Susan Marks

in European Journal of International Law, Vol. 22, issue 2 , 549-570

Although going down a different path, this article reaches similar conclusions to those formulated by Susan Marks. It starts by showing that the years 1989–2010 can be hailed as an unprecedented epoch of international law during which domestic governance came to be regulated to an unprecedented extent. This materialized through the coming into existence of a requirement of democratic origin of governments which has been dubbed the principle of democratic legitimacy. However, this article argues that the rapid rise of non-democratic super-powers, growing security concerns at the international level, the 2007–2010 economic crisis, the instrumentalization of democratization policies of Western countries as well as the rise of some authoritarian superpowers could be currently cutting short the consolidation of the principle of democratic legitimacy in international law. After sketching out the possible rise (1) and fall (2) of the principle of democratic legitimacy in the practice of international law and the legal scholarship since 1989, the article seeks critically to appraise the lessons learnt from that period, especially regarding the ability of international law to regulate domestic governance (3) and the various dynamics that have permeated the legal scholarship over the last two decades (4). In doing so, it sheds some light on some oscillatory dynamics similarly pinpointed by Susan Marks in her contribution to this journal.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Sarkozy Nicolas

The State and the Internet: A Call for Collective Responsibility

in New Perspectives Quarterly, Vol. 28, Issue 3, Summer , 7-11

The other great transformation in the world besides the rising power of the emerging economies has been the ever deeper penetration of the Internet in civil society and the economy. Alone among world leaders, French President Nicolas Sarkozy has sought to address the sticky issue of how to “civilize the Internet” in the G-8, a key forum of global governance which France chairs this year. As a kind of historical document, in this section we publish Sarkozy's speech to the leading information technologists and entrepreneurs he gathered in Paris in May for the first “e-G-8” Summit. Eric Schmidt, executive chairman of Google, was among the attendees. We include his report to the 21st Century Council of the Nicolas Berggruen Institute.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Rengger Nicholas

The world turned upside down? Human rights and International Relations after 25 years



in **International Affairs** , vol. 87, issue 5, september , 1159-1178

ABSTRACT: This article revisits the arguments of John Vincent's influential 1986 book, *Human rights and International Relations* and situates them against the context both of the debates of his own time and the debates of the early twenty-first century. Vincent's arguments are assessed and evaluated in their own terms and compared and contrasted with dominant positions today. The arguments are then assessed in the light of two leading critical perspectives on human rights before considering a final criticism of the possibility and desirability of the current human rights regime in *International Relations*.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Detraz Nicole

Threats or Vulnerabilities? Assessing the Link between Climate Change and Security

in **Global Environmental Politics**, Volume 11, Issue 3, Special Issue: Climate Bandwagoning: The Impacts of Strategic Linkages for Regime Design, Maintenance and Death, August , 104-120

This article analyzes how climate change has been strategically linked to security issues in recent decades by a variety of actors. I begin by elaborating on two general discourses on the relationship between environment and security, which I call environmental conflict and environmental security. Using discourse analysis, I examine the particular ways that security and climate change have been linked by scholars, policymakers and the media. I then explore some of the potential implications that discussing climate change through each of these security discourses have for policy outcomes within the climate regime. I conclude that the environmental security discourse is the most useful for stressing vulnerabilities and the human security concerns linked to climate change.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Petersen Clement Salung

Treaties in Domestic Civil Litigation: Jura Novit Curia?

in **Nordic Journal of International Law**, vol. 80, issue 3 , 369-403

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Marauhn Thilo, Nolte Georg, Paulus Andreas

Trends in International Humanitarian Law

in **Human Rights Law Journal**, vol. 29, n. 6-12, december , 216-220

No abstract available



Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Senghaas Dieter

Ultima Ratio Intervention?

in **Blätter für deutsche & internationale Politik**, August, 2011 , 30-34

Der Fall Libyen hat – in Deutschland weniger als im Ausland und speziell in Frankreich – eine erregte Debatte darüber ausgelöst, ob die internationale Gemeinschaft angesichts oft katastrophaler Entwicklungen in manchen Gesellschaften der Welt das Recht oder gar die Pflicht hat, sich massiv in die inneren Angelegenheiten von Staaten einzumischen. Einerseits gehört die Nichteinmischung in innere Angelegenheiten zu den grundlegenden Prinzipien des Völkerrechts; andererseits gebietet ein wachsender Konsens über normative und insbesondere menschenrechtliche Mindeststandards eine Einmischung, sofern diese Mindeststandards nicht eingehalten werden.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Zürn Michael

Vier Modelle einer globalen Ordnung in kosmopolitischer Absicht

in **Politische Vierteljahresschrift**, Heft 1, 2011

No abstract available

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Tichy Roland, Guérot Ulrike

Vom eigenen Garten zur weltweiten Ressourcenverteilung - Essay

in **Aus Politik und Zeitgeschichte**, Band 28-30, 2011

The full text is free:

www.bpb.de/publikationen/OMIL3U,0,Vom_eigenen_Garten_zur_weltweiten_Ressourcenverteilung_Essay.html

Inhalt:

Einleitung

Es gibt kein absolutes, unbegrenztes Eigentum

Folgerungen aus der Allmendediskussion

Europa als Gemeingut



Globale Ordnungspolitik und Global Common Goods

Bedingungen europäischer Außenpolitik

Schlussbemerkung

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Marks Susan

What has Become of the Emerging Right to Democratic Governance?

in European Journal of International Law, Vol. 22, issue 2 , 507-524

In 1992 the American Journal of International Law published an article by Tom Franck entitled 'The Emerging Right to Democratic Governance'. The article inaugurated an important debate on the relationship between international law and democracy. Reviewing that debate, I examine four different ways of thinking about the contemporary significance of the emerging right to democratic governance. While not claiming that any is wrong, I consider some respects in which each is limited. I also discuss Haiti, as a country which inspired the thesis of the emerging democratic entitlement, and one which remains illuminating for it today.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Chesterman Simon

“Leading from Behind”: The Responsibility to Protect, the Obama Doctrine, and Humanitarian Intervention after Libya

in Ethics and International Affairs, vol. 25, n. 3 , 279-285

ABSTRACT: Humanitarian intervention has always been more popular in theory than in practice. In the face of unspeakable acts, the desire to do something, anything, is understandable. States have tended to be reluctant to act on such desires, however, leading to the present situation in which there are scores of books and countless articles articulating the contours of a right—or even an obligation—of humanitarian intervention, while the number of cases that might be cited as models of what is being advocated can be counted on one hand.

Section B) Global governance and international organizations

Subsection 4. Global governance, supranational federalism and democracy

Schmidt Eric

“Openness Must Be the Norm”

in New Perspectives Quarterly, Vol. 28, Issue 3, Summer , 8-9

The other great transformation in the world besides the rising power of the emerging economies has been the ever deeper penetration of the Internet in civil society and the economy. Alone among world leaders, French President Nicolas Sarkozy has sought to address the sticky issue of how to “civilize the Internet” in the G-8, a key forum of global governance which France chairs this year. As a kind of historical document, in this section we publish Sarkozy's speech



to the leading information technologists and entrepreneurs he gathered in Paris in May for the first “e-G-8” Summit. Eric Schmidt, executive chairman of Google, was among the attendees. We include his report to the 21st Century Council of the Nicolas Berggruen Institute.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Lecaldano Eugenio

Amartya Sen e Adam Smith: relazioni globali e giustizia

in *Rivista di Filosofia*, numero 2, agosto 2011 , 261-276

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Giuseppe Ladetto

Andare oltre la globalizzazione

in *Diorama*, n.305, settembre

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Simic Olivera

Bringing “Justice” Home? Bosnians, War Criminals and the Interaction between the Cosmopolitan and the Local

in *German Law Journal*, Vol. 12, issue 7 , 1388-1407

One day before the historic trial against Radovan Karadžić was due to begin, Biljana Plavšić, a former Bosnian Serb leader, was released from prison after serving two-thirds of an 11-year sentence for war crimes. She flew in from Sweden to Belgrade, where she was welcomed by the Prime Minister of Republika Srpska. While Plavšić was on her way home, more than a hundred representatives of Bosnian nongovernmental organizations were heading from home to the Hague, to be present for the beginning of the Karadžić trial. Drawing on cases of returning war criminals, this article argues that similar to Bosnian citizens and war criminals who are commuting in different directions, cosmopolitan and local forms of justice in Bosnia and Herzegovina are also progressing in opposite destinations.

Full text available at:

<http://www.germanlawjournal.com/index.php?pageID=11&artID=1366>



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Mol Arthur P.J.

China's ascent and Africa's environment

in **Global Environmental Change**, Volume 21, Issue 3, Special Issue: 'Symposium on Social Theory and the Environment in the New World (dis)Order', August , 785-794

China's unprecedented economic growth path over the last two decades has been paralleled by an exponential growth in the consumption of natural resources and in pollution. Initially, China mainly exploited domestic resources to fuel its rapid industrial development. But over the last decade, increasing shares of China's natural resources consumption and environmental impacts relate to peripheral regions, including sub-Saharan Africa. China's environmental impacts in peripheral regions seem in line with World-Systems Theory predictions for ascending world powers. This paper assesses the extent to which the World-Systems Theory idea of 'environmentally unequal exchange' between ascending world powers and peripheral economies reflects current behaviour of Chinese governmental authorities and companies in sub-Saharan Africa. It concludes that the theory only partly does so. Behaviour of Chinese governmental authorities and firms is conditioned and guided by environmental norms, as well. World-Systems Theory has to make conceptual space for such new environmental behaviour of ascending world powers, to understand the contemporary and future world-systems. At the same time, China has a long way to go before becoming the 'green' exemplar for the world to follow.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Gusev Alexander S.

Climate Change Issues in a Transatlantic Context

in **Europe en formation (L')**, n. 360, Eté, 2011 , 79-91

The article considers climate change issues in the context of EU-US dialogue. The USA policy on the federal level is even less open for any changes after the failure of Democrats in the midterm elections in November 2010. It is compounded by lack of consensus among business community and decreasing support of public. On the other hand, the EU needs to change the approach to the climate change negotiations which are to be held in Durban, South Africa in 2011. Thus, the article examines the difference in approaches and perceptions for the EU-US negotiations on climate change issues. The system itself is also changing. There is a leadership shift in energy policy coming from federal to regional level, from governments to states and industries. The business community is more prepared to move forward energy policy rather than follow government policy in this field. So, it results in the growing role of bilateral relations between Member States and US States, NGOs and civil society, as well as the necessity to transfer the 'soft' power into 'smart' power in terms of climate change policy.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Engel Stefanie, Palmer Charles

Complexities of Decentralization in a Globalizing World

in **Environmental & Resource Economics**, Volume 50, Number 2, October , 157-174



In many developing countries, decentralization programmes for natural resource management aim to induce incentives for sustainable resource management at the local level. The effectiveness of such programmes has, however, suffered from weak property rights to the resource and by the presence of externalities. Growing economic integration among countries has exacerbated these problems by increasing the exposure of local user groups to commercial actors interested in resource extraction. In this paper, the interplay of decentralization and globalization in affecting environmental outcomes and community welfare is analysed through a game-theoretic model of community-firm interactions. The results highlight the complexities of policy design. First, by raising the extractive value of the resource, globalization may lead to communities negotiating resource extraction agreements with firms. Second, with a lack of effective state enforcement of community resource rights, communities may be unable to assume de facto ownership over the resource, while commercial actors succeed in exploiting resources without community consent. No single policy option provides a panacea to counteracting these negative effects. Instead, a mix of policies, combining incentive payments along with the provision of more secure property rights and poverty alleviation is shown to have the potential to improve both environmental outcomes and community welfare.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Spohr Readman Kristina

Contemporary History in Europe: From Mastering National Pasts to the Future of Writing the World
in *Journal of Contemporary History*, Volume 46, Issue 3, July 2011 , 506-530

Abstract

Debates surrounding the approach to and distinctiveness of contemporary history qua history that had been simmering ever since the professionalization of history in the late nineteenth century re-emerged with vigour after 1990. This article attempts to identify what characterizes and distinguishes (the history of) our present time, by comparing the evolution of what has been labelled 'contemporary history' in France, Germany and Britain over the last 90 years. In discussing some of the conceptual problems and methodological challenges of contemporary history, it will be revealed that many in Europe remain stuck in an older, 'national' (and transnational) fixation with the second world war and the nazis' atrocities, although working in medias res today appears to point to the investigation of events and phenomena that are 'global'. The article will seek to make a fresh suggestion of how to delimit 'contemporariness' from the older 'past' and end with some comments on the significance of the role of contemporary history within the broader historical discipline and society at large.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Chemillier-Gendreau Monique

Contribution of the Reims School to the Debate on the Critical Analysis of International Law: Assessment and Limits

in *European Journal of International Law*, Vol. 22, issue 3 , 649-661

The changes which have occurred in the world and the failure of the mechanism of collective security oblige lawyers to open a new critical approach to international law. In this context, it is important to come back to the French movement



known as Critique du droit, and more especially to the work produced in the Reims Colloquia under Professor Chaumont's authority. This theoretical contribution points out the link between the norms of law and the concrete conditions of their formation. It considers the compulsory nature of norms as a result of a compromise between several contradictions, and by doing so, it opens a new window on the understanding of law. But, today, this theory has to be completed by a deeper analysis of the concept of sovereignty. The consequence of this core concept is the contractual nature of most norms of international law. It is quite impossible to build a universal international law, the emergence of general imperative norms being hitherto too weak. International law, dominated by sovereignty, is inadequate to protect world society.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Campbell David, Klaes Matthias

Copenhagen, Cancun and the limits of Global Welfare Economics

in **Economic Affairs**, Volume 31, Issue 2, June 2011 , 10-16

The rise of a global welfare economics directed at the environmental challenges facing our planet represents a new policy phenomenon. This paper examines the most ambitious attempt so far to put such economics into practice via the Kyoto Protocol and more specifically the Clean Development Mechanism of the Protocol. The Copenhagen and Cancún climate change conferences have put an end to hopes of the Protocol serving as an effective tool in the mitigation of global warming. This failure of the new global welfare economics is the result of flawed principles, not just defective implementation.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Espinosa-Vega Marco A., Solé Juan

Cross-border financial surveillance: a network perspective

in **Journal of Financial Economic Policy**, Volume 3 issue 3 , 182 - 205

Purpose – The purpose of this paper is to show how network analysis can be used for effective cross-border financial surveillance, which requires the monitoring of direct and indirect systemic linkages.

Design/methodology/approach – This paper illustrates how network analysis could make a significant contribution in this regard by simulating different credit and funding shocks to the banking systems of a number of selected countries. After that, the authors show that the inclusion of risk transfers could modify the risk profile of entire financial systems, and thus an enriched simulation algorithm able to account for risk transfers is proposed.

Findings – Finally, the authors discuss how some of the limitations of the simulations are a reflection of existing information and data gaps, and thus view these shortcomings as a call to improve the collection and analysis of data on cross-border financial exposures.

Originality/value – This paper is one of the very few to take a cross-border perspective on financial networks. It is also unique in accounting for risk transfers and in proposing a methodology to include the analysis (and monitoring) of risk transfers into a network model.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Li Hong

Depoliticization and Regulation of Sovereign Wealth Funds: A Chinese Perspective

in *Asian Journal of International Law*, Vol. 1, issue 2 , 403-422

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 5. The Globalization process

Aakvik Arild, Tjøtta Sigve

Do collective actions clear common air? The effect of international environmental protocols on sulphur emissions

in *European Journal of Political Economy*, Volume 27, Issue 2, June 2011 , Pages 343-351

This paper considers the effects of voluntary international environmental protocols on emissions, in particular the effect of the 1985 Helsinki Protocol and the 1994 Oslo Protocol on the reduction of sulphur oxides. The analysis employs panel data from 30 European countries over the period between 1960 and 2002. We divide all countries into ‘signatories’ and ‘controls’, i.e., those that have signed and ratified a specific protocol and those that have not. Using a difference-in-difference panel data regression model, including yearly dummies and country-specific quadratic growth trajectories, we find no significant effect of either the Helsinki or the Oslo agreement in reducing sulphur emissions.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Milani Carlos R. S.

Emerging Countries in the Current World Order: Changes and Political Legitimacy

in *Revue internationale et stratégique*, 2011/2 (n° 82) , 52-62

Can emerging countries counterbalance the strategic weight of the G8 powers? In this article, the author analyses the role played by the “emerging powers” in the prevailing international system. What will be the consequences of changing strategic representations on the western monopoly of world order ? Which individual or collective strategies for a change



of the interstate and economic system are adopted by these countries – despite their differences in terms of international insertion or geopolitical interests? By becoming the unavoidable actors of a South-South cooperation, of the development of the fight against poverty and of the reform of international institutions, emerging countries are questioning their role inside the established order and show their international ambition.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Grunwald Armin

Energy futures: Diversity and the need for assessment

in Futures, Volume 43, Issue 8, October , 820-830

In energy policy and energy research, decisions have to be made about the technologies and infrastructures that may be used to provide and distribute energy in future times, some of which are very distant. Frequently, energy futures such as predictions of the energy demand or energy scenarios are used for decision-support in this field. The diversity of energy futures, however, threatens any possibility for orientation, could lead to disorientation instead of helping more rational decision-making and could be used for ideological purpose. In this paper, we investigate concepts and approaches for scrutinizing, comparing and assessing the various energy futures from an epistemological point of view. Following the analysis of the structure of (energy) futures we will conclude that comparisons and assessments of energy futures should be made through processes of scrutiny and assessment, looking into the ingredients which have been used in constructing the respective futures, and into the process of their composition. Providing much more insight into the cognitive and normative structure of energy futures is required for allowing a more transparent and deliberative societal debate about future energy systems.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Quilley Stephen

Entropy, the anthroposphere and the ecology of civilization: An essay on the problem of 'liberalism in one village' in the long view

in Sociological Review, Volume 59, Issue Supplement, June 2011 , 65-90

Abstract

In his theory of civilizing processes Elias drew attention, albeit obliquely, to the interweaving connections between ecological, biological, social and psychological processes operating at a variety of nested temporal scales. Elucidating a series of fundamental propositions, this paper is an attempt firstly to explicate the parameters of the general theory of humanity that is implicit in his concrete historical studies, and secondly to apply this theory to linked problems of global sustainability and cosmopolitan democracy. Building on Goudsblom's concept of the 'anthroposphere', I argue that long-term processes of social development have always been synonymous with a specific process of ecological transformation defined by 'trophic expansion'. This Eliasian approach to human ecology is then used to explore the global environmental ecological crisis through the lens of the *longue durée*. From this perspective, I question liberal assumptions about the natural affinity between democracy and ecological sustainability and, more specifically, the possibility of 'low energy cosmopolitanism'. Developing ideas hinted at by C. H. Waddington in the 1960s and more recently by James Lovelock, I argue that any long-term future for complex, cosmopolitan societies and a sustainable rapprochement between the biosphere and the anthroposphere, will depend on the emergence of technologies of



'trophic detachment'.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Das Dilip K.

Financial Globalization: Past and Present

in **Economic Affairs**, Volume 31, Issue 2, June 2011 , 63-67

This article compares and contrasts the two modern periods of financial globalisation, approximately a century apart. The focal point of the first period was around the turn of the twentieth century, while that of the second was around the turn of the twenty-first century. Financial globalisation in the latter era was far deeper and there was a remarkable across-the-board transformation of the global financial system. An interesting twenty-first-century phenomenon is the recent change in direction of capital flows: that is, sizeable sums of capital flowing from non-industrial countries to advanced industrial countries.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Ikechukwu A. Acha

Financial derivatives, global economic crisis and less developed countries (LDCs)

in **Journal of Economics and International Finance**, September, 2011; 3(9) , 508-512

Financial derivatives have been acclaimed as the greatest innovation of the 20th century. This popularity is not unconnected to their use as risk management tool. It is therefore disconcerting that such instruments meant to manage risks can be blamed for having exacerbated it, to the extent of causing a global crisis. In the light of the aforementioned, this paper examines the nature and uses of derivatives, assesses the role it played in the global financial crisis, investigates if the presence of derivatives in the financial market was sufficient condition to cause the crisis and examines the impact of the crisis on less developed countries (LDCs). Findings reveal that the crisis had serious debilitating effect on LDCs and that though derivatives triggered the crisis, certain fundamental and systemic defects of capitalism actually predisposed the world economy to it. Tying executive bonuses to long run performance, separating investment and commercial banking and insisting that derivatives be traded only in recognized exchanges were recommended to forestall reoccurrence of this type of crisis.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Rixen Thomas

From double tax avoidance to tax competition: Explaining the institutional trajectory of international tax governance

in **Review of International Political Economy**, Volume 18, Issue 2, 2011 , pages 197-227

This article presents a history of international tax governance and offers a rationalist reconstruction of its trajectory. As



an unintended consequence of its institutional setup, the tax regime, which originally only dealt with double tax avoidance, produces harmful tax competition. Despite this negative effect there are only incremental and partial changes of the regime, which are insufficient to curb tax competition. I argue that this development can be explained by considering the properties – and the sequence in which they come up – of the collective action problems inherent in double tax avoidance and tax competition. First, in double tax avoidance, a coordination game with a distributive conflict, governments did not want to endanger the solution they had institutionalized long before tax competition became virulent. Second, governments are unable to resolve the emergent asymmetric prisoner's dilemma of tax competition due to conflicts of interest among big and small country governments and successful lobbying of corporate capital. As a result, the institutional trajectory is characterized by the simultaneous occurrence of stability in the core principles and indirect and incremental changes of the rules in the form of rule stretching and layering.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Torben M. Andersen, Allan Sørensen

Globalisation squeezes the public sector—is it so obvious?

in *International Tax and Public Finance*, Volume 18, Number 4

Abstract

It is widely perceived that globalization squeezes public sector activities by making taxation more costly. This is attributed to increased factor mobility and to a more elastic labour demand due to improved scope for relocation of production, and thus employment across countries. We argue that this consensus view overlooks that gains from trade unambiguously work to lower the marginal costs of public funds. Moreover, we argue that a more elastic labour demand may actually reduce the marginal costs of labour income taxation and that globalization may actually reduce the labour demand elasticity

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Sealey Anne

Globalizing the 1926 International Sanitary Convention

in *Journal of Global History*, Volume 6, Issue 03, 2011 , 431-455

Abstract

The 1926 International Sanitary Convention, which laid out requirements for port sanitation and quarantine in order to limit the spread of diseases internationally, changed the way that the world approached international epidemic control. The 1926 convention is notable for two reasons: the increased reliance on epidemic intelligence rather than quarantine, and the splitting of the world into a series of formalized regional networks under the auspices of a global agreement. This article explores the creation and the limits of this system as a window into shifting understandings of disease and international relations in the interwar era, arguing that sanitary spheres of influences were shaped by, but not entirely



dependent on, political spheres of influence.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Nicola Yeates

**Going Global: The Transnationalization of Care
in Development and change**, Vol. 42, n°4 , 1109-1130

This article critically examines the contours of 'care transnationalization' as an ongoing social process and a field of enquiry. Care transnationalization scholarship combines structural understandings of global power relations with an emphasis on social interactions between defined actors in ways that keep sight of human agency, material welfare and wider social development. It has, however, tended to privilege particular forms, dynamics and sites of care transnationalization over others. The body of research on care labour migration, which is otherwise the most developed literature on care transnationalization to date, contains a number of biases and omissions in its coverage of border-spanning relations and their mediation across country contexts. At the same time, other significant forms of care transnationalization, such as those involving consumer-based care migration, corporate restructuring and the formation of care policy, have suffered from comparative neglect. Working towards an integrated agenda that addresses these diverse expressions of care transnationalization and how they 'touch down' in a range of sectoral, social and country contexts is of prime importance to policy research agendas directed at understanding the wider development impacts of processes of social and economic restructuring.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Pellizzoni Luigi

Governing through disorder: Neoliberal environmental governance and social theory

in Global Environmental Change, Volume 21, Issue 3, Special Issue: 'Symposium on Social Theory and the Environment in the New World (dis)Order', August , 795-803

Recent years have witnessed the spread of an array of market-inspired environmental governance approaches, often associated with neoliberal ideas, programs and policies. Drawing on the governmentality framework and focusing on the examples of biotechnology patenting and the financialisation of climate and weather, the article argues that the conceptual underpinnings of these approaches lie in a novel understanding of the ontological quality of the biophysical world. The latter is conceived as fully plastic, controllable, open to an ever-expanding human agency. Neoliberal governance operates through, rather than despite, disorder – that is, through contingency, uncertainty, instability. In the public realm this idea constitutes a sort of shared horizon of meaning; but environmental social theory has a difficult time accounting for it. By reviewing three major perspectives, namely ecological modernization, neo-Marxism and poststructuralism, it is shown that behind contradictions and reticence in their assessments of neoliberal governance lie difficulties in making sense of the latter's theoretical core. This sets a challenging research program for social theory.

Section B) Global governance and international organizations

Subsection 5. The Globalization process



Reading Anna

Identity, memory and cosmopolitanism: The otherness of the past and a right to memory?
in *European Journal of Cultural Studies*, Volume 14, No. 4, August 2011 , 379-394

Abstract

Implicated within the relationship between memory and identities at the local, national and international levels is the question of whether there is 'right to memory': the human right to have the otherness of the past acknowledged through the creation of symbolic and cultural acts, utterances and expressions. This article outlines the rationale for a right to memory and why the debate is of importance to memory and cultural studies. It outlines some of the relationships understood between memory and identity within memory studies, suggesting that a right to memory requires an understanding of the complex dynamics of memory and identities not only within, but internationally across, borders. It extends the concept of political cosmopolitanism to use as an analytical framework to enable an analysis of current international protocols, showing how they formulate the discursive relationship between identity and memory in four ways that involve a number of contradictions and unresolved tensions.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Bogaert Koenraad, Emperador Montserrat

Imagining the State through Social Protest: State Reformation and the Mobilizations of Unemployed Graduates in Morocco

in *Mediterranean Politics*, Volume 16, issue 2, July , 241-259

This article discusses the transformation of the Moroccan state under contemporary neoliberal globalization, and considers what this transition means for the ways in which scholars view state–society interplay in Morocco and the Arab world more generally. Specifically, it examines the protest of unemployed graduates in Morocco, suggesting that public demonstrations are not only a means to communicate and mobilize demands, but also a technology to reclaim and reproduce a particular 'truth' in public. This truth does not necessarily equate with the reality of the neoliberal state as a dispersed material force. As such, by looking at the case of Morocco, we hope to instigate further debate on the nature of the state and its specific relation to phenomena as globalization, society and social protest.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Simmons Beth A.

International Studies in the Global Information Age

in *International Studies Quarterly*, vol. 55, issue 3, september , 589-599

ABSTRACT: The Global Information Age poses new and interesting questions for the study of international affairs. This Presidential Address surveys recent developments in commercialized and globalized information technologies that have and will continue to impact political and social relationships around the world. These new technologies affect power relationships among states, as well between states and civil society. They also present possibilities for new forms of global accountability and participation in governance. Finally, a range of technologies offer new and powerful ways to



collect data for our research that allow us to ask new questions. President Simmons concludes as a result that exploratory empirical research is more enticing than ever before, but cautions that we should never think we can outsource the hard job of thinking to the very technologies that make innovative research possible in the first place.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Mestiri Soumaya

Islam as a Democratic Interlocutor? Towards a Global Concept of Democracy
in *Diogène - Diogenes*, Volume 57, No. 2, May 2010 , 24-34

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process

B. Singh, P. Shetler-Jones

Japan's reconceptualization of national security: the impact of globalization
in *International Relations of the Asia-Pacific*, Volume 11, Issue 3, September , 491-530

Japan has steadily extended its military reach from a domestic zone of defense against territorial invasion in the late 1950s, through regional security policy in the late 1970s to what has now become a globally scaled military role. This re-expansion is perceived by some as evidence of revived militaristic ambitions, and by others as subservience to the US global strategy. However, taking the cue from Japan's 2004 National Defence Programme Guideline (New Taikō), this paper assesses the role globalization has played in this territorial expansion. The impact of globalization is evident in the double expansion of Japan's national security conception in geographical terms and self-defense forces roles in global security. These 'expansions' are studied through two key elements of globalization – the deterritorialization of complex relations of interdependence between states (security globality) and the inter-penetrating nature of these relations blur the boundary between foreign and domestic spaces (intermestic space).

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Kott Sandrine

Les organisations internationales, terrains d'étude de la globalisation. Jalons pour une approche socio-historique
in *Critique Internationale*, N°52, Juillet/Septembre 2011 , 9-16

L'intérêt croissant des historiens pour les organisations internationales s'inscrit dans un mouvement de « globalisation » de la discipline, dans ses thématiques comme dans ses pratiques. Dans cette optique, les organisations internationales sont étudiées comme des lieux d'échanges et de circulations, à l'intersection et en interaction avec des réseaux internationaux, mais aussi des groupes et des milieux spécifiques au sein des différentes sociétés nationales. Saisies comme des espaces sociaux ouverts, elles constituent des observatoires privilégiés pour historiciser les phénomènes de globalisation et interroger les dynamiques d'internationalisation.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Timmons Roberts J.

Multipolarity and the new world (dis)order: US hegemonic decline and the fragmentation of the global climate regime

in **Global Environmental Change**, Volume 21, Issue 3, Special Issue: 'Symposium on Social Theory and the Environment in the New World (dis)Order', August , 776-784

The international climate change negotiations leading to and including the Copenhagen and Cancun Conferences of the Parties in 2009 and 2010 have shown a very different balance of power from those of the 1997 Kyoto round. This "New World dis(Order)" is characterized by insecurity of the United States in the face of economic and political decline vis-à-vis China; fragmentation of the Group of 77 developing nations negotiating bloc; and weakening of the European Union, which was cut out entirely from the group negotiating the Copenhagen Accord. In addition to old alignments of developing countries based on solidarity, negotiating blocs have fractured along lines of responsibility for climate change, capability to address it, and national vulnerability to climate risks. This paper assesses whether, over the past two decades, negotiations have come closer to meeting basic criteria of international climate justice, and chronicles how environmental negotiations have come to reflect a different and shifting balance of power. Drawing insights from Giovanni Arrighi and Beverly Silver's analyses of US hegemonic decline and the rise of China, the article argues that the roots of the worst stubbornness by the US in recent climate talks lie in growing insecurity about its ability to provide jobs for its workers in a future where all sorts of work is moving to China and India.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Valiante Diego

NYSE Euronext-Deutsche Börse merger: Let the dance go on!

in **Intereconomics**, Volume 46, Number 4 / August 2011 , 209-216

While it has often been said that trading is like dancing, exchanges have certainly been dancing with one another for some time, following the need to diversify and cope with the results of a challenging liberalisation process. The proposed merger between NYSE Euronext and Deutsche Börse would create the world's biggest exchange by revenues and total value. This needs the approval of 47 regulators across the globe, including the US Department of Justice and the European Commission. These institutions would be well advised not to try to stop the dance.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Mathews John A.

Naturalizing capitalism: The next Great Transformation

in **Futures**, Volume 43, Issue 8, October , 868-879

Capitalism is arguably the most amazing cultural and economic product of humankind. It nurtured political liberty in Europe; it ushered in the industrial revolution in Britain and then around the world; it raised incomes everywhere; and it



cleared away centuries of obscurantism and superstition. But it also brought into being a 'spirit of capitalism' that is individualist, expansive, acquisitive, ruthlessly rational and insatiable. This spirit has been responsible for commodifying relations and turning the natural world into a 'resource base' on the one hand, and a sink for wastes at the other. The industrial scale of this objectification and destruction of the natural setting has proceeded to the point where it is global, and now threatens our industrial civilization with collapse. My purpose in this paper is to sketch an account of how industrial capitalism might be 'naturalized', so that it continues to grow and deliver improvements in the quality of life without destroying humankind's resource base, and the biosphere as well. My focus is on rules and institutions rather than policies or prescriptions. My argument is that a green economy is already growing within the old, fossil-fuel economy, and that through competitive dynamics it will dominate by mid-century – unless blocked politically by vested interests.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Martín Rodríguez Pablo J.

On the unity of International Law Theory

in *Revista Electrónica de Estudios Internacionales*, Número 21, junio 2011

It has become a truism that international lawyers are, nowadays, facing a sharp disagreement regarding the main methodological foundations of the discipline. The issue cannot be whether or not there is such a division in the IL school of thought, but which its specific features are. In the present paper, it is submitted here that the current situation is not due to the various methodologies at our disposal, but an actual paradigmatic schism with deep repercussions on the main research agenda. This paradigmatic split steers our attention to the incommensurability of the different paradigms at stake, and consequently the mere possibility of a meaningful communicative interaction between them is dismissed. This picture, though, may be not fully convincing. This multi-paradigmatic state and its ongoing reissue could be seen in a different way, once we accept that neither perfect communication ever obtains nor absolute lack of contradiction is such an epistemological premise. Then, the admittedly existing cross-references, links and overlaps between different approaches can be interpreted not as a paradigmatic mistake (a sort of an internally dysfunctional approach), but as an acknowledgement by each paradigm of its inability to fully explain International Law reality and its openness to alterity, i.e., a recognition of other paradigms as legitimate interlocutors. This interparadigmatic dialogue, that is also noticeable in the main debates on IL structure, shows the most appropriate direction for international lawyers to follow, even if a final paradigmatic converging horizon is not conceivable or even possible.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Faist Thomas, Fauser Margit, Reisenauer Eveline

Perspektiven der Migrationsforschung: Vom Transnationalismus zur Transnationalität

in *Soziale Welt*, Jahrgang 62, Heft 2, 2011

No abstract available

Section B) Global governance and international organizations

Subsection 5. The Globalization process



Torrance Michael

Persuasive Authority Beyond the State: A Theoretical Analysis of Transnational Corporate Social Responsibility Norms as Legal Reasons Within Positive Legal Systems

in *German Law Journal*, Vol. 12, issue 8 , 1573-1636

The practice of law has been challenged by the promulgation of transnational norms associated with “corporate social responsibility” (“CSR”), arising beyond the State, with little or no connection to traditional sources of positive law. These phenomena, which we will refer to as “transnational CSR norms,” are increasingly important guides to behaviour for corporate actors, despite the fact that adherence to such norms is not “required” by positive legal systems. Perhaps for this reason, transnational CSR norms are typically poorly understood and possibly underutilized in the practice of law. The purpose of this paper will be to determine, by recourse to legal theory, whether, and if so how, transnational CSR norms may be related to positive legal systems, and therefore to the practice of law. In so doing, we will seek to develop a theoretical understanding of the role transnational CSR norms can, do, and ought to play within processes of legal reasoning, particularly from the theoretical starting points offered by analytical/ positivist, and discursive theories of law.

Transnational CSR norms compose a set of evolving standards (sometimes referred to as “soft law,” ethical, or “para-legal” expectations) affecting corporate actors. The suggestion that transnational CSR norms possess any “obligatory” character in the nature of law arouses much controversy in the legal profession. This is particularly due to the “voluntary” nature of the commitments giving rise to such norms, by the corporations that adhere to them. It remains a contentious question whether transnational CSR norms could ever be related to legal obligation, particularly since they are primarily composed of voluntary rules that are not promulgated by the State. The very thought of relating transnational CSR norms to the practice of law, therefore, forces lawyers and legal scholars to venture out towards the very limits of legal...

Full text available at:

<http://www.germanlawjournal.com/index.php?pageID=11&artID=1376>

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Schönfeld Martin

Plan B: global ethics on climate change

in *Journal of Global Ethics*, Volume 7, Issue 2, 2011 , 129-136

The full text is free:

www.tandfonline.com/doi/abs/10.1080/17449626.2011.590273

Abstract

This introduction to the special issue on climate puts individual contributions in context. Climate change is the result of the current civilization paradigm and its modes of cognition. This suggests a failure of conventional ways of thinking, including mainstream philosophy. The articles in this issue illustrate alternative philosophical approaches, which point to civil evolution.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Linklater Andrew

Process sociology and international relations

in **Sociological Review**, Volume 59, Issue Supplement, June 2011 , 48-64

Abstract

Norbert Elias was unusual amongst sociologists of his generation in placing international relations at the centre of sociological analysis – and he was ahead of various theorists of the state who argued in the 1970s and 1980s for enlarging the boundaries of sociology to include relations between states. In Elias's process sociology, international competition for power and security, and 'elimination struggles', have led to larger territorial monopolies of power. In the case of 'civilized' societies, inner pacification has developed alongside preparation for, and repeated involvement in, interstate war. Elias argued that there is no parallel to the 'civilizing process' in international relations, but he observed that higher levels of human interconnectedness have created pressures on people to become better attuned to each other's interests over greater distances. However, many groups react against perceived threats to power, autonomy and prestige and, in general, everyday orientations have lagged behind advances in international interdependence. For Elias, the sociological challenge was to understand how the species can acquire greater control over the processes of global integration. This paper discusses the place of international relations in Elias's account of the civilizing process; it maintains that the approach should be linked more closely with the 'English School of international relations' and its analysis of 'civility' and 'standards of civilization' in world affairs.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Hasanuzzaman Chowdhury

Revisiting Globalisation: Perspective Bangladesh

in **India Quarterly**, Vol. 67, n°3 , 245-262

'Capital' has engulfed all other social constructs exalting the institutionalisation of property relations to its zenith to render capitalism its singular ubiquity. Conventional theories, including those of post-modernism or the notions of 'social capital' or 'social business', appear to be inadequate to grasp or assuage its antagonistic relations, rules and rationality. Capitalism acquired its current stature thriving first on autochthonous articulation of the economy and then harnessing 'other economies' to its own dynamics. This involved increased exploitation and appropriation of nature and labour necessitating increased subsumption of spatial loci and economies as 'medium and soil' and holding them in 'uneven and combined development' along with diverse modes of 'militarism'. With global expansion and gargantuan accumulation, lately capitalism came to be designated as 'globalisation'. Besides this benign appellation, earlier the 'highest stage' of capitalism was expounded as 'imperialism'. Bangladesh, India or the South Asian subcontinent altogether, were a crucial part of this whole development though its current stance and impact is more diverse and even disconcerting for them owing to differential nature and/or degree of assimilation with globalisation. This article briefly examines globalisation in general and as it concerns Bangladesh in particular with some of its contemporary ramifications for the people and polity.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Nieman Mark David

**Shocks and Turbulence: Globalization and the Occurrence of Civil War
in International Interactions**, vol. 37, issue 3 , 263-292

ABSTRACT: Several scholars argue that systemic global trends are pulling individuals not only upward toward the global level, but also downward to the local level; the result is a potential loss of authority for the state. Their theory of “framgmentation” can provide a causal mechanism for why longstanding grievances may erupt into civil war at a particular time. While increased global exposure does provide both states and individual citizens with tremendous benefits, sudden “shocks” of globalization can overwhelm a state's capacity to offset the negative impacts of globalization, thus weakening a state's capacity to deal with rival polities for the allegiance of its citizens. The present study conducts a cross-sectional logistic regression with discrete duration analysis to test the impact of globalization shocks on the onset of civil wars between the years 1970–1999. The results demonstrate that increasingly dramatic changes in the level of global integration are associated with an increased risk of civil war onset.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Palumbo Berardino

**Sistemi tassonomici dell'immaginario globale. Prime ipotesi di ricerca a partire dal caso Unesco
in Meridiana**, n. 68, 2010 , 37-72

1. Un po' per gioco. 2. De-essenzializzare lo Stato nello scenario globale. 3. Classificazioni Unesco: forme istituzionali e produzioni identitarie. 4. Classificazione Unesco e gerarchia (globale) di valori. 5. Schemi comuni.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Sadorsky Perry

Some future scenarios for renewable energy

in Futures, Volume 43, Issue 10, December , 1091-1104

Energy security issues, climate change, fossil fuel depletion, new technologies, and environmentally conscious consumers are powerful forces shaping the renewable energy sector. The future of renewable energy depends upon how powerful these forces are and which combination of forces prevails. This paper defines and analyzes four different scenarios, business as usual (2010–2030), focus on climate change (2010–2060), focus on energy security (2010–2030), and a clean and secure energy future (2010–2100) for the future of renewable energy. A clean and secure energy future, where renewable energy accounts for between 50% and 80% of total energy demand, is the most favorable scenario for the future of renewable energy but also the scenario that takes the greatest amount of commitment, in terms of time and money from businesses, individuals, governments, and policy makers.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Sornarajah M.

Sovereign Wealth Funds and the Existing Structure of the Regulation of Investments

in Asian Journal of International Law, Vol. 1, issue 2 , 267-288

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 5. The Globalization process

Gelper Anna

Sovereignty, Accountability, and the Wealth Fund Governance Conundrum

in Asian Journal of International Law, Vol. 1, issue 2 , 289-320

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 5. The Globalization process

Van Egmond N. D., De Vries H. J. M.

Sustainability: The search for the integral worldview

in Futures, Volume 43, Issue 8, October , 853-867

The sustainability problem is described as a process of recurrent destabilization of societal value orientations or worldviews. These worldviews represent both value orientations with respect to 'quality of life' and mental maps about the surrounding world. The many different worldviews which shape society appear to be part of an overall integral worldview which can be deduced from societal enquiries and from the experiences of history and philosophy over many centuries. This integral worldview is defined by the vertical contrast between idealism and materialism and the horizontal contrast between uniformity and diversity. Due to a number of societal and psychological centrifugal forces, worldviews become one-sided and finally end in fundamentalist value orientations which are synonym with overshoot, collapse and crisis. Examples are religious fundamentalism and related wars, communism, nazism, the ecological crisis as well as the recent financial crisis. The solution to these sustainability problems has to be found in the timely recognition and



compensation of the destabilizing centrifugal forces. The resulting integral worldview is synonym with 'human dignity'. The thus defined time independent notion of human dignity defines a new ethical framework and solves the paradox between the needs of present and future generations in Brundtland's original definition of sustainable development.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

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 2 , 321-348

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 5. The Globalization process

Duara Prasenjit

The Cold War as a historical period: an interpretive essay

in **Journal of Global History**, Volume 6, Issue 03, 2011 , 457-480

Abstract

As a historical period, the Cold War may be seen as a rivalry between two nuclear superpowers that threatened global destruction. The rivalry took place within a common frame of reference, in which a new historical relationship between imperialism and nationalism worked in remarkably parallel ways across the superpower divide. The new imperial–national relationship between superpowers and the client states also accommodated developments such as decolonization, multiculturalism, and new ideologies, thus producing a hegemonic configuration characterizing the period. The models of development, structures of clientage, unprecedented militarization of societies, designs of imperial enlightenment, and even many gender and racial/cultural relationships followed similar tracks within, and often between, the two camps. Finally, counter-hegemonic forces emerged in regions of the non-Western world, namely China and some Islamic societies. Did this portend the beginning of the end of a long period of Western hegemony?

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Bojani Petar

The Figures of (a)Symmetry: "Pirates"



in *Filosofia Politica*, numero 2, agosto 2011 , 207-214

Abstract

The Author defines four main features of imperial wars, conceived as eternal wars that produce no *nomos*: the existence of asymmetric powers; an «outside» which is not on the margins but inside and in different places; the use of military police action and expeditions; the constant changing of laws and norms. These four elements are analyzed through the imaginary encounter between the «emperor» and the «pirate». By reading Carl Schmitt's *Der Begriff der Piraterie* (1937), it is argued that «pirate» becomes the confusing and complicated name for the space outside, which is the paradoxical premise for the constitution of an Empire, league of nation or world government.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Önis Ziya, Güven Burak

The Global Economic Crisis and the Future of Neoliberal Globalization: Rupture Versus Continuity

in *Global Governance*, vol. 17, n. 4, october-december , 469-488

ABSTRACT: This article outlines the main elements of rupture and continuity in the global political economy since the global economic crisis of 2008–2009. While the current calamity poses a more systemic challenge to neoliberal globalization than genetically similar turbulences in the semi-periphery during the 1990s, we find that evidence for its transformative significance remains mixed. Efforts to reform the distressed capitalist models in the North encounter severe resistance, and the broadened multilateralism of the Group of 20 is yet to provide effective global economic governance. Overall, neoliberal globalization looks set to survive, but in a more heterodox and multipolar fashion. Without tighter coordination between old and emerging powers, this new synthesis is unlikely to inspire lasting solutions to pressing global problems such as an unsustainable international financial architecture and the pending environmental catastrophe and may even fail to preserve some modest democratic and developmental gains of the recent past.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Brunet Ferran

The Great Recession and the American and European Economic Governance Challenges

in *Europe en formation (L')*, n. 360, Été, 2011 , 59-78

America and Europe are faced with stiff challenges of competitiveness and solidarity. With the financial crash and the rescue of banks, industries and sovereign debt, governments are mired in the recession and its attendant gloomy perspectives, procrastinating over stabilization and structural reforms. This paper puts forth an analysis of the twin American deficits, the quadruple European deficits and the economic policies developed to address them. The global imbalances have turned into euroimbalances. The European employment deficit and the economic governance deficit are hobbling any means of addressing the other disequilibria, and are prolonging the recession and its costs. In a non optimal monetary area, the economic success or failure of an economy hinges on its ability to compete. Competitiveness, as well as productivity and the quality of regulation that supports it, appears to be the principal challenge. Clearly there is a huge need for stabilization, for reforms and for Europe. The United States, although it does not share the over-complexity of governance of its European counterparts, is still suffering from serious imbalances. Such conditions can only provoke a lengthy recession on both sides of the Atlantic.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Bilgin Mert

The New Energy Order, FAST principles and energy futures in the 21st century

in **Futures**, Volume 43, Issue 10, December , 1041-1043

Energy security appeared as a function of volume, cost, time and place. It was basically the physical availability of the source at correct place and time with affordable prices. Today, environmental and socio-economic criteria build upon the conventional definition of energy security. We need to secure necessary volumes of energy at desirable costs while preserving natural balances and eco-systems. And we have to do this without limiting the capacity of other cultures, nations, civilizations and future generations to meet...

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Brian Easton

The coming world economic order: Brian Easton outlines likely developments in the world's economy and their potential impact on New Zealand

in **New Zealand International Review**, September 1, 2011

The globalised world economy over the last two centuries has been associated with a hegemon which dominated it: Britain in the 19th century, America in the 20th--the future will not see any single economy with such dominance. Instead there are likely to be five major economies--America, China, the European Union, India, Japan--none of which will be able to dominate the others. This transformation is already underway; one of the consequences is the increasing difficulty of concluding multilateral negotiations. The new world order poses a great challenge for New Zealand's foreign policy, for there is no natural patron.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Gorobets Alexander

The global systemic crisis and a new vision of sustainable human development

in **Environment, Development and Sustainability**, Volume 13, Number 4, August , 759-771

In this paper, the up-to-date global systemic problems are presented, and their major socioeconomic roots are identified (excessive consumerism, inadequacy of institutions, moral crisis). A novel approach to sustainable development, focused on the integrated ethical, spiritual, physical, intellectual and socioecological human development, instead of dominating consumerism and technocentrism, is proposed to prevent the systemic problems. Proportion of healthy population is proposed as the principal indicator of sustainable human development. Application of this indicator to specific country in comparison with the human development index is provided. The specific institutional (eco-centric institutions), economic (eco-taxation, changing consumption and production patterns) and technological (eco-efficiency, "green" energy) reforms are suggested as the necessary conditions of transition to sustainable human development, while human mentality, based on the eco-centric grounds (socioecological well-being), environmental and human health,



justice and holistic human development is considered as its key condition that can be achieved through an appropriate social and educational policy.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Kuipers Jan-Jaap

Towards a European Approach in the Cross-Border Infringement of Personality Rights

in *German Law Journal*, Vol. 12, issue 8 , 1681-1706

Globalization has led to the emergence of broadcasting services and books aimed at a global audience. Authors of books, journals, and articles have gained readers worldwide. Due to the Internet, the spreading of ideas on a global level has never been easier. The other side of the coin is that authors run a risk of being exposed to civil proceedings in many jurisdictions. What is considered to be proactive journalism, or a provocative academic comment in some jurisdictions is considered to be libel or defamation in others. We speak of "libel tourism" when defamation proceedings are brought in a forum that has only vague connections to the case, but happens to be very plaintiff-friendly.

The freedom of speech and the right to private life are both enshrined in the European Convention on Human Rights and the Charter on Fundamental Rights of the European Union. Although the Member States of the European Union are united by common principles, they have struck different balances between the competing fundamental rights. The balancing of those fundamental rights becomes even more sensitive when the publisher or author and the alleged victim are not domiciled within the same jurisdiction. The infringement of the right to private life by foreign media becomes an international horizontal conflict between fundamental rights.

The freedom of speech, and the intrusion on private life that an individual has to tolerate in the name of public debate, are the reflection of a particular view on how a democracy should operate. The determination of the law applicable to a cross-border infringement of personality rights is therefore an extremely sensitive issue. Although the Commission's proposal for a Rome II Regulation did lay down a specific conflict of laws rule relating to the infringement of personality rights, the issue...

Full text available at:

<http://www.germanlawjournal.com/index.php?pageID=11&artID=1379>

Section B) Global governance and international organizations

Subsection 5. The Globalization process

F. GOULET, V. HERNÁNDEZ

Vers un modèle de développement et d'identités professionnelles agricoles globalisés ?

in *Revue Tiers Monde*, n. 207 , 115-130

Cet article éclaire, par une analyse croisée des dynamiques de développement du semis direct (SD) en Argentine et en France, la globalisation des systèmes d'innovation et des identités professionnelles agricoles autour des productions de grandes cultures. Il montre les proximités entre les dispositifs liés au développement de cette technologie dans les deux pays, en soulignant l'engagement des multinationales agrochimiques et semencières auprès des agriculteurs et



d'organisations de lobbying. Les identités professionnelles des agriculteurs concernés présentent également de profondes similitudes, témoignant d'un sentiment d'appartenance à une définition commune du métier d'agriculteur, basée notamment sur la connaissance du fonctionnement des sols et l'objectif partagé de leur conservation.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Mongin Olivier

Vers une anthropologie de la mondialisation? Introduction

in *Esprit*, Août/septembre 2011 , 29-32

The full text is free:

www.esprit.presse.fr/archive/review/article.php?code=36164&folder=2

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Nolan Peter

Who Are We? Who Are They? The Real Facts of a Globalized Chimerica

in *New Perspectives Quarterly*, Vol. 28, Issue 3, Summer , 51-60

China's remarkable progress has shown that modernity does not only belong to the West. At the same time, China's modernization has been largely fueled by direct investment of foreign firms which also dominate key technologies and critical positions in the global supply chain. In this section we get the real facts on the interpenetration of China and the global economy. A leading Chinese entrepreneur and thinker puts modernization with Chinese characteristics in historical perspective. One of China's leading dissidents assesses the arrest of Ai Weiwei.

Section B) Global governance and international organizations

Subsection 5. The Globalization process

Pica Giovanni, Rodríguez Mora José V.

Who's afraid of a globalized world? Foreign Direct Investments, local knowledge and allocation of talents

in *Journal of International Economics*, Volume 85, Issue 1, September 2011 , Pages 86-101

We study the distributional effects of globalization within a model of heterogeneous agents where both managerial talent and knowledge of the local economic environment are required in order to become a successful entrepreneur. Agents willing to set up a firm abroad incur a learning cost that depends on how different the foreign and domestic entrepreneurial environments are. In this context, we show that globalization fosters FDI and raises wages, output and productivity. However, not everybody wins. The steady state relationship between globalization and income is U-shaped: high- and low-income agents are better off in a globalized world, while middle-income agents (domestic entrepreneurs) are worse off. Thus, consistently with recent empirical evidence, the model predicts globalization to increase inequality at the top of the income distribution while decreasing it at the bottom.



Section B) Global governance and international organizations

Subsection 5. The Globalization process

Larch Mario, Lechthaler Wolfgang

“Buy National” and protectionism in the great recession — Can it work?

in *Intereconomics*, Volume 46, Number 4 / August 2011 , 205-208

Against the backdrop of the considerable increase in protectionist measures that could be observed during the recent financial crisis, this article investigates the following questions: Are “Buy National” clauses a suitable instrument to internalise the externality that arises because the stimulating effect of “general”, non-discriminatory government spending is distributed among many countries, while the cost of the stimulus is borne by only one country? Are shortterm trade policies, like import tariffs, export subsidies and “Buy National” policies, suitable policies to mitigate an economic downturn?

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Urpelainen Johannes

Domestic reform as a rationale for gradualism in international cooperation

in *Journal of Theoretical Politics*, Volume 23, n. 3, July , 400-427

Gradualism is common in international cooperation, as states begin with limited cooperation and choose more ambitious targets slowly over time. However, most models of international cooperation are static and thus cannot explain gradualism. I show that when states can implement domestic reforms to reduce the cost of international cooperation, enforcement concerns prompt gradualism. First, to achieve ambitious international cooperation, states must internationally enforce costly domestic reform. Second, defection at the reform stage is particularly pernicious. When other states reform, their ability to punish the defector by suspending cooperation is reduced. States choose the extent of reform to maximize the benefits of expected international cooperation in the future. As collective enforcement power increases or the number of states decreases, the extent and pace of reform increase. Gradualism is also most probable in international public good provision because excludable benefits mitigate enforcement problems.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Yu-Fu Chen, Michael Funke

Institutional Uncertainty, Economic Integration, and Vertical Foreign Direct Investment Decisions

in *Open Economies Review*, Volume 22, Number 4 , 593-612

In this paper we analyse the impact of institutional uncertainty on vertical foreign direct investment (FDI) strategies. We also consider the impact of economic integration upon FDI decisions. The paper follows the real options approach, which allows investigating the value to a firm of waiting to invest and/or disinvest, when payoffs are stochastic due to institutional uncertainty and investments are partially reversible. Across the board we find that institutional uncertainty



can be very detrimental to FDI decisions while economic integration leads to an increasing benefit of investing abroad.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Santander Sebastian

Introduction générale : le régionalisme dans les relations internationales

in **Fédéralisme Régionalisme**, Volume 11, Numéro 1 - Le régionalisme international dans les Amériques : dynamique interne et projection internationale

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=972>

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Neil Foster, Robert Stehrer

Preferential trade agreements and the structure of international trade

in **Review of World Economics (Weltwirtschaftliches Archiv)**, Volume 147, Number 3, 385-409

In this paper we examine the impact of membership in preferential trade agreements (PTAs) on trade between PTA members. Rather than considering the impact of PTA membership on the volume of trade we consider the impact of membership on the structure of trade. For a large sample of countries over the period 1962–2000 we find that membership in a PTA is associated with an increase in the extent of intra-industry trade. Our results indicate that this is especially the case for PTAs formed between richer countries, with the effects of PTAs between poorer countries found to be smaller.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Bok Jared, Duina Francesco

Sub-National Movements and the Framing of Regional Trade Agreements: Evidence from the EU and NAFTA

in **Social Movement Studies**, Volume 10, Issue 3, 2011, 225-242

Abstract

How have secessionist and autonomous movements reacted to regional trade agreements (RTAs)? Existing research focuses on the European Union (EU) and, taking a top-down perspective, argues that the EU has done little to help those movements affirm themselves. Adopting a more bottom-up and comparative approach, we propose that RTAs have functioned as political opportunity structures at the international level and that movements have skillfully framed them to define for themselves and their audiences, their grievances, identity, and vision for the future. Movements have followed two basic approaches. Some have embraced RTAs to denounce the debilitating grips of national governments on their people, project an image of themselves as cosmopolitan and modern players, and depict a future in which their communities thrive as successful players in the international community. Others have rejected RTAs to make clear what is wrong and corrupt about the world, present themselves as protectors of local identities and traditions, and promote a vision of the future in which their communities flourish while shielded from excessive interference from the outside. Movements from the left and right ends of the political spectrum have adopted each approach according to their own



specific profiles. Evidence comes from the Lega Nord in Italy, the Zapatistas in Mexico, Convergència i Unió in Spain, and the Quebecois nationalists in Canada. This article concludes with reflections on the relationship between movements and international political opportunity structures, and lines for future research.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Telò Mario

The European Union, regionalism, and world order: five scenarios

in *Fédéralisme Régionalisme* , Volume 11, Numéro 2 - Le régionalisme international : regards croisés. Europe, Asie et Maghreb

This paper addresses the changing interplay between regional and global governance, with reference to five possible scenarios in the future shift of the international system. A 'new multilateralism' represents the only possible global framework consistent with an expanding and pluridimensional regional governance system. Furthermore, the weaknesses and contradictions of the alternative scenarios make a multilayered, more robust and legitimate multilateral governance more realistic.

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=1090>

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

Virzo Roberto

The Preliminary Ruling Procedures at International Regional Courts and Tribunals

in *Law and Practice of International Courts and Tribunals (The)*, vol. 10, n. 2 , 285-313

ABSTRACT: Many regional integration systems, inspired by the preliminary ruling procedure under the current article 267 of the Treaty on the Functioning of the European Union, incorporate models for cooperation between national courts and international courts and tribunals that vary significantly from one to the other. This work seeks above all to classify those models and to pose the question of which model, irrespective of how much it is actually used in practice, appears - at least potentially - to afford the best means of attaining the goal of regional integration that each of the systems analysed pursues to varying degrees.

Section C) Regional integration processes

Subsection 1. Theory of regional integration processes

William Phelan

Why do the EU member States accept the supremacy of European law? Explaining supremacy as an alternative to bilateral reciprocity

in *Journal of European Public Policy* , Volume 18, Issue 5 2011 , 766-777

The work of Burley and Mattli, Alter, and Stone Sweet, taken together, provides the dominant political science explanation for the supremacy of European law. This review identifies a range of empirical and theoretical difficulties



with this explanation, including the lack of a specified alternative outcome, an overemphasis on national constitutional rights, a limited understanding of the possible relationships between national law and 'ordinary' treaty obligations, ambiguity on the essential question of whether national political institutions could unilaterally legislate contrary to European law, and the failure to provide an explanation for state behaviour compatible with European law supremacy. The paper then sets out a research agenda, emphasizing the need to identify independent variables which could produce, depending on their values, outcomes like the EU which rely on states accepting the supremacy of treaty obligations or, alternatively, tit-for-tat regimes like the World Trade Organization which rely on bilateral reciprocity enforcement mechanisms.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Coustillère Jean-François

Construction d'un espace durable de paix en Méditerranée: Six recommandations pour répondre aux conditionnalités préalables?

in *Confluences Méditerranée*, N. 78, 2011 , 193-199

Abstract

La situation des pays riverains de la Méditerranée connaît de très nombreuses difficultés. Depuis des décennies des initiatives successives ont été lancées pour établir des partenariats visant à établir la paix et la prospérité dans la région. Aujourd'hui, force est de constater que la plupart d'entre elles sont « en panne ». Conflits, défiance,...

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Umberto Tavolato

En finir avec les frontières coloniales? L'Union africaine et la sécession du Sud-Soudan

in *Politique africaine*, n. 122 , 101-120

En janvier 2011, en application de l'Accord de paix global (CPA), les Sud-Soudanais se sont exprimés à une écrasante majorité en faveur d'une sécession, qui fera du Sud-Soudan le 54^e État africain le 9 juillet 2011. Cet article s'attache à étudier la dimension continentale de cette autodétermination. Il tente en particulier d'expliquer comment l'Union africaine (UA) peut reconnaître un Sud-Soudan indépendant en dépit de sa position en faveur de l'unité et de sa doctrine sur l'inviolabilité des frontières. La signature du CPA, la façon dont l'UA (à travers le panel de haut niveau Mbeki) a dirigé le processus de partition et le développement d'une approche panafricaine originale figurent parmi les principaux éléments expliquant que les États membres de l'UA aient reconnu le Sud-Soudan comme un cas exceptionnel.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Tavolato Umberto

En finir avec les frontières coloniales? L'Union africaine et la sécession du Sud-Soudan

in *Politique africaine*, N° 122 - Juin

In January 2011, as per the Comprehensive Peace Agreement (CPA), the people of South Sudan overwhelmingly voted



for secession. This will make South Sudan the 54th African state on July 9 2011. This article focuses on the continental dimension of the self-determination of Southern Sudan. In particular, it tries to explain how the African Union (AU) could recognize a new independent Southern Sudan, despite its pro-unity stand and strict doctrine on the inviolability of borders. The main factor behind the AU recognition of Southern Sudan's independence was its signature of the CPA. This article further argues that the AU leadership of the process (through the Mbeki Panel) leading to Sudan's separation and the developing of an original Pan- African narrative on it have been additional important factors in order to align AU member states to recognize Southern Sudan as an exceptional case.

En janvier 2011, en application de l'Accord de paix global (CPA), les Sud-Soudanais se sont exprimés à une écrasante majorité en faveur d'une sécession, qui fera du Sud-Soudan le 54e État africain le 9 juillet 2011. Cet article s'attache à étudier la dimension continentale de cette autodétermination. Il tente en particulier d'expliquer comment l'Union africaine (UA) peut reconnaître un Sud-Soudan indépendant en dépit de sa position en faveur de l'unité et de sa doctrine sur l'inviolabilité des frontières. La signature du CPA, la façon dont l'UA (à travers le panel de haut niveau Mbeki) a dirigé le processus de partition et le développement d'une approche panafricaine originale figurent parmi les principaux éléments expliquant que les États membres de l'UA aient reconnu le Sud-Soudan comme un cas exceptionnel.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Viljoen Frans

Human rights in Africa: normative, institutional and functional complementarity and distinctiveness
in *South African Journal of International Affairs* , vol. 18, issue 2 , 191-216

ABSTRACT: While the United Nations is the main human rights norm-creator for Africa, the Organisation of African Unity/African Union has 'appropriated' many of these standards in treaties of its own. In as far as these treaties deviate from a global consensus, they do so to ensure greater normative legitimacy in the African context. The institutions created under AU human rights treaties — especially the African Commission on Human and Peoples' Rights — have shown themselves as relatively effective in promoting and protecting human rights. While the African Court on Human and Peoples' Rights was added by way of a subsequent redesign of the system, its potential has remained largely unexplored. In addition, the emergence of subregional courts as fora to provide relief to victims of human rights has opened the door for competition and forum shopping. These developments have often been initiated and steered by civil society organisations and subregional judicial institutions rather than member states of international organisations. Much can still be done to strengthen and extend complementarity between international organisations in this field.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Nubukpo Kako

La crise ivoirienne et l'avenir de l'intégration économique et monétaire ouest-africaine
in *Economie politique (L')*, n° 51, 2011/3 , 97-112

Avec la résolution politico-militaire du conflit et –l'arrivée au pouvoir d'Alassane Ouattara, la Côte-d'Ivoire débute une nouvelle étape de son développement. Les interrogations politiques et sociales sont nombreuses mais elles ne doivent



pas nous faire oublier les questions économiques. En particulier, la question de la place du pays dans l'Union économique et monétaire ouest-africaine.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Fradkin Hillel, Libby Lewis

Last Man Standing: Is America Fading in the New Middle East?

in *World Affairs*, Vol. 15, n. 5, September / October

<http://www.worldaffairsjournal.org/articles/2011-SeptOct/Libby.html>

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Bayramzadeh Kamal

Le rôle des organisations internationales dans le processus d'intégration régionale : le cas du monde arabe

in *Fédéralisme Régionalisme*, Volume 11, Numéro 2 - Le régionalisme international : regards croisés. Europe, Asie et Maghreb

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=1096>

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Salami Iwa

Legal and Institutional Challenges of Economic Integration in Africa

in *European law journal*, Volume 17, Issue 5, September, 667–682

There is a plethora of economic integration arrangements on the African continent and almost all African countries belong to more than one economic integration group. The African Union (AU), which was established in 2001, and which took over from the failed Organisation of African Unity, attempts to consolidate economic integration arrangements in Africa within one structure. Although this appears simple on paper, there are huge legal and institutional challenges and questions arise as to whether an African-wide economic integration arrangement can be achieved within the time frame set for this in the African Economic Community (AEC) Treaty. This paper assesses the legal and institutional challenges facing the AU/AEC agenda.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Bosire Conrad Mugoya

Local government and human rights: Building institutional links for the effective protection and realisation of human rights in Africa

in *African Human Rights Law Journal*, vol. 11, n. 1, 147-170



ABSTRACT: There is increasing recognition of the role of local government in the protection and realisation of human rights obligations. Recent studies on links between local government, decentralisation and human rights are evidence of this growing recognition. In Africa, there are newly-formed pan- African institutions on local government. Local authorities and national local government associations have also formed a regional association. National ministries in charge of local government have formed a regional inter-ministerial forum on local government and decentralisation. This trend is replicated at sub-regional levels in Africa. While the place and role of local government in international human rights law are not yet fully understood, the formation of these institutions provides an appropriate avenue for the same. The article makes a case for institutional collaboration between these regional institutions, sub-regional institutions and the African Commission on Human and Peoples' Rights in order to achieve more effective rights protection. While this article presumes that such institutional collaboration will lead to better protection of human rights, it makes a further argument that this will only happen where the specific gaps identified are addressed to strengthen the role of local government in human rights.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Lavergne Marc

Monde arabe: de la quête de l'unité au destin partagé

in *Revue internationale et stratégique*, 2011/3 (n° 83) , 67-73

Durant des décennies, l'unité arabe avait été l'horizon indépassable d'inlassables incantations, du Golfe à l'Océan. Mais elle avait plus divisé qu'unifié un leadership disputé selon des prétentions parfois séculaires à la prééminence, prenant le visage nouveau de la Guerre froide. Elle avait finalement été vidée de sa force mobilisatrice par l'irruption du Golfe et...

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Brosig Malte

Overlap and interplay between international organisations: theories and approaches

in *South African Journal of International Affairs* , vol. 18, issue 2 , 147-167

ABSTRACT: This article aims to make a contribution to existing building blocks for a theory on the organisational interplay of international organisations. Thereby, the article first provides for a review of existing approaches on regime interaction which have contributed much to our understanding of organisational interplay by promoting concepts such as overlap and nestedness. Second, the article advances the idea of rational interplay based on resource dependencies. It is argued that interplay presupposes mutual resource dependencies to emerge and that resource exchange is governed by the principle of equitable exchange. Third, the consequences of organisational interplay are examined and an explanation is sought for the tendency of IOs to either develop niche capabilities or imitate other institutions. In this context the importance of institutional variance is highlighted.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East



Karina Schnatter

Redefining Foreign Intervention: Iran, Afghanistan And Pakistan Meet To Improve Their Cooperation At The Tehran „International Conference On Global Fight Against Terrorism”

in *European Union Foreign Affairs Journal*, n°1, 2011 , 97-99

“A world without terrorism”, the slogan of a recently held conference in Tehran, Iran might as well have been chosen by Western statesmen. However, the high-ranking get together of Afghani president Hamid Karzai, Pakistani president Asif Zardari and their Iranian counterpart Mahmud Ahmadinejad was the first of its kind. In order to emphasize the global intention of the topic, the president of Sudan, Omar al Bashir (who is rather limited in his choice of travel destinations) Iraqi president Jalal Talabani, and Tajik president Emomali Rahmon alongside representatives of the African Union, the Shanghai Cooperation Organization and the UN also attended the summit. The fact that it took place at all might be getting hopes up that the regional players finally decided to take responsibility and action for their own sake, instead of blaming “the West” on everything that goes wrong. Yet, it seems as if there is quite a common agenda.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Tavares Rodrigo, Tang Vanessa

Regional economic integration in Africa: impediments to progress?

in *South African Journal of International Affairs* , vol. 18, issue 2 , 217-233

ABSTRACT: An all inclusive African Economic Union has been a longstanding objective of many in Africa and the United Nations. While some modest achievements have been realised, the long-held goal of effectively integrating Africa economically remains elusive. Against the backdrop of Africa's place in the world economy and the formation through recent history of African regional economic communities, this article assesses the major impediments to a continent-wide economic integration. It is the contention of this paper that effective economic integration has been hindered by regional overlapping, varying degrees of integration progress, and fragmentation due to competing interests. Before the article concludes, possible scenarios for the future are discussed.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Masters Lesley

Sustaining the African common position on climate change: international organisations, Africa and COP17

in *South African Journal of International Affairs* , vol. 18, issue 2 , 257-269

ABSTRACT: Ahead of the ‘African Conference of the Parties’ (COP) scheduled to take place in Durban in November 2011, the ability to maintain an African common position will be paramount in providing a platform from which to pursue the continent's priorities on climate change. This article considers the role of international organisations in shaping the Africa Group's common position from COP15 in Copenhagen ahead of Durban. In addressing this role the analysis considers the position of the African Union and the regional economic communities, as well as the challenges facing the African Union from nested international organisation interests.



Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Yihdego Zeray

The African Union: Founding Principles, Frameworks and Prospects

in *European law journal*, Volume 17, Issue 5, September , 568–594

This paper explores some of the founding principles of the African Union (AU) and the frameworks devised to implement them. It looks at various doctrinal and practical issues pertaining to either the continent's progress towards an effective and strong continental integration or a repeat of the failings of its predecessor Organisation, the Organization of African Unity. The interlinked principles relating to democracy and the rule of law and human rights and sustainable development have been the main issues of inquiry rather than economic (and monetary), collective security or the African human rights considerations. The inquiry will offer an interdisciplinary and theoretical insight onto the normative and practical dimensions of the integration debate in Africa. By highlighting the tension between liberal and constructivist theories of institutions and various integration strategies as applied to Africa, the paper purports to identify and to critique the achievements made so far and the serious challenges ahead of the AU. It is argued that whilst the progress made thus far is significant, it would be premature to talk of the huge success or complete failure of the decade-old AU.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Levi Lucio

The Dawn of Democracy in the Arab World

in *Federalist Debate (The)*, Year XXIV, n. 2, July

<http://www.federalist-debate.org/fdb/archive/detail.bfr>

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Cowell Frederick

The Impact of the ECOWAS Protocol on Good Governance and Democracy

in *African Journal of International and Comparative Law*, Volume 19, Number 2

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Mukumba Chenai,



The International Food Safety Complex in Southern Africa: cooperation or competition?

in *South African Journal of International Affairs* , vol. 18, issue 2 , 235-256

ABSTRACT: The article seeks to contribute to discussions about international institutional complexes, in particular how they emerge and form functional niches. Testing the premise that competition between international institutions guides functional niche selection, the International Food Safety Complex (IFSC) is characterised and examined in light of the experience of Southern Africa. Institutional competition is shown not to be a necessary precondition for functional niche selection; rather, cooperation can also be a starting point. Related to whether competition or cooperation win out are the timing of and absolute demand for the international institutional complex. The final section looks at the impact of the structure and function of the IFSC on building food safety regulation in the Southern African region. A single case study of South Africa offers some insight into the opportunities and challenges that exist in the African region.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

van Nieuwkerk Anthoni

The regional roots of the African peace and security architecture: exploring centre–periphery relations

in *South African Journal of International Affairs* , vol. 18, issue 2 , 169-189

ABSTRACT: This article examines the conflict management potential of the African Union (AU) and its regional economic communities (RECs), in particular ECOWAS and SADC, in light of the relationship between the central and 'subordinate' actors. An apparent misalignment in vision seems to be the result of the Organisation of African Unity's origins and regime-driven behaviour, its limited peacemaking and peacekeeping experiences, and the dynamics associated with its transition to the AU. A perennial shortage of human and material resources to effectively tackle African crises has had a further debilitating impact. The article provides a brief overview of the security constructions at the levels of the AU, ECOWAS and SADC, after which it explores the relationship between the AU, the UN and RECs. It concludes that despite the shaky pillars of the African peace and security architecture, several opportunities exist to bring about an improvement in these relations, and consequently, Africa's ability to manage and resolve its crises.

Section C) Regional integration processes

Subsection 2. Cooperations and integration in Africa and in the Middle East

Martin Adrian, Rutagarama Eugene, Cascão Ana, Gray Maryke, Chhotray Vasudha

Understanding the co-existence of conflict and cooperation: Transboundary ecosystem management in the Virunga Massif

in *Journal of Peace Research*, Volume 48, Number 5, September , 621-635

This article contributes to our understanding of transboundary environmental management regimes through the application of an analytical framework that facilitates an exploration of the co-existence of conflict and cooperation. Rather than framing conflict and cooperation as mutually exclusive states at opposite ends of a spectrum, we seek to understand the ways in which cooperation can exist at the same time as conflict. We apply this framework to a study of conservation management in a transboundary area at the intersection of the Democratic Republic of Congo, Rwanda and Uganda. We identify two actual and one hypothetical phase of conflict–cooperation relations, in a landscape notorious for some of the worst violence of the last two decades. We map the evolution of phases of transboundary protected area management against the evolving security context, and we find that this approach has greater



explanatory power than previous approaches that polarize conflict and cooperation. In particular, it helps us to understand the drivers of environmental cooperation, including the evolving characteristics of that cooperation. This new way of understanding the relationship between environmental management and security also enables us to reconsider the potential for environmental management to be instrumental in working towards interstate security objectives, for example through peace parks. We don't find that the 'low politics' of environmental management should be seen as a predictable and manageable determinant of international relations. But an understanding of the coexistence of conflict and cooperation does also point to a more complex, non-linear relationship between low and high politics.

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Don P. Clark

Factor adjustment implications of a Trade Promotion Agreement between the United States and Colombia
in *Journal of Economic Studies*, Volume 38 issue 4 , 384 - 397

This paper proposes to use changes in intra-industry specialization indicators over the period 1996-2008 to assess the potential for factor adjustment pressures that may arise in the USA if the proposed USA-Colombia Trade Promotion Agreement (TPA) is implemented. Results show that there is considerable scope for intra-industry specialization between Colombia and the USA. The TPA should result in a larger increase in US exports to Colombia than US imports from Colombia, because Colombian exporters face much lower tariffs in the USA market than do US exporters in the Colombian market. Given the tariff asymmetry, scope for intra-industry specialization, the relatively large size of the US market, and the small number of US industries that are likely to encounter factor adjustment pressures, the USA should ratify the agreement immediately.

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

Arès Mathieu, Deblock Christian

L'intégration nord-américaine: l'ALENA dans le rétroviseur

in *Fédéralisme Régionalisme* , Volume 11, Numéro 1 - Le régionalisme international dans les Amériques : dynamique interne et projection internationale

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=1046>

Section C) Regional integration processes

Subsection 3. Cooperations and integration in Central and North America

de Mestral Armand

NAFTA: The Unfulfilled Promise of the FTA

in *European law journal*, Volume 17, Issue 5, September , 649-666

This paper argues that while the has been successful in fostering trade between the parties and in serving as a model for subsequent free trade agreements, it has not realised its potential. This results from the free trade format itself as well as the unwillingness of the parties to go beyond the free trade format and their refusal to deal with new trade and security issues within NAFTA.



Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Kourliandsky Jean-Jacques

ALBA, organisation interaméricaine ou vénézuélienne ?

in *Fédéralisme Régionalisme* , Volume 11, Numéro 1 - Le régionalisme international dans les Amériques : dynamique interne et projection internationale

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=1099>

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

O'Brien Derek

CARICOM: Regional Integration in a Post-Colonial World

in *European law journal*, Volume 17, Issue 5, September , 630–648

This article argues that the distinctive form of economic integration within the Commonwealth Caribbean can best be understood if account is taken of the imprint of colonial rule both upon relations between these former colonies and upon the political consciousness of the region's leaders. The legacy of colonial rule, including the abortive attempt at a West Indies Federation, resulted not only in a profound mistrust of any form of political union but also established the ideal of island self-government as the centre of the region's political culture. This is clearly manifest in the institutional structure and governance of the Caribbean Community and Common Market (CARICOM), which is based on the principles of intergovernmentalism. Notwithstanding some recent changes to that institutional structure, such as the introduction of the Caribbean Court of Justice, Member States remain firmly committed to the pursuit of regional integration through cooperation and association without any transfer of their sovereign decision-making powers. It will be argued, however, that this will not only make it increasingly difficult to achieve the economic objectives of CARICOM, but will also make it increasingly difficult to maintain the fragile sense of regional unity, originally forged in the crucible of colonial rule, in a post-colonial world as new alliances both within and without the region begin to emerge.

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Espósito Carlos, Donadio Luciano

Inter-jurisdictional Co-operation in the MERCOSUR: The First Request for an Advisory Opinion of the MERCOSUR's Permanent Review Tribunal by Argentina's Supreme Court of Justice

in *Law and Practice of International Courts and Tribunals (The)*, vol. 10, n. 2 , 261-284

ABSTRACT: This comment discusses the request for an advisory opinion that originated in the case Sancor c/ Dirección General de Aduanas. This case emerged from the resolution of the Argentine Ministry of Economy which set export



duties of 5% to certain milk products, without discriminating with regard to the destination of them, i.e. including members as well as non-members of the Southern Common Market (MERCOSUR). In this way, and after a long judicial process, in October 2009 Argentina's Supreme Court of Justice (CSJN) requested an advisory opinion from the Permanent Review Tribunal of the MERCOSUR, - Tribunal Permanente de Revisión - asking the question "Does the Treaty of Asunción require Member States of MERCOSUR the obligation not to impose duties on exports of goods which are originated in one of them and which have another Member State as its final destination?" This article describes the historical circumstances surrounding the Argentine governmental measure, and then analyzes three specific issues related to the request of the advisory opinion by the Supreme Court: 1) the place of international law in the Argentine legal system; 2) the procedural legitimacy of the decision of the Court; and 3) some substantive issues involved in the requested advisory opinion.

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Santander Sebastian

Invariances et ruptures dans le régionalisme sud-américain

in Fédéralisme Régionalisme, Volume 11, Numéro 1 - Le régionalisme international dans les Amériques : dynamique interne et projection internationale

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=973>

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Molano Cruz Giovanni

La Communauté andine : trajectoire d'un processus latino-américain d'intégration régionale

in Fédéralisme Régionalisme, Volume 11, Numéro 1 - Le régionalisme international dans les Amériques : dynamique interne et projection internationale

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=977>

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

BIZZOZERO, Lincoln

Latin America in the beginning of the second decade of the 21st century: between the strategic regionalism and the fragmented regionalization.

in Revista Brasileira de Política internacional, vol. 54, No. 1/2011, 29-43

The article analyzes the evolution of regionalism in Latin America from the 1990s. It exhibits the options that consider to the countries in their foreign policies against the initiatives of the United States and the changes in the international system. One sets out the functional importance of the emergent powers (PEMS) and the regions in the present phase of Capitalism. Finally, the article analyzes the perspective of regionalism in Latin America as much in the international system as in the construction of a regional model of governance.



Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Guillermo Hirschfeld

Latinoamérica: el coste de la fragmentación política

in *Cuadernos de pensamiento político*, Nr 31, Julio-Septiembre

No abstract available

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

Alter Karen J., Helfer Laurence R

Legal Integration in the Andes: Law-Making by the Andean Tribunal of Justice

in *European law journal*, Volume 17, Issue 5, September , 701–715

The Andean Tribunal of Justice (ATJ) is a copy of the European Court of Justice (ECJ), and the third most active international court. This paper reviews our findings based on an original coding of all ATJ preliminary rulings from 1984 to 2007, and over 40 interviews in the region. We then compare Andean and European jurisprudence in three key areas: whether the Tribunals treat the founding integration treaties as constitutions for their respective communities, whether the ATJ and ECJ have implied powers for community institutions that are not expressly enumerated in the founding treaties and how the Tribunals conceive of the relationship between community law and other international agreements that are binding on the Member States.

Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

683–700

MERCOSUR: What You See Is Not (Always) What You Get

in *European law journal*, Volume 17, Issue 5, September , Gardini Gian Luca

Twenty years after its creation MERCOSUR is not a common market yet; its regional parliament has virtually no competence; its first enlargement has been pending ratification for five years. However, MERCOSUR has delivered democratic stability, increased trade flows and international visibility to its members. This article proposes a historical-institutionalist approach to reconcile more and less optimistic appraisals. The historical component suggests that MERCOSUR has evolved according to the evolution of national interests and agendas. The institutional component suggests that the limited and peculiar institutionalisation affects MERCOSUR's functionality and prospects. The article first reviews the historical evolution of MERCOSUR, then concentrates on the current agenda including the accession of Venezuela, the question of the regional parliament and the completion of the customs union, and finally explores the challenges Documentos de Seguridad y Defensa No. 29, Madrid, January 2010 that competing regional blocs pose to MERCOSUR. The conclusion suggests that institutional deepening might take place via parliamentary and judicial developments.



Section C) Regional integration processes

Subsection 4. Cooperation and integration in Central and Latin America

García-Sayán Diego

The Inter-American Court and Constitutionalism in Latin America

in *Texas Law Review*, Vol. 89, issue 7 , 1835 ff.

Judge García-Sayán lauds the influence of the Inter-American Court on domestic Latin American judicial systems. Domestic courts of Latin American countries serve not only as guarantors of the international obligations of states, they also legitimize and revitalize the rule of law by harmonizing international standards and their domestic law. Four examples demonstrate this advance: amnesties, investigation of human rights violations, the right to an effective remedy, and rights of indigenous peoples.

With regard to amnesty, the Inter-American Court case of Barrios Altos has a significant impact on the ability of violators of international human rights laws to excuse their own behavior. Of course, trial and conviction of Peruvian criminals throughout the Peruvian justice system was one result, but Barrios Altos also established interpretive parameters for analysis of amnesty provisions in Chile, Argentina, Colombia, and Uruguay.

With regard to investigation of human rights violations, the consistency of the Inter-American Court's jurisprudence as to the importance of the obligation of states to guarantee international law has aligned the norms of a line of cases in Colombia and Peru.

With regard to the right to an effective remedy, the Inter-American Court's interpretation of Article 8 and Article 25 of the American Convention has been adopted by the highest courts of several countries. For example, in Argentina, the Code of Criminal Procedure was amended as a result of the Inter-American Court's decision in *Herrera Ulloa v. Costa Rica* to ensure the adequacy of Mr. Ulloa's defense. In Guatemala, an Inter-American Court case overturned a death penalty sentence on a due process claim. Additional decisions along these lines have come out of Peru and Mexico.

With regard to the rights of indigenous peoples, the Inter-American Court has established a framework for judicial pluralism and nondiscrimination. Against criticism of the imposition of international normative institutional parameters onto indigenous authorities, the Inter-American Court has protected the autonomy of indigenous groups while defending the principles of international human rights. For instance, in Nicaragua, communal property rights of indigenous groups were vindicated by the Inter-American Court. On the other hand, the Constitutional Court of Colombia has defended a strong interpretation of individual rights against the right of an indigenous community to punish offenders of their laws by using the approach of the Inter-American Court.

Full text available at:

<http://www.texasrev.com/issues/vol/89/issue/7/garc-say-n>

Section C) Regional integration processes



Subsection 4. Cooperation and integration in Central and Latin America

De Oliveira Mazzuoli Valerio

The Inter-American human rights protection system: Structure, functioning and effectiveness in Brazilian law in African Human Rights Law Journal, vol. 11, n. 1 , 194-214

ABSTRACT: The article provides a brief background to the Inter-American system of human rights and its monitoring organs, the Inter-American Commission and the Inter- American Court of Human Rights. It then focuses on the relationship between the two institutions, looking in particular at how cases are instituted before the Court. Against this background, the process of ensuring effective domestic enforcement of the Court's judgments in Brazil is investigated with reference to two decided cases and a draft Bill pending before Congress.

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

Dupont Olivier

Asean, a fragmented integration in a changing world

in Fédéralisme Régionalisme , Volume 11, Numéro 2 - Le régionalisme international : regards croisés. Europe, Asie et Maghreb

This paper looks at the way the Association of Southeast Asian Nations (Asean) operates, in terms of the participation of its member states. Since its inception in 1967, Asean has apparently been driven by realism. But other mechanisms have gradually come into play and some group dynamics have emerged over time through the summits and treaties. Several aspects of this process should be highlighted:

- the achievement of independence among countries in the area and the consolidation of this independence;
- a willingness to resist the rise of communism in the region;
- the easing of tension and the stabilising role in the region played by the Association;
- the common desire to promote growth and the efforts to create a sense of identity;
- the growing role played by the Association and its member states in a multilateral framework and especially in relation to the People's Republic of China (PRC).

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=1082>



Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Shintaro Hamanaka

Asia's Past Financial Regionalism Projects and Their Contemporary Implications

in Asia Pacific Review, Volume 18, Issue 1, 45-72

This article analyzes five significant institutional variables related to membership and control of institutions, using comparative case studies of Asia's past regional financial projects from the 1950s through the 1990s. The five variables are: (i) countries included in or excluded from membership, (ii) membership tiers, (iii) institutional decision-making process, (iv) executive positions at organizational structure (e.g. secretariat and headquarters) of institutions, and (v) the location of the secretariat/headquarters. Past financial regionalism projects hold several important lessons for current initiatives. First, in the case of regional financial institutions, "inclusion in membership but exclusion from regional membership" is a possible option and it is crucial to go beyond the simple debate on the membership problem, namely inclusion and exclusion, when designing a regional financial institution. Second, no single country should dominate the decision-making process by voting power—an institution must maintain a delicate balance among its members in terms of voting. And finally, key to determining the success or failure of regional financial institutions is which country hosts the secretariat/headquarters and sends staff to the executive positions.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Smita Nakhooda

Asia, the Multilateral Development Banks and Energy Governance

in Global Policy, Volume 2, Issue Supplement s1, 120–132

The World Bank and the Asian Development Bank are key actors in global energy governance and in Asia, spreading new ideas about technology, regulation, policy and service delivery as they invest in new energy infrastructure. They have encouraged market approaches to energy around the world. They are increasingly being held accountable for the environmental and social impacts of their investments. Many are looking to the Multilateral Development Banks to leverage their financing and expertise to facilitate low-carbon development in Asia. Climate change is a growing priority for these institutions, but energy security remains a primary concern for Asian member countries. A role for the MDBs in climate finance has been controversial because of their governance, which is perceived to prioritize developed country interests, as well as a poor record of consistently integrating environmental and social considerations into their engagement. Efforts to reform MDB governance to give developing countries more voice, however, do not guarantee greater transparency and accountability in energy governance, or the prioritization of increasingly urgent environmental social issues. This article considers the implications of a growing role for Asian countries in the governance of the MDBs.

Policy Implications

-  The World Bank and the Asian Development Bank have been highly influential actors in global energy governance and in Asia, spreading new ideas about technology, regulation, policy and service delivery as they invest in new energy infrastructure.
-  They have not always effectively reconciled competing environmental, social, economic and geopolitical



dimensions of energy governance, however. Their knowledge, technical expertise, finance and convening power can be better harnessed to address these complex challenges. It remains to be seen whether the growing influence of Asian countries over the priorities of the MDBs will allow such opportunities to be seized.

- Investments in the leadership and staff of the MDBs to equip and incentivize them to make creative investments that more effectively address issues of equity and environmental sustainability will be integral to strengthening their role in the governance of energy.

- Reforms that make the MDBs more accountable to a diverse cross-section of stakeholders within member countries through improved inclusiveness, transparency and accountability are also imperative. Such reforms are at least as important as reforms aimed at giving developing country governments greater vote and voice in the governance of these institutions.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Hamanaka Shintaro

Asia-Only versus Asia–Pacific Regionalism: The Regionalism Cycle in Summits and Financial Cooperation in Pacific Focus, Volume 26, Issue 2, August, 236-259

While many believe that Asian regionalism lacks institutions, Asia, in fact, is home to a wide range of regional institutions and frameworks. The rise and fall of regional institutions in Asia is an extremely dynamic process. This paper argues that the dynamic nature of Asian regionalism can be explained by a “regionalism cycle” with regard to membership. The institutional outcomes of regionalism in Asia have been cyclical because the interplay between Japan and the USA has not had a stable equilibrium. This paper tests the hypothesized regionalism cycle using actual cases of regional institutions in the areas of financial cooperation and summit meetings.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Batra Amita

Asian Economic Integration and Sub-regionalism: A Case Study of the BIMSTEC in International Studies, vol. 47, n. 1, January, 1-25

ABSTRACT: The process of economic integration in Asia has many dimensions to it. As different sub-regions of the continent pursue a distinct course of economic integration within, they are also simultaneously entering into economic arrangements across sub-regions. This article undertakes an evaluation of the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Co-operation (BIMSTEC), an inter-sub-regional organization, for its ability to act as a bridge between South and Southeast Asia. The analysis involves an assessment of the design and the potential of this sub-regional grouping against regional realities and its performance thus far. Further, the article examines the more fundamental issue of the scope for convergence in the economic integration processes in South and Southeast Asia. In the light of evidence to indicate that inter-sub-regional economic integration is feasible only in the long run, the article makes some recommendations for the BIMSTEC to remain relevant to the region.



Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Molly Leshner, Michael G. Plummer

Back to Basics: Post-crisis Macroeconomic Rebalancing in ASEAN

in *ASEAN Economic Bulletin*, Volume 28, Number 2 , 160-182

This article considers the policies that can help facilitate rebalancing in ASEAN economies. As the region moves away from policies to combat the effects of the global economic crisis, rebalancing growth becomes essential. Approaches to internal rebalancing, including shifts in current patterns of consumption and investment, as well as external rebalancing strategies, such as exchange rate adjustments and reducing trade costs, are explored as ways to diversify sources of growth. We also argue that regional cooperation, particularly on exchange rate and trade policy, is a key element of any concerted effort to ensuring sustained, long-term regional growth

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

J. A. Battena, P. G. Szilagyi

Bank internationalisation during the Global Financial Crisis: an Asia Pacific perspective

in *Journal of the Asia Pacific Economy (The)*, Volume 16, Issue 3 , 372-392

Bank internationalisation traditionally takes the form of lending to non-residents, but increasingly non-resident securities are purchased. These assets are funded mostly by international loans and deposits, rather than the issuance of securities. Within the Asia Pacific region, the largest net beneficiaries of international bank funding to developing economies are China, India and South Korea. Importantly, apart from the financial centres of Hong Kong and Singapore, which show significant outward as well as inward banking flows, Chinese Taipei is an important international lender. Australia and New Zealand remain significant net international borrowers. The Global Financial Crisis reversed earlier developments with China and Japan now becoming net international borrowers, while both Hong Kong and Singapore have reduced their net asset positions.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

JiangYu Wang

China and East Asian Regionalism

in *European law journal*, Volume 17, Issue 5, September , 611–629

East Asia is steadfastly marching towards regional economic integration through a number of regional trade agreements (RTAs) and China is a major driving force behind this movement. This paper analyses China's RTAs and their impact on regionalism in Asia. It addresses the criticisms that China's RTAs are politically but not economically driven, that China's RTAs create the hub-and-spoke bilateralism and that China's RTAs are not World Trade Organization consistent. It discusses China's position on East Asian regionalism, pointing out that China wishes East Asia to pursue regionalism on multi-track and at multi-speed, that China tends to 'do easy things first' with low integration and liberalisation and then gradually move to deeper liberalisation and integration and that China's definition of 'open regionalism' does not include outside countries such as the USA and the EU. The paper makes suggestions for improving China's RTAs in the interest of establishing an East Asia free trade agreement.



Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Ayson Robert

China's rise: South Pacific perspectives: Robert Ayson discusses New Zealand and Australian security perceptions of China

in *New Zealand International Review*, July 1, 2011

New Zealand and Australia both see China's rise as the leading factor in Asia's emerging security landscape. Both also share an interest in peaceful major power relations between a stronger China and a still powerful United States, but their respective relationships with these two leading regional powers are not identical. It is possible to overlay these differences: Australia's strategic view of China is not as uncompromising as some New Zealanders may be tempted to think, and New Zealand's view is not as soft as some Australians might imagine it to be. Canberra and Wellington will find opportunities to work together on managing the effects of Asia's power transition. But differences in their abilities to engage in some areas, including their readiness for advanced military operations in Asia's maritime domains, will also continue to be evident.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

WANG YUZHU

China, Economic Regionalism, and East Asian Integration

in *Japanese Journal of Political Science*, Volume 12 - Issue 02 , 195-212

As a rising power, China has become actively involved in regional bilateral/multilateral arrangements in the post-Cold War, especially post-crisis (1997– 98 financial crises) era, and this has attracted much attention from within and outside East Asia. Diverse understandings of China's regional ambition have appeared, especially since the launch of the China-ASEAN free trade agreement (FTA). Aiming at deciphering the ideas behind China's regional thinking, this paper argues that China's perspective on regionalism is a broadened economic regionalism, which is basically economic-centered, because economic performance is vital both to its long-term strategic target and to its internal social stability. This economic regionalism will last for some time because China will be a developing country at least in the mid-term, which means China will have to focus more on its economic performance. In practice, China will engage bilaterally or multilaterally with others through its FTA strategy. Thus, China cannot be a main contributor to East Asian integration as expected, owing to the inward-looking nature of its economic regionalism. Also, the institutional integration of East Asia needs the effort of all the players in the region.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

G. Rozman

Chinese National Identity and Its Implications for International Relations in East Asia

in *Asia Pacific Review*, Volume 18, Issue 1 , 84-97



This article traces the evolution of heightened Chinese expectations and the resultant spike in national identity in 2010, using a six-dimensional framework: 1) ideological, 2) temporal, 3) sectoral, 4) vertical, 5) horizontal, and 6) intensity. A hybrid ideology rose to the forefront. Forceful historical arguments covered three distinct periods. The triad of economic, cultural, and political identity raised sectoral identity to an unprecedented level. The leadership kept pressing the case for vertical identity in contrast to the West. Above all, it put the spotlight on horizontal identity to draw a sharper contrast with the United States and neighboring states as well. If at the time of the Hu-Obama summit the tone softened somewhat, China continued its risky wager on widening the identity gap. Regardless of whether China's foreign policy is currently assertive, its national identity narrative remains a driving force for divisiveness in the regional and international order.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

DAVID HUNDT and JAECHUN KIM

Competing Notions of Regionalism in South Korean Politics

in Japanese Journal of Political Science, Volume 12 - Issue 02 , 251-266

In the past decade, ASEAN has been the primary driver of East Asian regionalism, and Korea has been an active supporter of ASEAN plus Three. Korea has explored the idea of an East Asian Community, and has been relatively open to notions of Asia–Pacific regionalism. The ROK has involved itself comparatively heavily in regional projects as both an initiator and a participant, but its notion of ‘region’ has oscillated between more and less inclusive forms of regionalism. This article examines how competing conceptions of region have influenced Korea's pursuit of regional initiatives. By revisiting historical understandings of Korea's regional identity, we explore the normative bases and material interests which motivate Korean regional initiatives, and assess the impact of its proposals.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

M. Beeson

Crisis dynamics and regionalism: East Asia in comparative perspective

in Pacific Review (The) , Volume 24, Issue 3 , 357-374

This paper compares the current global financial crisis with the one that struck East Asia a little more than a decade ago. The analysis reveals some striking and surprising differences between the two periods. Whereas the first crisis had a catalytic impact on Asian regionalism this one may not. Despite East Asia generally and China in particular seeming to emerge stronger relative to the US from the current crisis, the impact of the second crisis on Europe reminds us that there is nothing inevitable about the course of regional integration. Not only are Europe's economic problems likely to diminish whatever enthusiasm there was for initiatives such as a common currency in Asia, but China may also find itself increasingly playing a global rather than a regional role. In short, crises can have very different impacts and provide an important insight into the interconnected dynamics of regional and global processes.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Lorena Di Placido



Dieci anni di SCO: il successo e il mito

in *CeMiSS - Osservatorio Strategico e Quarterly*, XIII, n. 6 , 74-76

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

J. A. Battena

Financial sector reform and regulation in the Asia-Pacific region: a perspective

in *Journal of the Asia Pacific Economy (The)*, Volume 16, Issue 3 , 285-293

Asia-Pacific financial markets – and their economies – have proven more resilient to the consequences of the Global Financial Crisis than markets in many developed nations. Much is owed to financial market reform introduced following the Asian Financial Crisis of 1997–1998. Here, we provide an overview of some key empirical and theoretical issues that affect the process and impact of financial sector reform and regulation, such that one can draw implications for the design of future regional and country-specific reform initiatives. In addition, we also show the complex financial arrangements that now link emerging and developed financial markets in the Asia-Pacific region and elsewhere in the current post-crisis environment.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

RAJENDRA K. JAIN

From Idealism to Pragmatism: India and Asian Regional Integration

in *Japanese Journal of Political Science*, Volume 12 - Issue 02 , 213-231

After being at the periphery for decades, India's proactive engagement with East and Southeast Asia has gradually transformed it into an active participant in Asian regional organizations and multilateral processes. This paper examines early Indian attempts at forging pan-Asian unity and assesses the motivations and impact of its Look East Policy. It evaluates India's changing role towards regional cooperation in South Asia and sub-regional groupings, the impact of domestic politics, and discusses how China has influenced Indian perceptions and strategy towards Asian regionalism. After a long gap, India is again contributing ideas on Asian integration and stresses that the broader East Asian integration process should remain open and inclusive.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

C. Gimeta, T. Lagoarde-Segotb

Global crisis and financial destabilization in ASEAN countries: a microstructural perspective

in *Journal of the Asia Pacific Economy (The)*, Volume 16, Issue 3 , 294-312



This article investigates whether the ongoing financial crisis has destabilized the microstructures of Association of Southeast Asian Nations (ASEAN) stock markets. Using daily stock market data from 2007 to 2010, we first develop a set of monthly country-level liquidity, efficiency, international integration and volatility indicators. We then analyze the impact of global market volatility shocks on those indicators, using a set of Bayesian structural vector autoregression (SVAR) models. Finally, forecast error variance decomposition analysis and impulse response function permit to identify the magnitude and the symmetry of ASEAN financial systems' exposures to international shocks. Our results uncover significant and asymmetrical shock transmission channels. We draw implications for the design of future regional integration initiatives.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Mireya Solís

Global economic crisis: boon or bust for East Asian trade integration?

in *Pacific Review (The)* , Volume 24, Issue 3 , 311-336

Political economists have long noted that the prospects for trade liberalization diminish in a climate of economic recession. A stagnant economy intensifies the burden of adjustment for non-competitive sectors and polarizes domestic trade politics. Not surprisingly, the global financial crisis has raised concerns of a substantial protectionist backlash, through the imposition of national measures that circumvent WTO disciplines such as anti-dumping or tied stimulus packages. The impact of economic crisis on regional integration is, however, more ambiguous and has not been explored systematically. On the one hand, policymakers may be pressed to renege on trade liberalization commitments on all fronts – also weakening the momentum to negotiate or implement free trade agreements (FTAs). On the other hand, policymakers may be tempted to 'insulate' their region from adverse global trends and may see FTAs as more amenable to political manipulation that shelters inefficient sectors. In order to shed light on the connection between external crisis and regionalist drive, this article assesses three main challenges East Asian elites confront in devising a regional trade bloc capable of acting as a growth locomotive: institutional fit, multilateralization, and architectural design. The track record of East Asian governments of negotiating FTAs to score diplomatic points abroad and ensure political survival at home – at the expense of maximizing economic gains through far-reaching liberalization – does not bode well for the magnitude of this challenge.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

E. A. Laksmana

Indonesia's Rising Regional and Global Profile: Does Size Really Matter?

in *Contemporary Southeast Asia: A Journal of International and Strategic Affairs*, Volume 33, Number 2, August , 157-182

This paper seeks to challenge the view that Indonesia's geographical and population size account for its rising regional and global profile. Instead, it makes three inter-related arguments. First, the manifestations of Indonesia's foreign policy and global profile have always been based on its ability to harness the country's normative and moral voice. Second, while democratization since 1998 has allowed Indonesia to restore its reputation in world affairs and provided it with a new source of "soft power", it has also complicated foreign policy-making. Third, Indonesia's large geographical size and population have been a source of persistent internal security threats, and because the government has been unable to



meet national defence requirements, the growth in its defence diplomacy activities reflect the country's continuing strategic weakness rather than its strength.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Kilby Christopher

Informal influence in the Asian Development Bank

in Review of International Organizations (The) , vol. 6, n. 3-4, september , 223-257

ABSTRACT: Through case studies and empirical analysis, scholars have uncovered convincing evidence that individual donors influence lending decisions of international financial institutions (IFIs) such as the World Bank and the Asian Development Bank. Less clear are the mechanisms by which donors exert influence. Potential mechanisms are either formal or informal. Formal influence is through official decisions of the board of executive directors while informal influence covers all other channels. This paper explores the role of informal influence at the Asian Development Bank by examining the flow of funds after loans are approved. Controlling for commitments (loan approvals), are subsequent disbursements linked to the interests of the key shareholders, Japan and the U.S.? I compare these findings with results for the World Bank and consider implications for institutional reforms.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

E.Goh

Institutions and the great power bargain in East Asia: ASEAN's limited 'brokerage' role

in International Relations of the Asia-Pacific, Volume 11, Issue 3, September , 373-401

This article argues that in the post-Cold War strategic transition in East Asia, ASEAN has helped to create a minimalist normative bargain among the great powers in the region. The regional norms propagated through the 'ASEAN way', emphasizing sovereignty, non-intervention, consensus, inclusion, and informality were extremely important in the initial stages of bringing the great powers – especially China and the United States – to the table in the immediate post-Cold War period. During this time, ASEAN helped to institutionalize power relations legitimizing the role of the great powers as well as the 'voice' of smaller states in regional security management. But the process of institutionalizing great power relations contains further steps, and what ASEAN has achieved is well short of the kind of sustained cooperation on the part of the great powers that is so necessary to the creation of a new stable regional society of states. Moreover, ASEAN has provided the great powers with a minimalist normative position from which to resist the more difficult processes of negotiating common understanding on key strategic norms. At the same time, ASEAN's model of 'comfortable' regionalism allows the great powers to treat regional institutions as instruments of so-called 'soft' balancing, more than as sites for negotiating and institutionalizing regional 'rules of the game' that would contribute to a sustainable modus vivendi among the great powers. As such, ASEAN's role is limited in, and limiting of, the great power bargain that must underpin the negotiation of the new regional order. This is a task that the regional great powers (the United States, China, and Japan) must themselves undertake.



Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

BAOGANG HE, and TAKASHI INOBUCHI

Introduction to Ideas of Asian Regionalism

in Japanese Journal of Political Science, Volume 12 - Issue 02 , 165-177

Most of the current scholarship focuses on the functional aspects of regionalism such as economic and security issues, and the literature tends to be too focused on American or European concerns (Katzenstein, 2005; Higgott, 2007; Ravenhill, 2008). Despite the early examination of varied ideas of Asian regionalism (Milner and Johnson 1997, He, 2004, Acharya 2009), there remains a substantive lack of critical scholarship that focuses on the study of Asian ideas, proposals, and visions of regionalism.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Borah Rupakjyoti

Japan and India: natural but wary allies: considers the position of Japan and India in the contemporary Asian security matrix

in New Zealand International Review, July 1, 2011

Although India and Japan have been historically close, the two countries drifted apart after India's independence in 1947. However, the end of the Cold War and India's 'Look East Policy' put the relations back on track. In part, this is a response to the changing strategic situation in East Asia. Rising China's increasing assertiveness has affected Indo-Japanese security ties. So, too, has India's growing camaraderie with the United States. Japan's importance in India's 'Look East Policy' is manifest, as is the role of the Indian Navy in ensuring Japan's energy security. There are a number of avenues for India and Japan to collaborate in the contemporary Asian security matrix.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

TAKASHI INOBUCHI

Japanese Ideas of Asian Regionalism

in Japanese Journal of Political Science, Volume 12 - Issue 02 , 233-249

Japan is geographically located on the fringe of Asia. Japan's location is often divided between those arguing that Japan is inside Asia and those arguing it is outside Asia. Japanese ideas of Asian regionalism are thus immensely varied. This article details a number of Japanese ideas on Asian regionalism with author/agency, scope and method specified. Special mention is made of weak integration of government agencies, thus causing proliferation of many Japanese ideas within Asia. With the increasing self-assertiveness of China, the apparent peaking out of American hegemony, and the steady rise of non-Chinese Asians, Japan tries to maintain enduring alliance with the United States, to invigorate interdependence with China, and to reinvent new relationships with the countries of the East Asian Summit. Japanese ideas of Asian regionalism take those templates as guidelines to develop new ideas of Asian regionalism.

Section C) Regional integration processes



Subsection 5. Cooperation and integration in Asia and the Pacific Area

Ténier Jacques

L'Asie du Sud entre désintégration et intégration régionale

in *Fédéralisme Régionalisme*, Volume 11, Numéro 2 - Le régionalisme international : regards croisés. Europe, Asie et Maghreb

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=1079>

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

A. Yee

Maritime Territorial Disputes in East Asia: A Comparative Analysis of the South China Sea and the East China Sea

in *Journal of Current Chinese Affairs*, Vol 40, No 2

This article systematically compares maritime territorial disputes in the East and South China Seas. It draws on the bargaining model of war and hegemonic stability theory to track the record of conflicts and shifts in the relative power balances of the claimants, leading to the conclusion that certainty and stability have improved in the South China Sea, with the converse happening in the East China Sea. To enrich the models, this article also considers social factors (constructivism) and arrives at the same conclusion. This calls for a differentiated methodological approach if we are to devise strategies to mediate and resolve these disputes.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Taizo Miyagi

Post-War Asia and Japan—Moving beyond the Cold War: an Historical Perspective

in *Asia Pacific Review*, Volume 18, Issue 1, 25-44

This article explores the role of Japan in post-war Asia to endeavor to present a more accurate picture than the one-dimensional portrayal of Japan as an exclusively economic presence. By taking three viewpoints into consideration, the author attempts to provide a picture of international politics in post-war Asia as an integrated whole.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Defraigne Jean-Christophe

Regards croisés sur le régionalisme en Asie Orientale au travers de la concurrence entre le Japon, la Chine et l'Inde

in *Fédéralisme Régionalisme*, Volume 11, Numéro 2 - Le régionalisme international : regards croisés. Europe, Asie et Maghreb

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=1088>

Section C) Regional integration processes



Subsection 5. Cooperation and integration in Asia and the Pacific Area

Devadason Evelyn S.

Reorganization of Intra-ASEAN 5 Trade Flows: The 'China Factor'†
in *Asian Economic Journal*, Volume 25, Issue 2, June 2011 , 129-149

There are claims that China's influence on ASEAN is direct in that she has encouraged more exports to flow into her huge markets and changed trade flows among member countries. Demand and supply are thus deemed to have become more China-centered. This study therefore explores the plausibility of China as a 'factor' that influences bilateral intra-ASEAN 5 trade flows through demand (exporting country) and supply (importing country). The results imply that China's integration in the region increases the size of the key ASEAN member economies export market. There is also no indication that import sourcing from China by ASEAN 5 countries reduces export expansion within the latter. The results accord with the fact that although China has become an important export destination and an import source for individual ASEAN 5 countries, this has not reduced intra-ASEAN 5 trade.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

D. Caouette, D. B. Côté

Ripe for A New Asian Multilateralism? Asean and Contemporary Regional Dynamics
in *European Journal of East Asian Studies* , Volume 10, Number 1 , 5-36

At different rates and following different patterns, Asian multilateralism, particularly in Southeast Asia, is under construction. For observers, the dynamics of regional cooperation have been transformed (or have accelerated) over recent years. This new dynamism is the result of three shocks: the end of the Cold War and the acceleration of economic liberalisation; the Asian financial crisis of 1997-1998; and the events of 11 September 2001. These events modified regional processes and enabled the emergence of new forms of regional cooperation. These are characterised by the proliferation of free trade agreements, greater financial cooperation, a renewal of dialogue initiatives on security issues, and the multiplication of formal and informal regional institutions. In this article, we argue that we are now witnessing a new form of 'soft multilateralism' emerging in Asia, in which ASEAN is both well placed and very experienced. In such multilateralism, norms and principles are seldom made explicit, and are even less made constraining, but act as guiding sets of behaviours.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Saori N. Katada

Seeking a place for East Asian regionalism: challenges and opportunities under the global financial crisis
in *Pacific Review (The)* , Volume 24, Issue 3 , 273-290

After the devastating experience of the Asian financial crisis more than ten years ago, East Asia launched regional economic cooperation efforts. East Asia's mixed response to the global financial crisis a decade later, however, reveals how certain impetuses that gave rise to unified efforts to regional institution building in East Asia at the time of the AFC derived, fundamentally, from the region's defensive desire as it positioned itself within the harsh global economic and political environment of that time. The GFC triggered reorganization of global economic governance by discrediting neoliberal principles, introducing a new global governance structure and allowing reliance of domestic stimuli for



economic recovery. Those shifts, in turn, led to the loss of East Asia's basic mandate towards regional cooperation. In other words, the focus of solving the region's economic vulnerability has now moved from regional arrangement to national and global stages. In particular, the East Asian governments now see less of a need to counterweight the predominant neoliberal voice through unified regional voice as the expansion of the forum to discuss global economic governance to G20 and IMF reform to provide East Asia more representation.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Lorena Di Placido

Shanghai Cooperation Organization at ten: what's going on?
in *CeMiSS - Osservatorio Strategico e Quarterly*, A. IX, Spring , 67-71

On 14 and 15 June 2011, in Astana was celebrated the tenth anniversary of the Shanghai Cooperation Organization foundation. The annual summit of Heads of State and Government has taken a deeper meaning, due to the considerations recalled by the achievements of a ten years activity. Anyway, many regional issues are still open while the SCO is still not able to address them.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Ming Wan

Sino-Japanese Relations Adrift in a Changing World
in *Asia Pacific Review*, Volume 18, Issue 1 , 73-83

The Sino-Japanese dispute over the arrest of the Chinese fishing trawler captain is the most serious bilateral incident since 1952. Japan took an action viewed by Beijing as provocative and China overreacted. Feeling humiliated, Japan has sought allies to check on China. But China is not isolated. When it seeks to recover from its diplomatic setbacks in 2010, Beijing looks elsewhere because it has little trust in the DPJ government. As the world's second and third largest economies, China and Japan should improve relations. Without improved ties, they will find it even harder to manage emotionally charged disputes next time around. China and Japan are rivals but they are not yet enemies. The Chinese and Japanese governments need to exercise leadership, which includes making compromises when and where they become necessary. Since they have weakened capacity to deal with bilateral disputes, they should avoid them in the first place.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

BAOGANG HE

The Awkwardness of Australian Engagement with Asia: The Dilemmas of Australian Idea of Regionalism
in *Japanese Journal of Political Science*, Volume 12 - Issue 02 , 267-285

Australia has experienced difficulties engaging with Asia-Pacific regional integration. Despite Australian attempts to punch above its weight in regional forums and to be a regional leader, it is still not regarded as a full member or as quite



fitting into the region. It is an 'awkward partner' in the Asian context, and has experienced the 'liminality' of being neither here nor there. The former Rudd government's proposal for an 'Asia Pacific Community' (APC) by the year 2020 was a substantive initiative in Australia's ongoing engagement with Asia. It has, however, attracted a high level of criticism both at home and abroad. The main critical analysis of the proposal has focused on institutional building or architecture, or its relationship with existing regional institutions, but overlooks a host of often fraught questions about culture, norms, identities, and international power relations. The APC concept needs to be scrutinized in terms of these questions with a critical eye. This paper examines the cultural, cognitive, and normative dimensions of Rudd's proposal. It analyses four dilemmas or awkward problems that the APC faces.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Pham Quang Minh

The East Asia Security Environment in the Beginning of the Twenty-first Century and the Adjustments in Vietnamese Foreign Policy

in *Asia Pacific Review*, Volume 18, Issue 1, 98-108

International relations are social actions, and their expression is behavior of the states. According to French sociologist Pierre Bourdieu, the basis for any social action is habitus and capital (Bourdieu 1982). For Bourdieu, social action is not created in a vacuum but always takes place under certain social conditions. Different social conditions create different spheres that Bourdieu called action fields. The problem is that each field has its own rules, logic and goals. Bourdieu also uses the metaphor of game to explain the concept of field. Like the fields each game has also its own rules and logic. In order to participate in the game players are required to have some knowledge of game, and capacity, skills, and last but not least the interests to play game. The field of the Asia-Pacific region in the beginning of twenty-first century and especially during recent years is one of "center court" of the whole world involving all big players like the US, China, Japan, Russia and India. Their presence with their own behavior and different abilities, interests make this field more interesting, but at the same time more complicated and unpredictable. This article explores the different phases of Vietnam's foreign policy since reform in 1986 and joining ASEAN and adoption of "Resolution No. 8 (section IX) on the Strategy for Fatherland Defence in the New Context" in 1995.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

M. Hartpence

The Economic Dimension of Sino-Pakistani Relations: an overview

in *Journal of Contemporary China*, Volume 20, Issue 71, 581-599

This study deals with the subject of growing economic ties between China and Pakistan over the past decade which have evolved to match the strong bilateral political and military relations between Beijing and Islamabad. While economic exchanges between the two countries were long colored by essentially political considerations, since 1999 two-way trade and investment have expanded and become both strategically and commercially driven. To understand what underlies this development, one must look at several significant domestic and external policy shifts that have taken place in China and Pakistan since 1999. The study overviews the nature of Chinese investment in Pakistan, notably infrastructure projects such as Gwadar Port and the upgrading of the Karakoram Highway, which have both commercial and possible geostrategic facets. It also examines the deepening and broadening of Sino-Pakistani trade, as a result of



which China has become economically integrated with South Asia.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Atanassova-Cornelis Elena

The Political and Security Dimension of Japan–China Relations: Strategic Mistrust and Fragile Stability in Pacific Focus, Volume 26, Issue 2, August, 165-187

Japan–China relations in the 2000s have seen both significant tensions, notably during the term of Koizumi Junichiro, and marked improvement in the post-Koizumi period. This article analyzes the way external and domestic factors in both countries have influenced the political and security dimension of the bilateral relationship. It also assesses the extent of the underlying tensions and the prospects of long-term stability in Sino–Japanese relations. The article argues that structural changes and a shifting balance of power in East Asia have led to strategic divergences and security dilemma dynamics in the bilateral relations. Additionally, the rise of conservatism in Japan under Koizumi and China's use of the “history card” exacerbated mutual distrust and contributed to souring ties in the first half of the 2000s. While the bilateral relations have stabilized in the post-Koizumi era, with the political leaders of both countries emphasizing mutual engagement and alleviation of the security dilemma, this “cooling-off period” is unlikely to lead to long-term stability in ties between Tokyo and Beijing. Lacking strategic trust on both sides, as well as the significance of the US factor for the bilateral security interactions, suggest that the present stability in Japan–China relations remains fragile.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Yuichi Hosoya

The Rise and Fall of Japan's Grand Strategy: The “Arc of Freedom and Prosperity” and the Future Asian Order in Asia Pacific Review, Volume 18, Issue 1, 13-24

This article examines the “Arc of Freedom and Prosperity” which symbolizes a new direction of Japanese diplomacy and reinforced cooperation with countries where such ideals as democracy, freedom, and human rights are shared. Originally proposed by Foreign Minister Taro Aso, the concept has since moved into the background but nevertheless remains in the thoughts of current Japanese diplomatic strategy.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Joseph Y. S. Cheng

The Shanghai Co-operation Organisation: China's Initiative in Regional Institutional Building in Journal of Contemporary Asia, Volume 41, Issue 4, 632-656

China's initiative in establishing and promoting the development of the Shanghai Co-operation Organisation (SCO) is an interesting case study of China's attempt at regional institution building. China's increasing interest in Central Asia coincided with its gradual acceptance and rising enthusiasm regarding participation in regional organisations. The “Shanghai Five” mechanism and the SCO were seen as appropriate mechanisms for pursuing China's multiple interests in the region; their development was also in line with the improvement in Sino-Russian relations. Chinese leaders have



skilfully developed the SCO's institutional framework, and they seem intent on getting good value for the resources spent. The leaders have also demonstrated considerable patience when the SCO's development encountered setbacks.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Aranda, Isabel Rodríguez

The challenges for the reunification between China and Taiwan: the Anti-Secession Law (2005) and the Economic Cooperation Framework Agreement (2010)

in *Revista Brasileira de Política internacional* , vol. 54, No. 1/2011 , 105-124

This article aims to analyze the problem of reunification between the PRC and Taiwan in the last decade, as part of two milestones: first, the enactment of the Anti-Secession Law of March 14, 2005; and second, the signing of the Economic Cooperation Framework Agreement on 30 June 2010.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

W. W. Grimesa

The future of regional liquidity arrangements in East Asia: lessons from the global financial crisis

in *Pacific Review (The)* , Volume 24, Issue 3 , 291-310

The global financial crisis of 2008–09 presented a critical challenge to East Asian regional financial cooperation. Over a decade of efforts to reduce regional vulnerability to financial crisis and contagion were confronted with the worst global economic crisis since the 1930s. The results for East Asia were mixed. On the one hand, no economies were forced to submit to IMF-led bailouts, as had happened so painfully in 1997–98. On the other hand, the most highly-developed component of the project of ASEAN+3 financial regionalism – the Chiang Mai Initiative (CMI), which set up a system of emergency liquidity provision – appeared irrelevant, as the central banks of South Korea and Singapore prioritized the establishment of new swap agreements with the United States as a means of ensuring dollar liquidity instead of relying on their Chiang Mai partners. Nonetheless, in May 2009, the ASEAN+3 finance ministers agreed to a substantial expansion and ‘multilateralization’ of the initiative. This paper critically addresses whether CMI has been transformed into an ‘Asian Monetary Fund’ and argues that the events of 2008–10 make substantial additional movement in that direction unlikely.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Dong Sun Lee, Sung Eun Kim

Ties That Bind? Assessing the Impact of Economic Interdependence on East Asian Alliances

in *Pacific Focus*, Volume 26, Issue 2, August , 206–235

This article investigates how commercial ties affect the cohesiveness of US alliances with East Asian nations. While the conventional wisdom views their effects as positive, we argue that economic interdependence does not markedly reinforce East Asian alliances because the alliances have an asymmetrical structure. To evaluate these competing arguments, we examine the impact of bilateral trade on the US alliances with Japan, Taiwan, the Philippines, and South



Korea, over the past quarter-century. Our empirical analysis provides little evidence for the conventional view, while supporting our argument. Based on this finding, the article offers some practical implications for the free trade agreement and the security alliance between South Korea and the USA.

Section C) Regional integration processes

Subsection 5. Cooperation and integration in Asia and the Pacific Area

Florian Mölders, Ulrich Volz

Trade creation and the status of FTAs: empirical evidence from East Asia

in *Review of World Economics (Weltwirtschaftliches Archiv)*, Volume 147, Number 3 , 429-456

East Asia has been considered a latecomer with respect to Free Trade Agreements (FTAs). Since the turn of the last century, however, FTAs with East Asian participation have seen an intra- and extra-regional expansion. Many trade initiatives have been proposed, negotiated or even implemented. This introduces interesting perspectives for the analysis of trade agreements regarding their anticipatory trade effects. This paper focuses on the trade impact of FTAs at different stages that East Asian economies participate in. The central part of this study is an econometric analysis that applies panel data to the gravity model of international trade flows. We augment the traditional model with variables to estimate trade effects of bilateral and multilateral agreements and year-to-year changes in the stages of their implementation. Our results reveal that there exist anticipatory effects preceding the actual implementation of bilateral FTAs with East Asian participation. Further, anticipation effects are larger for bilateral than for multilateral agreements, possibly because the realisation of bilateral agreements is considered more realistic.

Section C) Regional integration processes

Subsection 6. The European unification process

Lorenzo Striul

Lo strano caso dell'Eufor Libya

in *CeMiSS - Osservatorio Strategico e Quarterly*, XIII, n. 7 , 45-47

Parafrasando un famoso incipit, si può dire che c'è un fantasma che si aggira per il Mediterraneo. Si tratta dell'“EUFOR Libya”, nei fatti unica iniziativa nel settore della Common Security and Defence Policy che si è cercato di attuare in relazione all'inatteso attivismo militare europeo per i problemi interni libici, che, come noto, si sta però esplicando praticamente sotto la sola egida della NATO.

Section C) Regional integration processes

Subsection 6. The European unification process

De Baere Geert

"O, Where is Faith? O, Where is Loyalty?" Some Thoughts on the Duty of Loyal Cooperation and the Union's External Environmental Competences in the Light of the PFOS Case

in *European Law Review*, Vol. 36, issue 3 , 405-419



No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Müller-Graff Peter-Christian

60 Jahre Grundgesetz aus der Sicht des Europarechts

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 59, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

MARIA BERGSTRÖM, KARIN SVEDBERG HELGESSON, ULRIKA MÖRTH

A New Role for For-Profit Actors? The Case of Anti-Money Laundering and Risk Management

in *Journal of Common Market Studies*, Volume 49, Issue 5, September 2011 , 1043-1064

The article analyses what the third EU Directive on AML (anti-money laundering) and risk management means in terms of democratic accountability when the banking sector is given a role that is traditionally the prerogative of the public actors. The comparison between the UK and Sweden on the private actors' role in various stages of the risk-based decision process shows that the procedures used could jeopardize the traditional liberal understanding of democratic accountability.

Section C) Regional integration processes

Subsection 6. The European unification process

Shirinov Rashad

A Pragmatic Area for Cooperation: Azerbaijan and the EU

in *Internationale Politik und Gesellschaft*, Heft 3, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Yonatan Touval

A Spring of Discontent: European Politics in the Face of the Arab Upheaval

in *European Union Foreign Affairs Journal*, n°1, 2011 , 10-16

If it is worth revisiting the diplomatic row over the 2007 release of the so-called 'Benghazi Six'; it is because it eerily foreshadows the politics of European diplomacy in response to the current upheaval across the Arab world, and nowhere more so than in Libya - a politics marked, first and foremost, by the triumph of national-particularistic (leave out personal for now) interests over supranational ones, and second, by the return of the so-called 'humanitarian' doctrine, this time around as justification for French-led military activity. Against the



backdrop of these developments, the EU has appeared as helpless and hapless as ever, while heightened tensions within the bloc have placed its core values under exceptionally great strain.

Section C) Regional integration processes

Subsection 6. The European unification process

Waltraud Schelkle

A Tale of Two Crises: The Euro Area in 2008/09 and in 2010

in *European Political Science (ECPR)*, Volume 10, Issue 3 , 375–383

One puzzle that the crises of the past three years have thrown up is why the financial crisis of the period 2008–09 and the sovereign debt crisis of 2010 had such a different political-institutional fall-out on the Euro area. In both, governments were essentially trying to avert a banking collapse. The Euro area passed the stress test of the financial crisis in the period 2008–09 surprisingly well, especially when compared with the US. By contrast, the turmoil in peripheral countries' bond markets since late 2009 required the suspension of constitutive principles of economic governance and was a disaster for European political integration. This paper tries to offer an explanation.

Section C) Regional integration processes

Subsection 6. The European unification process

SOARES, Antonio Goucha

A União Europeia como potência global? As alterações do Tratado de Lisboa na política externa e de defesa

in *Revista Brasileira de Política internacional* , vol. 54, No. 1/2011 , 87-104

This article analyses the amendments introduced by the Lisbon Treaty concerning foreign and defense policy, in the framework of a strategy to make Europe a global power. It starts by contextualizing this policy in the acting of the European Union, and then it reviews the main changes provided by the Treaty of Lisbon.

Section C) Regional integration processes

Subsection 6. The European unification process

Christian Sellar, Laurel McEwen

A cosmopolitan analysis of the contradictions in EU regional and enlargement policies as drivers of Europeanization

in *European Urban and Regional Studies*, vol. 18 no. 3

Although much has been written on the process of Europeanization, there is a lack of research on its nuances and implications. The academic literature to date focuses on debating the contradictions inherent within the politics of Europeanization without attempting to conceptualize what those contradictions mean in actual practice. This paper draws upon the work of Beck and Grande to analyze the myriad of contradictions shaping all levels of European space. To do so, this paper examines concrete instances of cosmopolitan practice that actually promote the maintenance of the nation-state reality currently characterizing the European Union. These examples show that, at the intersection of the subnational/supranational and supranational/national levels, contradictions are instrumentalized, creating bottom-up and top-down flows of power and influence between all European scales. The evidence presented in this paper indicates that these flows are unintended side-effects that drive Europeanization processes in a way that allows for the simultaneous



promotion and regulation of European diversity. This implies that carefully managed and instrumentalized contradictions are powerful engines of Europeanization that actively transform European governance.

Section C) Regional integration processes

Subsection 6. The European unification process

Mutlu Can E.

A de facto cooperation? The increasing role of the European Union in improved relations between Georgia and Turkey

in *Comparative European Politics*, vol. 9, n. 4-5, september-december , 543-561

ABSTRACT: This article focuses on the role of the European Union (EU) in the improvements in Georgia–Turkey cooperation. In particular, it examines how the EU's separate interactions with both Georgia and Turkey, under two different frameworks – accession negotiations and European Neighbourhood Policy (ENP), respectively – have contributed to a de facto cooperation between two countries. While studying the cooperation in issue-areas such as energy, trade, taxation, transportation and mobility regimes, this article poses the question: Do the EU's international socialization projects such as the ENP and the enlargement process result in improved bilateral relations among countries participating in these programmes? Building upon a geopolitical interpretation of the 'variable geometry' model of European integration, this article argues that, while the EU, as an international agent, has managed to establish multiple spheres of attraction that reach beyond its external borders, these spheres of attraction have also cultivated the emergence of a complex interdependence structure.

Section C) Regional integration processes

Subsection 6. The European unification process

Miller Louis Joshua

A new 'democratic life' for the European Union? Administrative lawmaking, democratic legitimacy, and the Lisbon Treaty

in *Contemporary Politics*, Vol. 17, n. 3, September , 321-334

A large body of European Union (EU) law – EU administrative law – is not made by the EU's democratically elected bodies, the Council of Ministers and the European Parliament (EP). Instead, most administrative laws are made by the unelected European Commission. That, of itself, does not mean that the EU is insufficiently democratic: most democracies delegate the power to make administrative laws to unelected regulators. In those democracies, however, elected legislatures can at least change administrative laws after they are promulgated. This article contends that the EU is different: the Council and EP are effectively unable to change administrative laws. This article identifies 'design flaws' in the EU's lawmaking processes that are responsible for this democratic shortcoming. It then surveys relevant provisions of the new Lisbon Treaty in order to determine whether Lisbon will remedy that shortcoming: whether it will empower the Council and EP – or citizens directly – to change administrative laws.

Section C) Regional integration processes

Subsection 6. The European unification process



Downs William M.

A project 'doomed to succeed'? Informational asymmetries, euroscepticism, and threats to the locomotive of integration

in *Contemporary Politics*, Vol. 17, n. 3, September , 279-297

Evidence abounds about the fortunes to be gained in national and European Parliament elections by avowedly eurosceptic political parties. Consequently, a rich literature exists on the broad phenomenon of euroscepticism, in particular its frequent and volatile packaging with nationalism, xenophobia and anti-immigrant welfare chauvinism. This article takes up an ongoing debate about the intervening role of information (sources of information, understanding of the way the EU works, forms of information seeking) in shaping negative attitudes. Eurobarometer data along with original survey responses from elected representatives in subnational assemblies of three countries reveal (1) the significant relationship between euroscepticism and information deficiency, (2) the surprising receptivity of some eurosceptics to gaining new information about the EU, and (3) the potency of information exposure in mitigating anti-EU sentiments.

Section C) Regional integration processes

Subsection 6. The European unification process

CIERCO, Teresa Maria

A promoção dos Direitos Humanos na Sérvia: uma difícil missão para a União Europeia

in *Revista Brasileira de Política internacional* , vol. 54, No. 1/2011 , 142-158

This article explores the role of the European Union in the human rights protection, implementation and promotion in Serbia. It is clear that the EU demands on democratisation in the region of Western Balkans are crucial to achieve the respect for human rights. The human rights standards as part of the conditionality criteria of the EU is a clear message towards the countries aspiring membership. However, Serbia progress in the field has been difficult due to several internal constraints. This paper aims to uncover the democratisation process of Serbia on its path towards the EU, and its progress (or not) regarding human rights protection and implementation.

Section C) Regional integration processes

Subsection 6. The European unification process

Frendo Michael

A voice for Europe in the Mediterranean - Challenges and opportunities

in *Revue européenne de droit public*, vol. 21 - n. 4 , 1023-1034

Section C) Regional integration processes



Subsection 6. The European unification process

Gullberg Anne Therese

Access to climate policy-making in the European Union and in Norway
in *Environmental Politics*, Volume 20, Issue 4, July , 464-484

Business and environmental organisations' perceived access to climate policy-making is compared in the multi-level, pluralist system of the EU and in Norway, a parliamentary system with strong corporatist traditions. The extent to which the interest groups consider gaining access to climate policy-making to be demanding of resources is compared in two different political systems. It is concluded that business organisations consider their access to climate policy-making both at the EU level and in Norway as better than environmental organisations do, and that interest groups at the EU level consider it to be more resource-demanding to gain access than interest groups seeking access in Norway do.

Section C) Regional integration processes

Subsection 6. The European unification process

Greenwood Justin

Actors of the Common Interest? The Brussels Offices of the Regions
in *Journal of European Integration*, Volume 33, Issue 4 , 437-451

The absence of a formal place in representative democracy at EU level casts sub-national authorities more as actors of EU participatory democracy. Where they have specific interests to pursue their Brussels offices act in the same way as 'lobbyists', but public authorities are also capable of acting on broader interest sets. This analysis is geared to understanding variation in the extent to which the diversely constituted Brussels offices of the regions can act on a broad spectrum of civil society interests, and thus have potential as actors of European integration in connecting civil society with EU institutions. Differences in the orientation of offices towards either highly defined or broad agendas can be conceived in qualified principal-agent terms, in which the autonomy of offices to develop activities is the critical explanatory factor. This autonomy can be derived more from the structure of principals and from degrees of purpose they have than from asymmetries of power between principals and agents, which in turn can be drawn from typologies of degrees of devolved authority present in different member states. It predicts that territorial offices from member states with medium degrees of devolved authority have the greatest potential to act on a broad range of civil society oriented interests.

Section C) Regional integration processes

Subsection 6. The European unification process

Rayroux Antoine

Adaptation, projection, convergence? L'eupéanisation de la défense et l'intervention militaire EUFOR Tchad/RCA
in *Politique européenne* , n. 34, 2, 2011 , 201-230

En appliquant le concept d'eupéanisation à la Politique de sécurité et de défense commune (PSDC) de l'UE, cette recherche postule que l'articulation de la PSDC avec les politiques de défense des États membres procède d'un mouvement simultané de projection et d'adaptation des politiques nationales. Une étude comparative de l'engagement



français et irlandais dans l'intervention militaire EUFOR Tchad/ République centrafricaine illustre cette logique d'eupéanisation, qui consiste pour la France à inscrire sa politique de sécurité en Afrique dans un cadre multilatéral, et pour l'Irlande à renoncer à certains éléments constitutifs de sa neutralité.

Section C) Regional integration processes

Subsection 6. The European unification process

Carlos Mendez, John Bachtler

Administrative reform and unintended consequences: an assessment of the EU Cohesion policy 'audit explosion'

in *Journal of European Public Policy* , Volume 18, Issue 5 2011 , 746-765

his paper investigates the effects of administrative reform in the Commission on policy implementation and outcomes through a study of EU Cohesion policy auditing. It argues that the growth in audit has taken a distinctively compliance-oriented form, in contrast with the performance audit model adopted in other countries that have embraced administrative modernization agendas. Further, the link between organizational efficiency and governance effectiveness postulated by other studies of Commission administrative reform is challenged, as the underlying audit and control problem in Cohesion policy – the high error rate – remain unresolved. Lastly, the proliferation in Cohesion policy auditing is presented as a classic example of unintended consequences: originally intended to improve policy performance and accountability, it has in fact undermined the strategic performance of the policy and is even threatening its sustainability.

Section C) Regional integration processes

Subsection 6. The European unification process

Madalina Busuioc, Deirdre Curtin, Martijn Groenleer

Agency growth between autonomy and accountability: the European Police Office as a 'living institution'

in *Journal of European Public Policy* , Volume 18, Issue 6 2011 , 848-867

Autonomy and accountability of public agencies are two sides of the same coin, yet often they are examined separately and at only one point in time. This contribution therefore examines the interaction between accountability and autonomy over time. It does so in the context of a European Union agency, the European Police Office (Europol), the creation of which has been the subject of much contestation and discussion in terms of its possibility to wield autonomy and escape accountability. The contribution looks at de jure aspects of both autonomy and accountability, but moves beyond a strictly formal analysis and investigates actual practices. Drawing on extensive document analysis and 26 in-depth semi-structured interviews with key agency officials as well as members of the relevant accountability forums, this contribution shows that tailored accountability arrangements, which are acceptable to the actors involved, reinforce autonomy, whereas an inappropriate and contested accountability system has the opposite effect, stifling autonomous development, as seems to have been the case with regard to Europol.

Section C) Regional integration processes

Subsection 6. The European unification process

Sebastian Princen

Agenda-setting strategies in EU policy processes

in *Journal of European Public Policy* , Volume 18, Issue 7 2011 , 927-943



This paper develops a typology of strategies used by political actors to place issues on the European Union (EU) agenda. In doing so, it builds on a theoretically derived twofold distinction between two challenges in putting issues on the agenda (gaining attention and building credibility) and two factors that actors can affect (venues and frames). The resulting four types of strategy are further specified on the basis of the existing case study literature on EU agenda-setting. This results in a typology that elucidates the political rationales behind agenda-setting strategies and applies to all types of actors in EU policy-making. The typology can be used to understand the interrelationships between different (types of) strategies, to identify opposing strategies meant to keep issues off the EU agenda, and to compare agenda-setting processes in the EU and domestic political systems.

Section C) Regional integration processes

Subsection 6. The European unification process

Paulina Tambakaki

Agonism and the Reconception of European Citizenship

in *British Journal of Politics & International Relations* , Volume 13, Issue 4 , 567–585

Viewed either as a limited undertaking or a process in the making, European citizenship appears to be caught at an impasse. While the dominant approaches fail to break from the confines of the demos/no demos thesis, the challenges confronting Union citizenship ironically converge with those posed to citizenship discourse. Can European citizenship escape from this impasse? To address this question the article shows how the agonistic emphasis on contestation opens the way for a different reading of European citizenship. On this reading, Union citizenship is not simply taken as a means to participation, but as a channel for political mobilisation. Constructed out of an affective identification with the negative, with that we oppose rather than endorse, the agonistic conception, argues the article, insightfully shifts the terms of debating Union citizenship.

Section C) Regional integration processes

Subsection 6. The European unification process

Charalambous Giorgos

All the shades of red: examining the radical left's Euroscepticism

in *Contemporary Politics*, Vol. 17, n. 3, September , 299-320

This paper seeks to apply the relevance of Euroscepticism literature to the study of radical left party outlooks on European integration and by doing so: (1) outlines general patterns of opposition to European integration, by 11 radical left parties that are housed in the European United Left/Nordic Green Left group of the European Parliament, in the 1990s and beyond; (2) assesses the congruence between the outlooks of these parties or the lack thereof; and (3) illuminates the factors conditioning these outlooks by addressing the ideology–strategy debate. To this end, the paper employs two, widely referenced and historically relevant, analytical frameworks of party-based Euroscepticism (by Paul Taggart and Aleks Szczerbiak, and by Petr Kopecký and Cas Mudde), and applies them to the radical left as a whole and its various sub-sets, as identified by the literature so far. The analysis leads to the following three findings. First, a moderating approach can be observed on average, thus leading to an increase in overall congruence. Second, congruence increases slightly, as we move towards a more specific typology but overall no systematic congruence is to be found in the radical left as a whole or most of its sub-sets, in the period examined. Third, while ideology carries causal weight, strategy appears more prominent as a conditioning factor of outlooks.



Section C) Regional integration processes

Subsection 6. The European unification process

Baroni Leonardo

Amministrazione diretta, amministrazione indiretta e cooperazione amministrativa: riflettendo sui modelli di amministrazione nella PAC

in *Diritto dell'Unione europea*, n. 1 , 95-111

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Rapoport Cécile

Aménager les procédures ou s'arranger avec les procédures ? – À propos du nouvel accord-cadre Parlement européen – Commission

in *Revue du Marché Commun et de l'Union Européenne*, n. 550, juillet-août , 461-468

On October 20, 2010, the European Parliament and the Commission signed a framework agreement covering their relationship. That framework agreement, the first signed since the Lisbon Treaty came into force, led to strong criticism, and met with the very clear disapproval of the Council and the concern of national parliaments. The reason for that opposition lies in the fears that the implementation of the framework agreement will affect the jurisdiction distribution within the institutional triangle, and the resulting balance. That fear does not seem necessarily unsubstantiated since the framework agreement is very favourable to the Parliament, whose constant search for ever-increasing privileges is a known fact. Therefore the question is asked of whether the European Parliament and the Commission did not apply, on that occasion, an interpretation of the treaties which, under the pretext of improving procedures, resulted in them freeing themselves therefrom.

Section C) Regional integration processes

Subsection 6. The European unification process

Gromadzki Grzegorz

An Urgent Challenge for Today's Europe: The Eastern Partnership

in *Internationale Politik und Gesellschaft*, Heft 3, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Colliat Rémi

Après la Grèce, l'Irlande: is small no longer beautiful in the eurozone?

in *Revue du Marché Commun et de l'Union Européenne*, n. 550, juillet-août , 439-444



Year 2010 was an *annus horribilis* for the small countries of the Euro Zone. After the salvaging of Greek's public finances with the setting up of the European fund for financial stabilisation, the time has come for the rescuing of private Irish banks. Apart from the critical period, the events of year 2010 show that the same effects, bond crises, do not have the same causes. The Irish crisis raises the question of the sustainability of an economic policy based on low aversion to risk, on easy credit, on little-supervised financial opening and on the differentiated effects of the transfer of the European monetary policy. In the end that crisis shows once again the incompleteness of the economic and monetary union. The merit of those different crises (pending the next ones) is to remind that a monetary union cannot be self-sufficient. It has to come with a true economic union. The fact that economic agents agree on that issue is a reason to be optimistic, provided political decision-makers rise to the occasion.

Section C) Regional integration processes

Subsection 6. The European unification process

Navasardian Boris

Armenia: Imagining the Integration of the Southern Caucasus with the EU
in *Internationale Politik und Gesellschaft*, Heft 3, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Dani Marco

Assembling the Fractured European Consumer
in *European Law Review*, Vol. 36, issue 3, 362-385

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Allers Robin M.

Attacking the sacred cow The Norwegian challenge to the EC's *acquis communautaire* in the enlargement negotiations of 1970-72
in *Journal of European Integration History*, vol. 16, n. 2, 59-82

In the first round of EC enlargement, Norway's claims for permanent exemptions from the Common Agricultural Policy (CAP) and the Common Fisheries Policy (CFP) challenged the EC's negotiating position based on acceptance of the *acquis communautaire*. The article revisits positions and attitudes on both sides. Why did Norway apply for membership despite having problems agreeing on basic Community principles and why did the Six agree to open negotiations despite being fully aware of Oslo's reluctant attitude towards political integration? Analysing the negotiations on agriculture and fisheries in detail, the article explores to what extent both sides were willing to compromise. Given the negative outcome of the referendum on membership, the article concludes by discussing the importance of the negotiation result and the possibility of a different outcome.



Section C) Regional integration processes

Subsection 6. The European unification process

Ulakhovich Vladimir

Belarus and the Eastern Partnership: Still a Long Way to Go
in *Internationale Politik und Gesellschaft*, Heft 3, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Basil Kerski

Berlino-Varsavia: il secondo motore d'Europa?
in *Limes*, n. 4, 2011 , 237-240

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Steunenberg Bernard, Petek Simay, R  th Christiane

Between Reason and Emotion: Popular Discourses on Turkey's Membership of the EU
in *South European Society & Politics*, Volume 15, Issue 3, Special Issue: The 'Politics of the Past' in South European Democracies. Comparative Perspectives, September , 449-468

In this article we research the main discourses in Germany and Turkey on Turkish accession to the European Union. As we argue, these discourses may easily affect the current accession negotiations, through statements made by national political leaders. We identify three distinct discourses in Germany (multiculturalism, European consolidation and cultural incompatibility) and three in Turkey (Euro-optimism, pacta sunt servanda and Turkish pride and independence). Most of the discourses we found, in both Germany and Turkey, are incompatible with Turkish accession and will make Turkish accession a tough call. Even if further enlargement has significant economic benefits, emotional arguments appear to play an important role in setting the pace of European integration.

Section C) Regional integration processes

Subsection 6. The European unification process

DARREN McCAULEY

Bottom-Up Europeanization Exposed: Social Movement Theory and Non-state Actors in France
in *Journal of Common Market Studies*, Volume 49, Issue 5, September 2011 , 1019–1042

The current underdevelopment of bottom-up conceptual designs provides an opportunity to expose Europeanization research to mainstream political and social science tools (Exadaktylos and Radaelli, 2009). A research design based upon SMT (Social Movement Theory) is located within three variants of bottom-up Europeanization approaches



currently found in the literature. It is used to analyse the empirical validity of the Europeanization of non-state actors in France. A qualitative assessment of the anti-GMO (genetically modified organism) movement reveals several important conclusions for future research in this area. In particular, potential explanatory variables are assessed from opportunity structures to resource capacities, framing processes, ideological views and the role of leadership.

Section C) Regional integration processes

Subsection 6. The European unification process

Rosenzweig Luc

Budapest-Union Europeenne: le temps des malentendus

in *Politique internationale*, n. 131 - Printemps, 2011

In this exclusive interview with Luc Rosenzweig, the Hungarian foreign affairs minister János Martonyi details his stance on several issues which have recently made headlines across Europe. Just as Hungary was about to assume the EU's rotating presidency, Budapest kicked up a storm on two fronts, first with a new law on the media, which in some regards harks back to the dark old days of the former "people's democracy", and then with a "citizenship law", which provoked outrage in neighboring Slovakia. Eager to defuse tensions, János Martonyi reiterates the values of tolerance and democracy which underpin the Orban government's actions. As a government minister, Martonyi intends to put these principles to work to deal with the Roma issue, one of Hungary's priorities during its presidency of the European Union. But the main concern is the country's economic troubles: after teetering on the brink of bankruptcy in 2007, Hungary is slowly recovering, but it is still a long way from being able to make a credible application to join the euro zone.

Section C) Regional integration processes

Subsection 6. The European unification process

Kocher Eva

Bundesverfassungs- gericht und Verrechtlichung auf europäischer Ebene: Das kollektive Arbeitsrecht

in *Aus Politik und Zeitgeschichte*, Band 35-36, 2011

The full text is free:

www.bpb.de/publikationen/YPY9IV,0,Bundesverfassungsgericht_und_Verrechtlichung_auf_europ%E4ischer_Ebene%3A_Das_kollektive_Arbeitsrecht.html

Inhalt

Einleitung

Sozialer Schutz auf europäischer Ebene

Verrechtlichung durch Rechtsprechung

Europarechtlicher Schutz von Tarifpolitik und Arbeitskampffreiheit



Kollektivverhandlungsautonomie: Verrechtlichte Politisierung

Rolle des BVerfG

Vorreiterrolle des Europäischen Gerichtshofs für Menschenrechte?

Section C) Regional integration processes

Subsection 6. The European unification process

Kuus Merje

**Bureaucracy and place: expertise in the European Quarter
in *Global Networks*, vol. 11, n. 4, october , 421-439**

ABSTRACT: Bureaucratic structures and procedures are an integral part of the production of political space today. Analyses of geopolitical practices must therefore unpack the bureaucratic context in which these practices unfold on a daily basis. This is particularly important if we wish to understand transnational processes that operate at scales and in contexts other than the familiar contours of the nation-state. In this article, I focus on one bureaucratic centre of geopolitics – the European Quarter in Brussels, Belgium, the institutional centre of the European Union. Drawing from scholarship on geopolitics and policy-making, as well as primary interview material from field research in Brussels, I make two related points – (1) that we need detailed close-up studies of the bureaucratic settings of contemporary geopolitics, and (2) that we must carefully situate such settings in their place-specific contexts to reveal dynamics that remain unnoticed from afar. Empirically, the article contributes to the interdisciplinary scholarship on the EU as a transnational power centre of global importance. Theoretically, it seeks to improve our understanding of geopolitics as a bureaucratic and material practice.

Section C) Regional integration processes

Subsection 6. The European unification process

José Enrique de Ayala

**Carta de Europa: El ascenso de la extrema derecha en la Unión Europea
in *Política Exterior*, 143 - Septiembre/Octubre**

El apoyo a formaciones políticas populistas, ultranacionalistas y racistas es un síntoma de la mala salud de las sociedades europeas, agudizada por la crisis. Está en riesgo la estabilidad del sistema.

Section C) Regional integration processes

Subsection 6. The European unification process

José Enrique de Ayala

**Carta de Europa: Estrangulamiento económico de los países periféricos
in *Política Exterior*, 142 - Julio/Agosto**

Las severas condiciones de los rescates de Grecia, Irlanda y Portugal no permitirán una recuperación a corto plazo que los ponga de nuevo en la senda de la estabilidad financiera y el crecimiento.



Section C) Regional integration processes

Subsection 6. The European unification process

EDITH DRIESKENS

Ceci n'est pas une présidence: The 2010 Belgian Presidency of the EU

in **Journal of Common Market Studies**, Volume 49, Issue s1, September 2011 , 91-102

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lars-Hendrik Röller

Challenges in EU competition policy

in **Empirica: Journal of Applied Economics and Economic Policy**, vol.38 no.3 , 287-314

This paper puts forward some challenges facing European Competition Policy. It starts out with the premises that European Competition Policy has been one of the great achievements of European Integration. However, there are several areas of competition policy that remain to be challenging, especially in terms of their economic impact on consumers, markets, and firms. Specifically, the paper addresses four areas: (1) efficiencies in merger control properly, (2) market definition, (3) the role of distortions of competition in state aid control, and (4) the balance between competition policy and regulation.

Section C) Regional integration processes

Subsection 6. The European unification process

FABIAN GUY NEUNER

Chronology: The European Union in 2010

in **Journal of Common Market Studies**, Volume 49, Issue s1, September 2011 , 275-283

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Itzcovich Giulio

Closer to the citizens? European constitutional processes, communication policy and publicity

in **Perspectives on federalism**, Vol. 3, issue 1 , 23-50

This essay proposes that the emergence and failure of the debate on the EU constitutional reform depends, amongst other things, on the rise of what it calls 'publicity' as public policy and governance function: the public management of communication aimed at creating public sphere, improving political communication, participation and trust, building consensus and legitimacy for a governance agency. Publicity originally emerged from the domain of public relations in corporate governance and bears some similarity with commercial marketing and political propaganda. By analysing the



constitutional process, this essay provides a short genealogy of publicity within European governance: from publicity concerning specific institutions and epistemic communities, namely the courts and the jurists, to its gradual extension to the general public. Finally, the essay addresses the normative question, 'What is to be done?'. What can we learn from the failure of the constitutional debate? Should Europe remain a matter of technicians and lobbyists, or should it strive toward becoming a democratic polity? In the latter case, how should Europe improve the quantity and quality of political communication within its public sphere?

Full text available:

<http://www.on-federalism.eu/index.php/essays/93-closer-to-the-citizens-european-constitutional-processes-communication-policy-and-publicity->

Section C) Regional integration processes

Subsection 6. The European unification process

FAROLE, THOMAS; RODRÍGUEZ-POSE, ANDRÉS; STORPER, MICHAEL

Cohesion Policy in the European Union: Growth, Geography, Institutions

in **Journal of Common Market Studies**, Volume 49, Issue 5, September 2011 , 1089-1111

Since the reform of the Structural Funds in 1989, the EU has made the principle of cohesion one of its key policies. Much of the language of European cohesion policy eschews the idea of trade-offs between efficiency and equity, suggesting it is possible to maximize overall growth while also achieving continuous convergence in outcomes and productivity across Europe's regions. Yet, given the rise in inter-regional disparities, it is unclear that cohesion policy has altered the pathway of development from what would have occurred in the absence of intervention. This article draws on geographical economics, institutionalist social science and endogenous growth theory, with the aim of providing a fresh look at cohesion policy. By highlighting a complex set of potential trade-offs and interrelations - overall growth and efficiency; inter-territorial equity; territorial democracy and governance capacities; and social equity within places - it revisits the rationale of cohesion policy, with particular attention to the geographical dynamics of economic development.

Section C) Regional integration processes

Subsection 6. The European unification process

Jarman Holly

Collaboration and Consultation: Functional Representation in EU Stakeholder Dialogues

in **Journal of European Integration**, Volume 33, Issue 4 , 385-399

In the past decade, the EU has experimented with various types of consultation mechanisms intended to address perceived deficits in policy knowledge and decision-making legitimacy within the European system. I examine attempts by the European Commission to build up its decision-making legitimacy and inform policy via various formal mechanisms, focusing on the extent to which the relationship between the Commission and its civil society groups is collaborative or consultative. In particular, I examine two such experiments: The DG Trade Civil Society Dialogue (CSD) and the DG SANCO platform on Diet, Physical Activity and Health. DG Trade, a strong and relatively autonomous DG, developed a consultative model of engagement, gaining legitimation by consulting with advocacy groups. DG SANCO, working in areas where the EU competencies are weak, adopts a collaborative model in which it can set the agenda and structure debates but fundamentally depends on industry association partners, rather than its own legal powers, to



achieve its goals.

Section C) Regional integration processes

Subsection 6. The European unification process

Manlio Graziano

Come riunire i franchi dell'Est e dell'Ovest

in **Limes**, n. 4, 2011 , 247-256

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Vaubel Roland

Comment on the 2011 Wincott Lecture, 'Europe. How can things get better?'

in **Economic Affairs**, Volume 31, Issue 2, June 2011 , 88-89

The increasing centralisation of government at European Union level is eroding individual freedom. Greater EU regulation of financial markets, as advocated by Charlie McCreevy, represents a further threat to liberty, while the measures advocated would have been ineffective at preventing the current financial crisis.

Section C) Regional integration processes

Subsection 6. The European unification process

Vázquez Jesús

Comment on "Spain in the Euro: A General Equilibrium Analysis" by Andrés, Hurtado, Ortega and Thomas

in **Journal of the Spanish Economic Association**, Volume 1, Numbers 1-2 / March 2010 , 97-99

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lavenex Sandra

Concentric circles of flexible 'EUropean' integration: A typology of EU external governance relations

in **Comparative European Politics**, vol. 9, n. 4-5, september-december , 372-393

ABSTRACT: The deepening of the EU's *acquis communautaire*, transformations of the European continent, and intensifying webs of interdependence have, since the 1990s, prompted a progressing blurring of the functional boundaries of the European Union. Whereas the integration project has produced externalities early on, the EU has engaged in an active promotion of its norms and rules beyond the member states, designing concentric circles of flexible 'EUropean' integration. This article offers a typology of these evolving external circles of EU rule-export focusing on the



European Economic Area, Swiss-EU bilateralism, the stabilization and enlargement policy towards the candidate countries of the Western Balkans, the European Neighbourhood Policy and countries beyond the neighbourhood. Drawing on the theoretical notion of external governance, it will be shown these outer circles of 'European' integration fall into three groups. While the first group, the 'quasi-member states' of Western Europe, combine far-reaching regulatory alignment with limited opportunities for organizational inclusion in EU structures, the Eastern and Southern neighbours face less legalized forms of rule transfer along with the establishment of parallel regional organizational structures. Links with countries beyond the neighbourhood finally stress the functionally differentiated rather than political and territorial dynamics of EU external governance.

Section C) Regional integration processes

Subsection 6. The European unification process

Ulrike Guérot y Mark Leonard

Conseguir la Alemania que Europa necesita

in *Política Exterior*, 142 - Julio/Agosto

Desde el estallido de la crisis del euro en 2010, Alemania se ha situado en el centro de todas las decisiones y todas las críticas. Quien fuera el principal motor de la Unión Europea se muestra hoy escéptico y decepcionado. ¿Cómo atraer de nuevo a los alemanes?

Section C) Regional integration processes

Subsection 6. The European unification process

Martinico Giuseppe

Constitutional Failure Or Constitutional Odyssey? What Can We Learn From Comparative Law?

in *Perspectives on federalism*, Vol. 3, issue 1 , E- 51-77

According to many scholars, the rejection of the Constitutional Treaty and the disappointment caused by the contents of the Lisbon Treaty — defined by Somek (2007) as a mere post-Constitutional Treaty — mark the failure of any possible constitutional ambition for the European Union (EU). In this paper I argue that the so-called constitutional “failure” of the EU is actually a confirmation of the current constitutional nature of the EU rather than proof of the impossibility of transplanting the constitutional discourse to the EU level. This point can be challenged both from a theoretical point of view — by describing the EU as an example of “evolutionary constitutionalism” — and a pragmatic one (i.e., looking at the functioning of concrete constitutional experiences), I will focus my paper on this second point, insisting on comparative argument. The research question of this work is: Can we compare the “constitutional crisis” of the EU to the constitutional difficulties encountered by other multinational experiences? My idea is that the latest attempts at amending the EU treaties — the period of the “Conventions” — can be traced back to the genus of mega-constitutional politics and starting from this parallelism I argue that the so-called constitutional “failure” of the EU is actually a confirmation of the current constitutional nature of the EU rather than the proof of the impossibility of transplanting the constitutional discourse to the EU level.

Full text available at:

<http://www.on-federalism.eu/index.php/essays/94-constitutional-failure-or-constitutional-odyssey-what-can-we-learn-from-comparative-law->



Section C) Regional integration processes

Subsection 6. The European unification process

Schmidtke Oliver, Chira-Pascanut Costantin

Contested neighbourhood: Toward the 'Europeanization' of Moldova?

in **Comparative European Politics**, vol. 9, n. 4-5, september-december , 467-485

ABSTRACT: The lack of a credible membership promise and a re-invigorated Russia have transformed the environment in which the European Union (EU) seeks to bolster its external policy in Central Eastern Europe. Examining Moldova, a country with concurrent commitments to creating strong bonds with the EU and Russia, the article analyses the challenges and opportunities to 'Europeanize' the EU's Eastern neighbourhood. It shows that the effects of Europeanization do not solely depend on the incentives offered by Brussels, but significantly on the willingness of the elite and population to adopt these concepts and on external factors, such as the politics of Russia.

Section C) Regional integration processes

Subsection 6. The European unification process

Tammes Peter, Oude Nijhuis Dennie

Contextual Influences and the Dutch Rejection of the EU Constitutional Treaty: Understanding Municipality Differences

in **Tijdschrift voor economische en sociale geografie (Journal of Economic & Social Geography)** , Volume 102, Issue 4, September , 455-467

In this paper we study the Dutch rejection of the Constitutional Treaty during the 2005 referendum by comparing the outcomes among the Dutch municipalities. This approach is ideally suited to illustrate the importance of contextual influences on voting outcomes. In addition, it gives excellent statistical opportunities to re-analyse some of the hypotheses used in previous studies. Based on the existing literature we developed six hypotheses that describe a relationship between the strength of the no vote and the context that shapes voter choice. All hypotheses were in line with our expectations, indicating that contextual influences did matter. In addition, we investigated the relationship between the turnout rate and the referendum outcome. The Treaty was more firmly rejected in municipalities in which the turnout rate was higher.

Section C) Regional integration processes

Subsection 6. The European unification process

Rosenthal John

Continental Divide: Immigration and the New European Right

in **World Affairs**, Vol. 15, n. 4, July / August

<http://www.worldaffairsjournal.org/articles/2011-JulyAugust/Rosenthal.html>



Section C) Regional integration processes

Subsection 6. The European unification process

Jacqué J.P.

Coopérations renforcées

in *Revue Trimestrielle de droit européen*, n. 4 , 819-822

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Hansen Jesper Lau

Coping with Emerging Federalism - Working with Securities Trading in the European Union

in *Nordic Journal of International Law*, vol. 80, issue 3 , 351-368

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Brancaccio Emiliano

Crisi dell'unità europea e politica economica nazionale: una nota

in *ItalianiEuropei*, n. 6

Section C) Regional integration processes

Subsection 6. The European unification process

Mill Colorni Felice

Crisi greca, crisi dell'euro(pa)?

in *Critica liberale*, Volume XVIII, n. 188, giugno 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Enders Christoph

Das Bekenntnis zur Menschenwürde im Bonner Grundgesetz – ein Hemmnis auf dem Weg der Europäisierung?

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 59, 2011

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Häberle Peter

Das retrospektive Lissabon-Urteil als versteinernde Maastricht II-Entscheidung

in Jahrbuch des öffentlichen Rechts der Gegenwart, Band 58, 2010 , 317-337

The Author gives a commentary, from a critical point of view, about the Lisbon Decision of the Federal Constitutional Court (FCC). He begins by taking into account the controversy provoked by the Decision in Germany both on the doctrinal and political levels. After that he goes on to point out the positive and negative profiles of the Decision. Referring to the positive aspects he mentions the consideration of comparative Law, the inference of the democracy principle from human dignity, the invocation of the "European common" constitutional traditions and the use of the concept of "responsibility for integration" among other questions.

Referring to the negative aspects –which leads him to define the Decision as a retrospective one and as "Maastricht II"- the author considers that the decision is constructed in relation to a general theory of the State, which is very Germanic but outdated. According to the author, the FCC does not take into account the doctrinal debate that provoked the Maastricht Decision. Because of that, the FCC remains anchored in an obsolete notion of State as well as sovereignty, and as a result, it has lost the opportunity to intervene in the European debate using German "constitutional reason" instead of German "state reason". He also considers that the concept of democracy used by the Court, based on the representative democracy, is questionable and that the Court is not conscious of the function that democracy includes today in relation to the protection of minorities. The author criticizes likewise the underassessment that the FCC produces of the citizenship of the Union as well as the concept of constitutional identity used by the Court. According to the author, nevertheless, the FCC cannot assume the position of sole incumbent for guaranteeing German constitutional identity. At last the Decision contradicts the evolutionary process of constitutionalization of Europe and remains anchored to a retrospective theory of State instead of using a European constitutional theory that cannot be unilaterally developed, but rather elaborated by the 27 scientific communities of Europe. In sum, European juridical unity in its diversity will be not strengthen but endangered by the Lisbon Decision.

Section C) Regional integration processes

Subsection 6. The European unification process

Warlouzet Laurent

De Gaulle as a Father of Europe: The Unpredictability of the FTA's Failure and the EEC's Success (1956–58)

in Contemporary European History , vol. 20, n. 4, November , 419-434

The failure of the Free Trade Area (FTA), a British 'Greater Europe' free-market project, has often been contrasted with the European Economic Community (EEC)'s rapid success. However, this article claims that the EEC's success was neither logical nor automatic. The FTA project was not bound to failure, but could easily have become the principal institution for European co-operation. Moreover, the French leader, Charles de Gaulle, played such a prominent role in the EEC that he could be described as a new 'Father of Europe'. Without the EEC, France would certainly have been forced to reach agreement on the FTA, but conversely, without de Gaulle, the EEC would probably have been diluted into a larger FTA.



Section C) Regional integration processes

Subsection 6. The European unification process

Balfour Rosa

Debating the Eastern Partnership: Perspectives from the European Union
in *Internationale Politik und Gesellschaft*, Heft 3, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Freyburg Tina, Lavenex Sandra, Schimmelfennig Frank, Skripka Tatiana, Wetzel Anne

Democracy promotion through functional cooperation? The case of the European Neighbourhood Policy in Democratization, vol. 18, n. 4, July, Special Issue: DEMOCRACY PROMOTION IN THE EU'S NEIGHBOURHOOD: FROM LEVERAGE TO GOVERNANCE?, 1026-1054

This contribution explores whether and under what conditions functional sectoral cooperation between the EU and the countries of the European Neighbourhood Policy (ENP) promotes democratic governance. In an analysis of four countries (Jordan, Moldova, Morocco, and Ukraine) and three fields of cooperation (competition, environment, and migration policy), we show that country properties such as the degree of political liberalization, membership aspirations, and geographic region do not explain differences in democratic governance. Rather, sectoral conditions such as the codification of democratic governance rules, the institutionalization of functional cooperation, interdependence, and adoption costs matter most for the success of democratic governance promotion. We further reveal a notable discrepancy between adoption and application of democratic governance in the selected ENP countries that has not been remedied in the first five years of the ENP.

Section C) Regional integration processes

Subsection 6. The European unification process

Reicher Dieter

Der banale Internationalismus Internationale Wettkampfkultur und die Transformation nationaler Wir-Bilder und Wir-Ideale
in *Leviathan. Berliner Zeitschrift für Sozialwissenschaft*, Volume 39, Number 3, September 2011, 315-331

International competition culture and the transformation of national "we" imagery and "we" ideals

This paper hypothesizes that international contests in sport and art promote national self-definitions based on world culture rather than on ideals concerned with cultural particularism. These new kinds of national self-images and self-ideals are closely connected with being successful within the frame of a shared international culture rather than expressing cultural uniqueness. The paper analyzes three different fields of international competition—sport, music, and cinema—and related contests like the Olympic Games, the Eurovision Song Contests, and the American Academy of Motion Picture Arts and Sciences Awards (Oscars).



Section C) Regional integration processes

Subsection 6. The European unification process

Çarkoğlu Ali, Kentmen Çiğdem

Diagnosing Trends and Determinants in Public Support for Turkey's EU Membership

in South European Society & Politics, Volume 16, Issue 3, Special Issue: Part II. Turkey and the European Union: Accession and Reform, September , 365-379

Despite scholarly interest in the process of Turkey's candidacy for European Union (EU) membership, what is missing in the literature is a detailed examination of Turkish public opinion on the issue. Using Turkish Election Surveys, Eurobarometer surveys and International Social Survey Programme data, we test whether economic considerations, support for democracy, attachment to national identity and religiosity affect Turkish individuals' attitudes towards Turkey's EU membership. Perceived national economic conditions and national identity have a negative impact while satisfaction with democracy is positively linked to support for EU membership. Contrary to expectations, religion exerts no significant influence over membership preferences.

Section C) Regional integration processes

Subsection 6. The European unification process

Arnauld Andreas von

Die Rückkehr des Bürgers: Paradigmenwechsel im Europäischen und Internationalen Verwaltungsrecht?

in Jahrbuch des öffentlichen Rechts der Gegenwart, Band 59, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Katrin Rücker

Diplomatie européenne et relations internationales : la dimension internationale du premier élargissement de l'Union européenne

in Relations internationales, n°146 , 109-124

The first enlargement of the European Union took place in 1973, admitting the United Kingdom, Ireland and Denmark and increasing the Common Market from six to nine members. This enlargement process of the 1960s and 1970s undeniably included an international dimension which can be analyzed in different ways. On the one hand, the history of international relations and European Union history, generally speaking, are closely intertwined. In particular, European trade issues are linked to a global trading order through the GATT. On the other hand, even the internal decision-making process of the Common Market is relevant for the history of international relations and organizations. The leadership of a restricted club of members such as the Paris-Bonn-London triangle, played a paramount role in the decision-making process at Community level. In a sense, the European Community worked and still works as a mini-international organization.



Section C) Regional integration processes

Subsection 6. The European unification process

Vannucci Andrea

Disapplicazione e diritto comunitario. La flessibilità come unica via per garantire coerenza all'ordinamento in una prospettiva sempre più integrata

in *Federalismi*, Anno IX- Nr. 17 ,

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Fahey Elaine

Does the Emperor Have Financial Crisis Clothes? Reflections on the Legal Basis of the European Banking Authority

in *Modern Law Review (the)*, Vol. 74, issue 4 , 581–595

The European Union institutional package launched in response to the financial crisis used Article 114 TFEU as its legal basis. The author explores the legal basis for one of the European Supervisory Authorities recently established – the European Banking Authority (EBA). The use of Article 114 TFEU, the main Treaty basis used to harmonise laws in order to further the internal market, as the foundation for the EBA, is considered in detail. A paradox of contemporary EU institutional law is assessed here, considering whether on the one hand, the EBA is functionally both too narrow and too broad as a matter of law, while on the other hand, it may prove to be central to restoring confidence in EU regulatory powers, rendering it 'too big to fail,' despite its slender foundations in Article 114 TFEU.

Section C) Regional integration processes

Subsection 6. The European unification process

Karayanidi Milana S.

Does the European Commission Have Too Much Power Enforcing European Competition Law?

in *German Law Journal*, Vol. 12, issue 7 , 1446-1459

The article critically assesses the role of the Directorate General of the European Commission in executing enforcement of the European Communities Competition Law. The Commission is granted equally unprecedented legal powers to carry out the functions of policy maker, investigator, "judge", "jury", and "executioner". For some, it is accordingly difficult to resist the suggestion that the focus of so many regulatory roles and so much power in the hands of one organization represents a legitimate source of concern. By comparing the European system of antitrust enforcement with that of the United States and examining the historical evolution of the Commission's role, the article determines whether focus of so much power in the hands of the European Commission forms a legitimate source of concern. It determines whether so much power given to the Commission may interfere with the basic rights of corporate undertakings to carry out their business operations, and how the powers granted to the Commission lead to legally based reasons for anxiety.

Full text available at:

<http://www.germanlawjournal.com/index.php?pageID=11&artID=1368>



Section C) Regional integration processes

Subsection 6. The European unification process

Didier Georgakakis

Don't Throw Out the "Brussels Bubble" with the Bathwater: From EU Institutions to the Field of Eurocracy in International Political Sociology, Volume 5, Issue 3, 331–334

The study-field of EU institutions, or the "Brussels complex" (according to the expression of Stone Sweet, Sandholtz, and Fligstein 2001), seems to have been so dominated for several decades by institutionalist scholars (old and neo) that most of the new sociologists of the European Union try to move out from this point to consider broader social spaces. Many different reasons clearly justify this turn. For instance, and as suggested in this symposium, the EU institutions' area cannot be completely confused with the power of the European Union; other more or less competitive transnational trends and the internal structure of member states are also important, and history and social mobilization can shape what happens with and within the European Union. It would thus be quite unsurprising if many political sociologists, rebuked by the epistemological distance and lack of interdisciplinary work between the social sciences and the dominant paradigms of EU studies, preferred to change the bath, so to speak. Changes are undoubtedly needed, but to move too quickly from studying the EU milieu may result in the baby (here the so-called Brussels Bubble) being thrown out with the bathwater.

Section C) Regional integration processes

Subsection 6. The European unification process

Dominique Venner

Dopo la catastrofe delle due grandi guerre mondiali, l'Europa è "entrata in sonno"
in *Diorama*, n. 304, luglio-agosto

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Giumelli Francesco

EU Restrictive Measures on the Transnistrian Leaders: Assessing Effectiveness in a Strategy of Divide and Influence
in *European Foreign Affairs Review*, vol. 16, issue 3, 359-378

ABSTRACT: The objective of this article is to evaluate the effectiveness of the travel ban of the European Union (EU) on the leaders of Transnistria. This case study is revealing, as multiple actions were undertaken by Brussels to settle the conflict. In a strategy of divide et adduc (divide and influence), the travel ban seems to serve the purpose of limiting the capabilities of the targets to undermine their claim for independence and of weakening their power position in the Transnistrian society. This article argues that the travel ban contributes positively to the resolution of the conflict and that sanctions are meeting their primary purpose within a larger strategic context. The method used to achieve this conclusion is based on three different criteria and departs substantially from the behavioural change approach that is widely used in the literature. First, sanctions function according to different logics that may, or may not, aim at the



behavioural change of targets. Second, sanctions can only contribute to policy goals that are pursued through complex strategies, and therefore, they are to be evaluated alongside other employed foreign policy tools. Finally, any foreign policy actions can be evaluated as negative or positive (i.e., as a failure or as a success) when compared to other policies that present better results.

Section C) Regional integration processes

Subsection 6. The European unification process

Ketola Markus

EU democracy promotion in Turkey: funding NGOs, funding conflict?

in *International Journal of Human Rights (The)*, Vol. 15, issue 6 , 787-800

Funding nongovernmental organisations (NGOs) to encourage democratisation features prominently on the EU's policy agenda for accession countries. The rationale for EU funding to NGOs communicated through policy documents suggests such interests are largely due to the salience of liberal democratic rhetoric, premised on supporting liberal individualism and respect for human rights. By looking at the situation in Turkey, this paper argues that the success of such an approach is contingent on how well it corresponds with the reality of civil society relations in the recipients' context. In cases where such a correlation between policy and context does not exist, donor funding may lead to further divisions between groups in civil society, and even fuel the differences that exist between various groups.

Section C) Regional integration processes

Subsection 6. The European unification process

Lavenex Sandra, Schimmelfennig Frank

EU democracy promotion in the neighbourhood: from leverage to governance?

in *Democratization*, vol. 18, n. 4, July, Special Issue: DEMOCRACY PROMOTION IN THE EU'S NEIGHBOURHOOD: FROM LEVERAGE TO GOVERNANCE? , 885-909

EU external democracy promotion has traditionally been based on 'linkage', i.e. bottom-up support for democratic forces in third countries, and 'leverage', i.e. the top-down inducement of political elites towards democratic reforms through political conditionality. The advent of the European Neighbourhood Policy and new forms of association have introduced a new, third model of democracy promotion which rests in functional cooperation between administrations. This article comparatively defines and explicates these three models of external democracy promotion. It argues that while 'linkage' has hitherto failed to produce tangible outcomes, and the success of 'leverage' has basically been tied to an EU membership perspective, the 'governance' model of democracy promotion bears greater potential beyond the circle of candidate countries. In contrast to the two traditional models, however, the governance approach does not tackle the core institutions of the political system as such, but promotes transparency, accountability, and participation at the level of state administration.

Section C) Regional integration processes

Subsection 6. The European unification process

Troost Axel

EU-Unternehmensteuer: Wettlauf nach unten?

in *Blätter für deutsche & internationale Politik*, August, 2011 , 12-15



Die Euro-Krise hat deutlich gemacht, dass die EU nicht nur eine Wirtschafts-, sondern auch eine Steuerunion werden muss. Denn nur auf diesem Wege lässt sich die steuerliche Abwärtsspirale beenden, die aus dem Buhlen um Investoren für die jeweiligen nationalen Standorte resultiert.

Section C) Regional integration processes

Subsection 6. The European unification process

Morten Egeberg, Jarle Trondal

EU-level agencies: new executive centre formation or vehicles for national control?

in *Journal of European Public Policy*, Volume 18, Issue 6 2011, 868-887

The jury is still out with respect to whether European Union (EU)-level agencies act primarily as tools of national governments or not, although parts of the literature as well as the legal framework of EU agencies seem to favour the former interpretation. We argue that EU agencies which might be able to act relatively independently of national governments and the Council, but not necessarily independently from the Commission, would contribute to executive centre formation at the European level and thus to further transformation of the current political-administrative order. By measuring along several dimensions, we demonstrate that the Commission constitutes by far the most important partner of EU agencies. EU agencies deal (somewhat surprisingly) to a considerable extent with (quasi-) regulatory and politicized issues. When engaging in such areas, national ministries and the Council tend to strengthen their position, however, not to the detriment of the Commission. In addition to the Commission, national agencies make up the closest interlocutors in the daily life of EU agencies, indicating how EU-level agencies become building blocks in a multilevel Union administration, partly bypassing national ministries. We build our analysis on an on-line survey among senior officials in EU agencies.

Section C) Regional integration processes

Subsection 6. The European unification process

NATHANIEL COPSEY and TIM HAUGHTON

Editorial: 2010, Kill or Cure for the Euro?

in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011, 1-6

Another year, another set of crisis: the sovereign debt crisis on the eurozone's periphery and the implementation of the Lisbon treaty.

Section C) Regional integration processes

Subsection 6. The European unification process

Weiler Joseph H.H.

Editorial: 60 Years since the First European Community – Reflections on Political Messianism

in *European Journal of International Law*, Vol. 22, issue 2, 303-311

No abstract available

Section C) Regional integration processes



Subsection 6. The European unification process

Hirschel Dierk, Busch Klaus

Ein Marshallplan für Südeuropa

in **Blätter für deutsche & internationale Politik**, August, 2011 , 5-8

Angela Merkel, Nicolas Sarkozy und Kollegen können kurz durchatmen: Giorgos Papandreou hat sein neues Sparpaket durch das griechische Parlament gebracht. Noch ist Athen also nicht pleite, denn Griechenland bekommt jetzt einen zweiten, 120 Mrd. Euro schweren Notkredit...

Section C) Regional integration processes

Subsection 6. The European unification process

Mangiameli Stelio

El diseño institucional de la Unión Europea después del Tratado de Lisboa

in **Revista de Derecho Constitucional Europeo** , n. 15

En su interesante análisis del diseño institucional de la Unión Europea tras la entrada en vigor del Tratado de Lisboa, el autor aborda las categorías fundamentales del Derecho constitucional, entre estas el principio democrático, el reparto de poderes y las competencias en el Tratado de Lisboa, la representación interna y externa de la Unión y el papel desempeñado por el Consejo Europeo, el Consejo, el Parlamento, la Comisión y el Tribunal de Justicia, con una referencia especial al principio de primacía, que constituye la clave de las relaciones entre los Estados miembros y la Unión. De todo ello, se puede afirmar que la Unión Europea tiene soberanía propia, la cual reside en las instituciones europeas; aunque sigue sin repuesta la siguiente pregunta: ¿Quién guía a la Unión? Pregunta a la cual no podemos dar una respuesta inmediata, por la incertidumbre que sigue caracterizando a la UE, y que solo la evolución futura de la UE podrán aclararnos.

Full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/10SMangiameli.htm#once>

Section C) Regional integration processes

Subsection 6. The European unification process

Lacalle Javier García , Martín Emilio, Royo Sonia

El fortalecimiento del papel del ciudadano en los sistemas de sanidad pública en Europa

in **Reforma y democracia (Venezuela)**, n. 50

La sanidad es uno de los servicios públicos ante el que los ciudadanos muestran una mayor sensibilidad, ya que constituye un pilar básico del Estado de bienestar. Durante los últimos años, numerosos países han reformado sus sistemas sanitarios para darles una mayor orientación hacia las necesidades del ciudadano-paciente. Estas reformas pretenden, además de mejorar la atención sanitaria, fortalecer el papel de los ciudadanos y recuperar la confianza de estos en los gobiernos e instituciones públicas.

Este trabajo analiza el grado de orientación al paciente de los sistemas de sanidad públicos en Europa y algunas de las



características que influyen en este grado de orientación. Los resultados indican que la orientación al paciente de los sistemas públicos de sanidad está relacionada, además de con el nivel de gasto en sanidad de cada país, con el estilo de administración pública y con el modelo organizativo de la sanidad pública adoptado.

Section C) Regional integration processes

Subsection 6. The European unification process

Elías Méndez Cristina , Bleisteiner Oliver

El sistema constitucional de Alemania

in *Revista de Derecho Constitucional Europeo* , n. 15

full text available at:

http://www.ugr.es/~redce/REDCE15/articulos/02CEliasMendez_OBleisteiner.htm#once

Section C) Regional integration processes

Subsection 6. The European unification process

Cardoen Marlies

El sistema constitucional de Bélgica

in *Revista de Derecho Constitucional Europeo* , n. 15

En este estudio se analiza el modelo constitucional belga desde todas las perspectivas: derechos fundamentales y sus restricciones, fuentes del Derecho, relaciones entre ordenamientos, jurisdicción constitucional, forma de gobierno, organización judicial, distribución territorial del poder, perspectiva de género e inmigración. En relación a ello, analizamos la interacción constitucional y la posible contribución al sistema jurídico de la Unión Europea del sistema constitucional belga. Tomamos como punto de partida la premisa metodológica de una realidad constitucional parcial en una diversidad de espacios constitucionales: Europa, el Estado y el territorio (P. Häberle), reforzada desde la perspectiva de la interacción constitucional entre los diversos niveles.

Full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/05MCardoen.htm#once>

Section C) Regional integration processes

Subsection 6. The European unification process

César Araújo de Gusmão Hugo

El sistema constitucional de Irlanda

in *Revista de Derecho Constitucional Europeo* , n. 15

Este trabajo tiene como finalidad el análisis del sistema constitucional irlandés en sus diferentes aspectos, en tanto que modelo compatible con los principios de tradición constitucional europea, y capaz de mostrar la influencia absorbida por el acentuado proceso de integración en la Unión Europea, al mismo tiempo que trata de proporcionar nuevas



perspectivas para una tradición jurídica común de los Estados miembros. El análisis se desenvuelve a partir del estudio de los derechos fundamentales, las fuentes del derecho, la relación entre ordenamientos, el control de constitucionalidad, la forma de gobierno, la organización judicial, la distribución territorial del poder, los límites a los derechos fundamentales, la perspectiva de género y la inmigración.

Full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/06HCAraujo.htm#once>

Section C) Regional integration processes

Subsection 6. The European unification process

Bombillar Sáenz Francisco Miguel

El sistema constitucional del Reino Unido

in *Revista de Derecho Constitucional Europeo* , n. 15

El presente trabajo pretende analizar las claves del singular sistema constitucional del Reino Unido de Gran Bretaña e Irlanda del Norte y estudiar las interrelaciones de este sistema con el ordenamiento jurídico de la Unión Europea, en línea con los planteamientos formulados por el Profesor Peter Häberle en torno a un Derecho Constitucional Europeo.

El artículo pivota sobre los siguientes ejes: regulación en materia de derechos fundamentales y límites de estos derechos, fuentes del Derecho, relaciones entre ordenamientos, jurisdicción constitucional, forma de gobierno, organización judicial, distribución territorial del poder, perspectiva de género e inmigración.

Full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/03FMBombillar.htm#diez>

Section C) Regional integration processes

Subsection 6. The European unification process

Jarábik Balázs, Kobzová Jana

Ending the ENP's 'schizophrenia': addressing myths, narrowing focus, improving implementation

in *European View* , vol. 10, n. 1, June , 45-50

The Communication of the European Commission on the review of the European Neighbourhood Policy (ENP) has re-confirmed conditionality and differentiation as the two guiding principles for the EU's assistance to its Eastern neighbours. While this is the right step in principle, in reality this approach only succeeds insofar as the countries themselves want to embark on a path of reform and transformation. However, most of the EU's Eastern neighbours currently lack the will to do so. The lack of a promise of membership by the EU is partly to blame, but the region's own political, economic and social development needs to be taken stronger into consideration.

Section C) Regional integration processes

Subsection 6. The European unification process



PADGETT, STEPHEN

Energy Co-operation in the Wider Europe: Institutionalizing Interdependence

in *Journal of Common Market Studies*, Volume 49, Issue 5, September 2011 , 1065-1087

The EU's response to concerns about energy security is to diversify sources of supply and delivery routes. To this end it seeks to engage potential energy partners across the wider Europe in an institutionalized regime based on the norms of the internal market. This article uses regime theory to evaluate the viability of the strategy. From this perspective, the willingness of the EU's partners to make commitments to institutionalized co-operation will depend on two sets of variables: their interests in resolving the co-operation problems that arise across the energy supply chain; and the 'pull' of the EU in relation to countervailing hegemonic powers in the region. The research tests this argument by examining the co-operation interests of energy consumers, transit countries and producers, and the architecture of emerging institutions in the respective regional contexts. It finds that while energy consumers and transit countries in the EU's immediate neighbourhood are prepared to commit to binding multilateral institutions, co-operation with energy producers is constrained by asymmetries of interest and regional geopolitics, and is likely to take the form of more flexible bilateral agreements.

Section C) Regional integration processes

Subsection 6. The European unification process

Jacob Antoine

Estonie: l'euro pour le meilleur et pour le pire

in *Politique internationale*, n. 132 - Ete, 2011

Interview to Andrus Ansip. Of all the prime ministers who have left their mark on the political life of the Baltic states since their return to independence two decades ago, Estonia's Andrus Ansip stands out as the only one to have secured a degree of stability. Prime minister since 2005, Mr. Ansip succeeded in gaining eurozone membership for Estonia on January 1, 2011, in return for a level of budgetary rigor that could serve as a model for many other European states... Symbolic implications aside, Andrus Ansip is banking on the euro to make Estonia a more attractive option for foreign investors, to boost trade with the rest of the continent and to stabilize the currency. However, membership in the EU also carries a political dimension: Estonians are eager to be part of Europe mainly to escape the domination of their imposing neighbor to the east, Russia, under whose yoke they have been for half a century. The cyber attacks that hit Estonia in 2007 served as a timely reminder of this threat.

Section C) Regional integration processes

Subsection 6. The European unification process

Wolf Sebastian

Euratom, the European Court of Justice, and the Limits of Nuclear Integration in Europe

in *German Law Journal*, Vol. 12, issue 8 , 1637-1658

Only a few European integration experts know that Jean Monnet, one of the masterminds of the European Coal and Steel Community, strongly preferred the European Atomic Energy Community to the European Economic Community in the 1950s and 1960s. From his point of view, sectoral and technical cooperation in the field of nuclear energy seemed to be much more promising in order to foster European integration than cross-sectoral economic integration. Monnet and others believed that nuclear energy could, inter alia, solve all energy supply problems, would revolutionize research



and technical development, and could contribute to unifying the peoples of Europe in a few decades. However, nuclear energy in general and Euratom in particular have belied these expectations.

Today, nuclear power plants provide significantly less than half of the electric energy produced in the EU. Most European countries do not plan to build new nuclear power plants. Supranational research on nuclear issues has not superseded national research apart from some cost-intensive projects. Maybe Euratom's most important achievements so far are the uniform safety standards on radiation protection enacted after the Chernobyl disaster and obligations for new Eastern European member states to either comply with certain safety standards regarding nuclear installations or to shut down their Soviet-style reactors. The governments of the EU member states usually strongly disagree when it comes to nuclear energy issues. Therefore, the Euratom Treaty, unlike the other EU founding treaties, has never been amended in substance. Nuclear energy is mostly seen as a national policy issue—most Europeans have never heard of Euratom. Thus, some observers call the EAEC the “failed Community.” It particularly failed to unify the peoples of Europe: While a slight majority of European citizens oppose nuclear energy, attitudes considerably vary from country to country.

Full text available at:

<http://www.germanlawjournal.com/index.php?pageID=11&artID=1377>

Section C) Regional integration processes

Subsection 6. The European unification process

Kaya Ayhan

Euro-Turks as a Force in EU–Turkey Relations

in *South European Society & Politics*, Volume 15, Issue 3, Special Issue: The ‘Politics of the Past’ in South European Democracies. Comparative Perspectives, September , 499-512

This study focuses on the ways in which Euro-Turks affiliate themselves both with their countries of destination in the European Union and with their country of origin, Turkey. Using the institutional channelling theory, this study claims that Euro-Turks are more likely to comply with the political, economic, legal and cultural structure of their countries of settlement. The study also claims that Euro-Turks have recently become actively engaged in political participation processes at a time defined by rising Islamophobia. However, official lobbying activities of the Turkish state among Euro-Turks are likely to be more destructive than constructive in the way in which they make the Euro-Turks compete with each other on ideological grounds.

Section C) Regional integration processes

Subsection 6. The European unification process

Ballerin Michele

Europa allo specchio

in *Critica liberale*, Volume XVIII, n. 188, giugno 2011

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Lucke Albrecht von

Europas Krise, Merkels Schicksal

in **Blätter für deutsche & internationale Politik**, September, 2011 , 5-9

The full text is free:

www.blaetter.de/archiv/jahrgaenge/2011/september/europas-krise-merkels-schicksal

Section C) Regional integration processes

Subsection 6. The European unification process

Echagüe Ana, Michou Hélène, Mikail Barah

Europe and the Arab Uprisings: EU Vision versus Member State Action

in **Mediterranean Politics**, Volume 16, issue 2, July , 329-335

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Kühberger Christoph

Europe as a "bundle of rays". Conceptions and legitimations of a European cooperation at the foundation of the "Europäischer Jugendverband" (European Youth Association) in 1942

in **Journal of European Integration History**, vol. 15, n. 2 , 11-28

Baldur von Schirach, Reich governor and Reichsleiter of the Hitler Youth, founded the «European Youth Association» with other European youth leaders in 1942. Due to the lack of official documents on the official ideology of this association, this article tries to reveal its political visions and fundaments by national as well as international newspaper coverage, records on the inauguration which are archived in Vienna (Archiv der Republik), official speeches and publications of the organisers. Through these documents it can be shown that – even on an official level – there were different conceptions of Europe in Nazi-Germany. The European Youth Association can be regarded as a product of an ideological circle around Baldur von Schirach, which granted a certain amount of sovereignty to the member states during World War II.

Section C) Regional integration processes

Subsection 6. The European unification process

Chris J. Bickerton

Europe's Neo-Madisonians: Rethinking the Legitimacy of Limited Power in a Multi-level Polity

in **Political Studies**, Volume 59, Issue 3 , 659–673

Debates about the legitimacy of political orders have long turned on the question of how political power should be limited. In the debate about the legitimacy of the European Union (EU), a 'neo-Madisonian' vision has emerged that



identifies in the multi-level nature of the EU a contemporary version of Madison's argument about the separation of powers and checks and balances. The article situates this account of the EU's legitimacy within the wider trajectory of European integration and argues that these neo-Madisonian scholars make the mistakes of presuming that all limits upon the exercise of power are legitimate and of treating sovereignty and legitimacy as oppositional concepts. By returning to Madison's argument in the Federalist Papers, the article highlights the connection between legitimacy, limited power and the principle of popular sovereignty and the implications of this for how we should think about the EU's legitimacy in the future.

Section C) Regional integration processes

Subsection 6. The European unification process

McCreevy Charlie

Europe. How can things get better?

in **Economic Affairs**, Volume 31, Issue 2, June 2011 , 85-87

In the 2010 Wincott Lecture, the author – a former European Commissioner – explains how the process of policy-making within the European Union can be improved. In order to gain the full benefits of an open and integrated single market, the EU must stop interfering in areas that should properly be the responsibility of member states. However, in the context of the current economic crisis, the EU should take a greater role in financial regulation and in ensuring fiscal responsibility among members of the eurozone.

Section C) Regional integration processes

Subsection 6. The European unification process

Staffan Nilsson

European Economic and Social Committee: On EU–Russia Relations - An Own-Initiative Report. Documentation

in **European Union Foreign Affairs Journal**, n°1, 2011 , 71-83

After deciding on an own-initiative opinion on EU-Russia relations, the EESC Section for External Relations (REX) adopted a draft opinion, which was finally adopted on 9.12.2010 by 195 votes to none with eight abstentions.

Section C) Regional integration processes

Subsection 6. The European unification process

Kjaer Anne Lise

European Legal Concepts in Scandinavian Law and Language

in **Nordic Journal of International Law**, vol. 80, issue 3 , 321-350

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bruton John

European banking policy: past, present and future



in *European View* , vol. 10, n. 1, June , 79-85

Over the last half-century, economic integration in Europe has, despite some legitimate flaws, been tremendously successful in creating a situation of peace and prosperity. The success we enjoy today, however, has not always come easily. At many points along the path of European integration, policymakers were forced to make difficult choices that demanded political courage and foresight. Now is just such a time. As Europe emerges from the crippling worldwide economic crisis, it is imperative that policymakers unite on key measures to re-capitalise Europe's banks, provide proper regulatory oversight and control public debt. Europe's future economic vitality depends on it.

Section C) Regional integration processes

Subsection 6. The European unification process

Lochner Stefan, Dieckhöner Caroline

European gas imports from North Africa. Reassessing security of supply in the light of political turmoil in *Intereconomics*, Volume 46, Number 3 / June 2011 , 143-147

The uprising and military confrontation in Libya that began in February 2011 has led to a disruption of the country's gas exports to Europe. An analysis of how Europe has compensated for these missing gas volumes shows that the disruption has not affected security of supply. However, this situation would change if the North African uprising were to spread to Algeria.

Section C) Regional integration processes

Subsection 6. The European unification process

Debus Marc, Müller Jochen, Obert Peter

Europeanization and government formation in multi-level systems: Evidence from the Czech Republic in *European Union Politics* , Vol. 12, n. 3, September , 381-403

The development towards a 'Europe of the Regions' is accompanied by a complex system of cooperation and interdependence between the different levels of policy-making. In this article, we ask how European integration affects the party composition of regional governments. We argue that the European Union (EU) classification system of regions — the 'Nomenclature of Territorial Units for Statistics' (NUTS) — establishes incentives to form similar coalition governments among regions that belong to the same NUTS area. We test our argument by analysing government formation in the Czech regions and thus in one EU member state whose regions benefit financially from EU structural policy. The results show that there is empirical evidence to support our main hypotheses: even when controlling for variables that reflect standard coalition theories and for patterns of party competition in the national sphere, we find that coalitions are more likely to form if the respective parties are also part of the government in the regions that belong to the same NUTS area.

Section C) Regional integration processes

Subsection 6. The European unification process



Pieter de Wilde

Ex ante vs. ex post: the trade-off between partisan conflict and visibility in debating EU policy-formulation in national parliaments

in *Journal of European Public Policy* , Volume 18, Issue 5 2011 , 672-689

This article asks how ex ante and ex post control mechanisms structuring the involvement of national parliaments in European Union (EU) policy-formulation affect the scope of conflict and visibility of parliamentary debates. Based on democratic theory, partisan conflict and high visibility are normatively preferable. The effects of control mechanisms on these two criteria are assessed in a comparative case study of plenary debates in the Danish Folketing and Dutch Tweede Kamer on multiannual EU budgets. This study shows that control mechanisms have direct and indirect effects on the scope of conflict and visibility of debates by linking up to different phases of policy-formulation and media coverage cycles. Danish ex ante mechanisms trigger more partisan, but less visible debates, whereas Dutch ex post mechanisms stimulate highly visible, but intergovernmental debates. The findings thus present a trade-off between partisan conflict on the one hand and visibility on the other hand.

Section C) Regional integration processes

Subsection 6. The European unification process

JENNY FAIRBRASS

Exploring Corporate Social Responsibility Policy in the European Union: A Discursive Institutional Analysis

in *Journal of Common Market Studies*, Volume 49, Issue 5, September 2011 , 949-970

Using a discursive institutionalist framework, this article analyses and assesses the recent development of EU CSR (corporate social responsibility) policy, focusing particularly on its evolution during the past decade. In so doing, the article scrutinizes the interactive processes associated with the policy construction at the EU level and explores the main sets of ideas that competed for acceptance. The analysis exposes the degree to which the 'voluntary' approach prevails over the 'regulated' mode of policy implementation. The data captured trigger a re-examination of some persistent, broader questions about the merits and deficiencies in EU policy-making.

Section C) Regional integration processes

Subsection 6. The European unification process

Bernhard Rauch, Max Götsche, Gernot Brähler, Stefan Engel

Fact and Fiction in EU-Governmental Economic Data

in *German Economic Review*, Vol 12 Issue 3 , 243-255

To detect manipulations or fraud in accounting data, auditors have successfully used Benford's law as part of their fraud detection processes. Benford's law proposes a distribution for first digits of numbers in naturally occurring data. Government accounting and statistics are similar in nature to financial accounting. In the European Union (EU), there is pressure to comply with the Stability and Growth Pact criteria. Therefore, like firms, governments might try to make their economic situation seem better. In this paper, we use a Benford test to investigate the quality of macroeconomic data relevant to the deficit criteria reported to Eurostat by the EU member states. We find that the data reported by Greece shows the greatest deviation from Benford's law among all euro states.



Section C) Regional integration processes

Subsection 6. The European unification process

Henrich-Franke Christian

Failed Integration: The European Economic Community and the Formulation of a Common Transport Policy, 1958-1967

in *Journal of European Integration History*, vol. 15, n. 2 , 125-148

In its first years the EEC transport policy was a story of setbacks and failed endeavours. The Treaties of Rome made transport a common policy issue and fixed the duty to formulate a common transport policy. However, the EEC failed with its implementation until the 1990s. This article will consider the reasons for that failure. Which factors resulted in successes and breakdowns in the period from 1958 till 1967? It will be shown that a variety of factors and their specific interrelations caused setbacks and failed endeavours. Nonetheless some main reasons can be filtered out. National powers of veto, different regulatory policies and a missing interest of the EEC member caused the failure just as mistakes in policy and politics by the EEC-commission.

Section C) Regional integration processes

Subsection 6. The European unification process

DAVID MARSH

Faltering Ambitions and Unrequited Hopes: The Battle for the Euro Intensifies

in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011 , 45-55

Monetary union threw a veil of comfort and well-being over the fortunes of the continent. In 2009-2019, the veil was ripped away.

Section C) Regional integration processes

Subsection 6. The European unification process

Grajauskas Rokas

Federal Europe: A Postmodern Force in International Relations?

in *Federalist Debate (The)*, Year XXIV, n. 2, July

<http://www.federalist-debate.org/fdb/archive/detail.bfr>

Section C) Regional integration processes

Subsection 6. The European unification process

Fukuyama Francis

Fiscal Crisis Erodes EU Legitimacy

in *New Perspectives Quarterly*, Vol. 28, Issue 3, Summer , 68-73

<http://onlinelibrary.wiley.com/doi/10.1111/j.1540-5842.2011.01273.x/abstract>



Section C) Regional integration processes

Subsection 6. The European unification process

Olivier Védrine

For an Outspoken Common EU Policy in Arctic Issues

in *European Union Foreign Affairs Journal*, n°1, 2011 , 113-118

The European Union has links with the Arctic through three of its member States. Indeed, Denmark (including Greenland which however has left the EU in 1985), Finland and Sweden have territories and therefore interests in this region. Please note that two other states with Arctic interests, Norway and Iceland of which the latter has applied for accession to the European Union, currently belong to the European Economic Area. We can also add to this the construction of the strategic partnership of the four "common areas" between the EU and Russia. At the St. Petersburg summit in May 2003, Russia and the EU agreed a joint declaration on the creation and establishment of four common areas: An economic area, a space concerning freedom, security and justice, a common space dealing with external security and an area concerning research and education. The roadmaps of the four areas were adopted at the Moscow summit on May 10, 2005. These are for Brussels and Moscow real working papers, less restrictive than international treaties, but providing an important political dimension in the cooperation between the EU and Russia. Although criticisms are aimed at these roadmaps, they remain nonetheless a starting point for initiating the creation of a genuine political, economic and cultural European area. From these initial elements we can begin to understand the strategic importance of the Arctic zone for the European Union.

Section C) Regional integration processes

Subsection 6. The European unification process

Andreas Dür

Fortress Europe or open door Europe? The external impact of the EU's single market in financial services

in *Journal of European Public Policy* , Volume 18, Issue 5 2011 , 619-635

I argue that the intra-European integration of services trade, even if it threatens to impose costs on third countries in the short run, on average makes the European Union (EU) more open to foreign service providers. The reasoning is that third countries are likely to respond to discrimination in ways that ensure continued openness of the EU. This may be achieved by (a combination of) concessions that entice a change in the EU's policies, unilateral policy changes, or threats that force EU policy adjustments. Regional integration in the service sector thus does not result in Fortress Europe but in Open Door Europe. I show the plausibility of this argument by analysing the external consequences of three steps towards completing the Single Market in the area of financial services.

Section C) Regional integration processes

Subsection 6. The European unification process

Wahl Jean

France, Europe, mondialisation : une fédération européenne?

in *Revue du Marché Commun et de l'Union Européenne*, n. 550, juillet-août , 469-471

Globalization exercising conditions cannot be debated efficiently other than by very large economic and political units:



currently only China and the United States. No European country. Failing central governance, the European Union is a political dwarf. Could a European Federation be imagined, that like in the United States, could prohibit any measure taken by the countries against the Union and submit plans likely to be approved by a qualified majority. It could include the six founding countries of the Common Market, Spain, Portugal and Poland. That Federation is not feasible without a deep French-German agreement, requiring the overcoming of significant obstacles in the two countries. Will there be a political leader with enough charisma and courage to have European opinions understand that future independence is at that price?

Section C) Regional integration processes

Subsection 6. The European unification process

Musitelli Jean

François Mitterrand, Architect of the Great Europe : the European Confederation Project (1990-1991)
in *Revue internationale et stratégique*, 2011/2 (n° 82) , 18-28

On the 9th of November 1989, the Berlin Wall, symbol of Europe's division into two hostile blocks was brought down. An air of liberty whistled over Eastern Europe, still subjected to military and ideological domination. On the 31st of December of the same year, François Mitterrand commences his Confederation project. With the presentiment that Europe is getting ready for a radical change, he starts to sketch the outline of a pan European organization for cooperation and political dialogue. The project begins in June 1991 with the conference for the European Confederation in Prague organized with Vaclav Havel. This meeting did not produce the results hoped for. In the summer of 1991, war breaks out in former Yugoslavia, Gorbachev is undermined by the coup in Moscow and the European Community gives priority to strengthening its cohesion on enlargement. The Confederation will remain an unfinished grand project.

Section C) Regional integration processes

Subsection 6. The European unification process

Lion Christian

French Insurances, the Saar and European Integration from 1945 to the Sixties
in *Journal of European Integration History*, vol. 15, n. 2 , 47-66

It is well known that, with the creation in 1951 of the European Community of Coal and Steel, Europe's Founding Fathers, opting for a pragmatic approach, gave their project a first tangible shape. What is less known is that insurance activities played a not inconsiderable part in the adventure of European integration, the Saar becoming in this respect an experimental laboratory. Incorporated into the French occupied zone since 1945, this German territory, in matter of insurance, first obeyed the purely national interests of the French State, by means of a juridically baroque organization, conceived to keep away German competitors. But then, from 1949, destabilized by its own internal contradictions, under the revival of local patriotism, the pressure of new economic conditions on the world market and the stakes of the Cold War, this system was doomed to change. Paradoxically, a project like that of setting up Franco-Saar insurance companies, still permeated by national motives, gets the Saar, from 1949 up to the end of the Sixties, going the way of a transnational insurance management between French and German partners working in Franco-German companies, in the middle of an open and shared space.

Section C) Regional integration processes



Subsection 6. The European unification process

Del Sarto Raffaella A., Schumacher Tobias

From Brussels with love: leverage, benchmarking, and the action plans with Jordan and Tunisia in the EU's democratization policy

in *Democratization*, vol. 18, n. 4, July, Special Issue: DEMOCRACY PROMOTION IN THE EU'S NEIGHBOURHOOD: FROM LEVERAGE TO GOVERNANCE? , 932-955

With the adoption of the European neighbourhood policy (ENP) in 2003, the European Union (EU) for the first time introduced benchmarking procedures in the realm of democracy promotion, while also establishing the principles of 'positive conditionality' and differentiation. In order to exploit its full potential, however, this strategy must be able to define how political development can effectively be measured and monitored, along with the benchmarks chosen for this purpose. Applying insights of democratic and transition theories to the Action Plans concluded with Jordan and Tunisia, the contribution shows that the ENP suffers from the absence of analytical depth as far as concepts and processes of democratization are concerned, along with an arbitrary and largely useless selection of pseudo-benchmarks. While undermining the effectiveness of the leverage model of democratization policies, the EU's lack of clarity and determination seriously contradicts the declared objectives of its democracy promotion policy.

Section C) Regional integration processes

Subsection 6. The European unification process

MADS PETER KLINDT

From Rhetorical Action to Policy Learning: Understanding the European Commission's Elaboration of the Flexicurity Concept

in *Journal of Common Market Studies*, Volume 49, Issue 5, September 2011 , 971-994

During the policy process ahead of the 2008 renewal of the European Employment Strategy (EES), the European Commission's introduction of Flexicurity policies aroused much criticism. Researchers and trade unionists claimed that the Commission's embracing of the concept was a rhetorical manoeuvre rather than a genuine attempt to substantially revise the strategy. This article challenges these claims. Drawing on policy learning theory and discourse analysis, the Commission's policy recommendations prior to and past the introduction of Flexicurity are analysed. The main finding is that one of the policy components subsumed by the EES – modern social security systems – has undergone considerable revision. Moreover, the article argues that this revision possibly stems from a learning process. In relation to the literature on the open method of co-ordination (OMC), the study therefore adds that the OMC's learning effects should be assessed not only on the national level. The European institutions – in this case, the Commission – can also be subject to learning.

Section C) Regional integration processes

Subsection 6. The European unification process

Brückner Ulrich

From Soviet Republics to EU Member States. A Legal and Political Assessment of the Baltic States' Accession to the EU

in *Review of Central & East European Law*, vol. 36, n. 2 , 203-206

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Khidasheli Tamar

Georgia's European Way

in *Internationale Politik und Gesellschaft*, Heft 3, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ahner Nicole, Meeus Leonardo

Global versus Low Carbon Economy: The Case of the Revised EU Emissions Trading Scheme

in *Review of European Community & International Environmental Law*, Volume 20, Issue 1, April , 91-100

Europe is tightening its climate change policy and with that its pollution control legislation, supposedly to lead the way towards a low carbon economy. As the rest of the world is lagging behind in greenhouse gas emission reduction efforts, this causes increasing concern for the European carbon-intensive industry. In order to address concerns of economic competitiveness and emission leakage, the EU is considering the extension of its recently revised EU Emission Trading Scheme on carbon-intensive goods imported from countries not taking comparable action to reduce their emissions. This article examines the permissibility of such an extension under the law of the World Trade Organization, namely the General Agreement of Tariffs and Trade (1994).

Section C) Regional integration processes

Subsection 6. The European unification process

DESMOND DINAN

Governance and Institutions: Implementing the Lisbon Treaty in the Shadow of the Euro Crisis

in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011 , 103-121

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

von Hagen Jürgen, Schuknecht Ludger, Wolswijk Guido

Government bond risk premiums in the EU revisited: The impact of the financial crisis

in *European Journal of Political Economy*, Volume 27, Issue 1, March 2011 , Pages 36-43

This article looks at US\$ and DM/Euro-denominated government bond spreads relative to US and German benchmark bonds before and after the start of the current financial crisis. The study finds, first, that bond yield spreads during the crisis can largely be explained on the basis of the same variables as before the crisis. Second, markets penalise fiscal imbalances much more strongly after the Lehman default in September 2008 than before. There is also a significant



increase in the spread on non-benchmark bonds due to higher general risk aversion, and German bonds obtained a safe-haven investment status similar to that of the US which they did not have before the crisis. These findings underpin the need for achieving sound fiscal positions in good times and complying with the Stability and Growth Pact.

Section C) Regional integration processes

Subsection 6. The European unification process

Mahlmann Matthias

Grundrechtstheorien in Europa – kulturelle Bestimmtheit und universeller Gehalt in Europarecht, Heft 4, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Berthélemy Michel, Lévêque François

Harmonising Nuclear Safety Regulation in the EU: Which Priority?
in *Intereconomics*, Volume 46, Number 3 / June 2011 , 132-137

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Duso Tomaso, Gugler Klaus, Yurtoglu Burcin B.

How effective is European merger control?

in *European Economic Review*, Volume 55, Issue 7, October 2011 , 980-1006

This paper applies an intuitive approach based on stock market data to a unique dataset of large concentrations during the period 1990–2002 to assess the effectiveness of European merger control. The basic idea is to relate announcement and decision abnormal returns. Under a set of four maintained assumptions, merger control might be interpreted to be effective if rents accruing due to the increased market power observed around the merger announcement are reversed by the antitrust decision, i.e. if there is a negative relation between announcement and decision abnormal returns. To clearly identify the events' competitive effects, we explicitly control for the market expectation about the outcome of the merger control procedure and run several robustness checks to assess the role of our maintained assumptions. We find that only outright prohibitions completely reverse the rents measured around a merger's announcement. On average, remedies seem to be only partially capable of reverting announcement abnormal returns. Yet they seem to be more effective when applied during the first rather than the second investigation phase and in subsamples where our assumptions are more likely to hold. Moreover, the European Commission appears to learn over time.

Section C) Regional integration processes

Subsection 6. The European unification process



Kaniovski Serguei, Mueller Dennis C.

How representative is the European Union Parliament?

in *European Journal of Political Economy*, Volume 27, Issue 1, March 2011 , Pages 61-74

We test the closeness of the correspondence between the preferences of EU citizens and their delegations to the European Parliament using data on roll-call votes. Differences in EU citizens' preferences are captured using a variety of country characteristics including bilateral country dummy variables, and the demographic, social and economic characteristics of the countries. We find that the differences in delegations' voting patterns are not strongly related to underlying differences between the countries they represent. Our findings support the existence of a democratic deficit in the EU — a gap between the preferences of EU citizens and the way their delegations vote.

Section C) Regional integration processes

Subsection 6. The European unification process

Matteo Tacconi

I balcani possono attendere

in *Limes*, n. 4, 2011 , 133-139

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

PHILOMENA B. MURRAY

Ideas of Regionalism: The European Case

in *Japanese Journal of Political Science*, Volume 12 - Issue 02 , 305-322

This article traces the development of major ideas about integration in Europe. It examines the historical development of, and competition between, ideas about the EU, exploring the clash of integration models and ideals. It draws on the visions of European unity that led to the creation and development of the EU. Regional integration in the EU is distinctive and not necessarily 'exportable'. The article examines governing norms, material interests, power, and security. It demonstrates that the narrative of shared experience and history formed part of a need to both overcome hyper-nationalism and to share sovereignty, while also privileging some memories. EU norms are also enshrined in a distinctive institutionalized structure, based on a co-existence of national and EU interests and a balancing among often competing interests.

Section C) Regional integration processes

Subsection 6. The European unification process

Bce

Il Meccanismo Europeo di stabilità

in *Bollettino Mensile della Banca Centrale Europea*, Luglio 2011 , 73-86

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Branca Antonio

Il bilancio dell'Unione dopo Lisbona: l'apporto delle categorie del nostro ordinamento nazionale alla ricostruzione del sistema

in *Diritto pubblico*, numero: 3, settembre-dicembre , 675-702

Section C) Regional integration processes

Subsection 6. The European unification process

Editoriale

Il conto dell'Euro

in *Limes*, n. 4, 2011 , 7-27

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bce

Il nuovo quadro UE di gestione e risoluzione delle crisi finanziarie

in *Bollettino Mensile della Banca Centrale Europea*, Luglio 2011 , 87-97

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Amadeo Stefano

Il principio di eguaglianza e la cittadinanza dell'Unione: il trattamento del cittadino europeo "inattivo"

in *Diritto dell'Unione europea*, n. 1 , 59- 94

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ulrike Guérot

Il problema di Berlino con l'Europa

in *Limes*, n. 4, 2011 , 29-38



L'intolleranza tedesca all'UE è figlia di svolte epocali, dal 1989 alla globalizzazione. Ma è anche frutto di un brutale voltafaccia da parte dei soci europei, Francia in testa. La Germania è confusa, ma si interroga sul futuro dell'Unione. Gli altri faranno altrettanto?

Section C) Regional integration processes

Subsection 6. The European unification process

Pasquinucci Daniele

Il ruolo italiano nell'unificazione europea

in **Critica liberale**, Volume XVIII, n. 188, giugno 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Piris Jean-Claude

Il servizio giuridico del Consiglio dell'Unione europea

in **Quaderni Costituzionali**, numero: 2, giugno , 443-448

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Calamia Pietro

Il trattato di Lisbona. Uno sguardo retrospettivo

in **Rivista di Studi Politici Internazionali**, Volume 78, n. 2, aprile-giugno , 195-198

The article goes through the various political stages of the Treaty, since the Laeken European Council (2001), the Convention chaired by Giscard D'Estaing – with Amato and Dehaene -, the referenda in different countries and the final entry into force on 1st December 2009. The Lisbon Treaty is in line with the European integration process, with some new political elements, such as the extension of the majority vote and the parallel extension of the legislative codecision power of the European Parliament; the formal introduction of the population criteria in the majority vote; the creation of the Union's citizenship; the legal personality of the Union; the rules concerning the Diplomatic Service and the Defence Agency. Together with the strengthening of Parliament's role, the Treaty introduces the permanent Presidency of the European Council, the confidence vote of the Parliament for the President of the Commission and, above all, a special role for the High Representative for foreign, security and defence policy, who presides over the Council of Foreign Ministers and is Vice-President of the Commission. Compromises accepted to take account of national governments' engagements vis-à-vis their electorate don't affect in a substantial way – according to the Author - the political steps forward realized in the Treaty, which needs a period of running in, especially for the functioning of the new institutions.

Section C) Regional integration processes

Subsection 6. The European unification process



Bce

Impatto e graduale rientro delle misure non convenzionali della BCE
in *Bollettino Mensile della Banca Centrale Europea*, Luglio 2011 , 57-72

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lorenzo Striuli

In attesa della presidenza di turno polacca

in *CeMiSS - Osservatorio Strategico e Quarterly*, XIII, n. 6 , 46-49

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.

Section C) Regional integration processes

Subsection 6. The European unification process

Jansen Jaap C.

In the Wake of Fukushima, Should our Electricity become Almost Completely Renewable and Completely Non-Nuclear?

in *Intereconomics*, Volume 46, Number 3 / June 2011 , 137-142

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

THERESA KUHN

Individual transnationalism, globalisation and euroscepticism: An empirical test of Deutsch's transactionalist theory

in *European Journal of Political Research*, Volume 50, Issue 6 , 811–837

Recent trends of mass-level euroscepticism seriously challenge Deutsch's transactionalist theory that increased transnational interactions trigger support for further political integration. While transnational interactions have indeed proliferated, public support for European integration has diminished. This article aims to solve this puzzle by arguing that



transnational interaction is highly stratified across society. Its impact on EU support therefore only applies to a small portion of the public. The rest of the population not only fails to be prompted to support the integration process, but may see it as a threat to their realm. This is even more the case as, parallel to European integration, global trends of integration create tensions in national societies. The following hypotheses are proposed: first, the more transnational an individual, the less she or he is prone to be eurosceptical; and second, this effect is more pronounced in countries that are more globalised. A multilevel ordinal logit analysis of survey data from the 2006 Eurobarometer wave 65.1 confirms these hypotheses.

Section C) Regional integration processes

Subsection 6. The European unification process

Kutsal Yesilkagit

Institutional compliance, European networks of regulation and the bureaucratic autonomy of national regulatory authorities

in *Journal of European Public Policy*, Volume 18, Issue 7 2011, 962-979

One important function of European regulatory networks (ERNs) is to provide national regulatory authorities (NRAs) with an institutional platform for coordinating the implementation and harmonization of Community law within the member states by issuing non-binding norms such as guidelines and standards. However, to what extent are NRAs successful in implementing these non-binding rules within their member states and what is the role of European networks of regulation? This article argues, and illustrates with a case study of the implementation of privacy norms in electronic health systems in the Netherlands, that next to the expertise generated by the relevant ERN, it was the institutional compliance of the Dutch government to the Privacy Directive that has substantially contributed to the bureaucratic autonomy of the Dutch Data Protection Authority.

Section C) Regional integration processes

Subsection 6. The European unification process

PETER KOTZIAN, MICHÈLE KNOTD, SIGITA URDZE

Instruments of the EU's External Democracy Promotion

in *Journal of Common Market Studies*, Volume 49, Issue 5, September 2011, 995-1018

Promotion of good governance and democracy is a central element of the EU's external policy towards third countries. The choice of the instruments for democracy promotion by the EU is an under-researched topic. Factors for the choice of a certain instrument can be located in the third country (existence of a civil society), in the EU and in the relationship between both (trade relations, neighbourhood). Analysing the determinants of the EU's usage of EIDHR (European Initiative for Democracy and Human Rights) allocations, Partnership Agreements and sanctions, we find that the usage of each instrument is determined by different factors, indicating that there is no single process underlying instrumental choice.

Section C) Regional integration processes

Subsection 6. The European unification process

Piekkola Hannu

Intangible capital: the key to growth in Europe



in *Intereconomics*, Volume 46, Number 4 / August 2011 , 222-228

Intangibles and especially organisational capital are an important source of capital deepening in European countries, albeit with significant cross-country differences. The GDP in the EU27 area is 5.5% higher if certain categories of expenditure, which have until now been considered as current costs, are classified as investments in intangibles. Intangible capital investment markedly improves the profitability of companies, given the productivity-wage gap, and leads to increasing returns in intangible capital intensive countries.

Section C) Regional integration processes

Subsection 6. The European unification process

Gledhill John

Integrating the past: regional integration and historical reckoning in Central and Eastern Europe

in *Nationalities Papers*, Volume 39, Issue 4, July 2011 , 481-506

Abstract

This article considers how regional integration in Europe has informed processes of collective remembrance and transitional justice in Central and Eastern Europe. By taking the cases of Romania, Poland and the Czech Republic, two claims are made. First, although European institutions have not initiated top-down projects of historical reckoning, activists who have an interest in promoting engagement with the recent past have been able to draw the political, financial and/or judicial weight of European institutions behind particular reckoning initiatives, on an ad hoc basis. Second, the nature of the projects that have been realized with the assistance of European resources has varied across the region, according to the extent of prior efforts to promote collective remembrance and transitional justice at the national level. Where there have previously been constraints on historical reckoning, activists have drawn "Europe" behind efforts to promote national-level confrontations with particularly national experiences of communist rule. By contrast, where there has previously been extensive state sponsorship of collective remembrance projects and/or processes of transitional justice, European resources have been used in support of efforts to raise awareness of the repressions of communist rule, and transitions from that system of rule, among a wider, international audience.

Section C) Regional integration processes

Subsection 6. The European unification process

Hinarejos Alicia

Integration in Criminal Matters and the Role of the Court of Justice

in *European Law Review*, Vol. 36, issue 3 , 420-431

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Becker Peter

Integration ohne Plan – Die neue EU-Wachstumsstrategie „Europa 2020“

in *Zeitschrift für Politikwissenschaft* , 21. Jahrgang (2011), Heft 1



Abstract

Integration without a plan – The new European growth strategy Europe 2020

On June 17th 2010, the European Council adopted the new growth-strategy Europe 2020, to make the European Union a smart, sustainable and inclusive economy. The strategy tries to combine economic growth with high employment rates, increased productivity and competitiveness and social cohesion. The strategy shall become the matrix for European policy making during the next decade – all strategic projects will focus at the objectives of Europe 2020. However, this new strategy for growth stands not for an intentional integration thrust but is a sign for Europe's incremental development following institutional conflicts between the main political actors. Therefore it seems important to know the origin and the genesis of the Europe 2020-strategy to understand the next steps of economic policy integration in the European Union.

Section C) Regional integration processes

Subsection 6. The European unification process

Schnabl Gunther, Zemanek Holger

Inter-temporal savings, current account trends and asymmetric shocks in a heterogeneous European Monetary Union

in *Intereconomics*, Volume 46, Number 3 / June 2011 , 153-160

This paper contributes to the discussion on the European current account imbalances by analysing the intra-European trends since 1990 based on the theory of optimum currency areas. The authors show that German unification was the origin of not only the 1992–93 EMS crisis but also rising intra-European current account imbalances since 1999 that led to the European debt crisis. They argue that a reduced German current account surplus is in the interest of German taxpayers to contain financial risk, but that it would also impose austerity on the rest of Europe unless money supply expands even further.

Section C) Regional integration processes

Subsection 6. The European unification process

Çduygu Ahmet

Interacting Actors: The EU and Civil Society in Turkey

in *South European Society & Politics*, Volume 16, Issue 3, Special Issue: Part II. Turkey and the European Union: Accession and Reform, September , 381-394

Civil society organisations in Turkey have remained highly visible in the country's relations with the European Union (EU). Given the particular incentives that the EU offered for the empowerment of civil society actors during the pre-accession process, it has often been assumed that the EU context played an important role in this vibrant situation. However, this article argues that the EU's impact was highly ambivalent, and the contribution of civil society organisations to the EU membership process was frequently indecisive. It concludes that this ambivalent climate is mostly due to various aspects of the ill-functioning mechanisms of the EU's enlargement regime, on one hand, and particular problems inherited from the state–society relations and socio-political culture in Turkey that are associated



with the civil society arena in the country.

Section C) Regional integration processes

Subsection 6. The European unification process

Chalmers Adam William

Interests, Influence and Information: Comparing the Influence of Interest Groups in the European Union
in *Journal of European Integration*, Volume 33, Issue 4 , 471-486

The purpose of this analysis is to present and test an information processing theory of interest group influence in the EU. While it has long been acknowledged that information is the currency of lobbying in the EU, a systematic examination of how interest groups gather, generate, synthesise, and transmit information to decision-makers is still missing. I posit that interest group influence is a function of a group's ability to efficiently process information. Conceptualising influence in this way not only brings the study of influence in-line with key insights from the larger interest group literature, but it also helps avoid some serious methodological issues related to measuring influence. Using data from a large-scale online survey and elite interviews I compare how information processing varies across six different types of interest groups. The results suggest that most types of interest groups in the EU have similar information processing capabilities and thus, that influence in the EU appears to be, on balance, fair and impartial.

Section C) Regional integration processes

Subsection 6. The European unification process

JAMES BUCKLEY, DAVID HOWARTH

Internal Market: Regulating the So-Called 'Vultures of Capitalism
in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011 , 123-143

The 2010 internal market legislative agenda was dominated by financial regulation [...]

Section C) Regional integration processes

Subsection 6. The European unification process

Chaltiel Florence

Interview de Nathalie Griesbeck
in *Revue du Marché Commun et de l'Union Européenne*, n. 550, juillet-août , 418-420

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Chaltiel Florence

Interview de Sylvie Goulard
in *Revue du Marché Commun et de l'Union Européenne*, n. 551, septembre , 487-490



No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Berthold Rittberger, Arndt Wonka

Introduction: agency governance in the European Union

in *Journal of European Public Policy*, Volume 18, Issue 6 2011, 780-789

The literature on European Union (EU) agencies has proliferated rapidly since the first essay collection on EU agencies was published by the *Journal of European Public Policy* in 1997. This collection picks up three thematic threads contained in the initial collection and provides state-of-the-art treatises on these different themes. The first theme addresses the causes and dynamics of the creation and design of regulatory bodies in EU governance, focusing not only on EU agencies but also on alternatives to the agency format, such as regulatory networks. Second, once agencies are established the consequences and trajectories of governance with and by EU agencies will be explored. Third, the design of EU agencies as independent, non-majoritarian institutions poses pressing questions with a view to their legitimacy and accountability.

Section C) Regional integration processes

Subsection 6. The European unification process

Derisbourg Jean-Pierre

Is Reunification of Cyprus possible?

in *Revue internationale et stratégique*, 2011/3 (n° 83), 30-38

Since 1974, Cyprus Island has been divided into two main parts: the Republic of Cyprus, populated with Greek Cypriots, member of the European Union since 2004 and the Turkish Republic of Northern Cyprus. An attempt for reunification beginning in 2002 under the aegis of the UN failed after the Greek Cypriots refused the plan by referendum. The dialogue concerning the reunification process is still going on, especially about the institutional issue or the demilitarization of the island. The future of this Cyprus imbroglio can only be solved by a diplomatic action and with the support of the public opinion, both Greek and Turkish, after a new referendum.

Section C) Regional integration processes

Subsection 6. The European unification process

Klaus Weyerstrass, Johannes Jaenicke

Is more competition conducive to the macroeconomic performance in the euro area?

in *Empirica: Journal of Applied Economics and Economic Policy*, vol.38 no.3, 351-380

One of the main goals of the European Union, laid down, inter alia, in the Lisbon Strategy and in the "Europe 2020" Strategy, is to raise employment. One important means of supporting the creation of new jobs is to increase competition. In this paper, it is shown that on average the mark-up, i.e. the deviation of prices from marginal cost in the euro area still exceeds the levels observed in the UK and in the US. After completion of the Single Market Programme in 1993, the mark-up has declined in the euro area and even more in the UK. Nevertheless, there is a strong cross-country variation between Member States, with a particularly high mark-up ratio found for Italy. Panel estimations show that total factor



productivity growth, labour productivity growth and the labour market performance in the euro area could be improved by reducing the mark-up. This could be achieved by a proper institutional design. More competition could indeed improve the macroeconomic performance.

Section C) Regional integration processes

Subsection 6. The European unification process

Dorte Sindbjerg Martinsen

Judicial policy-making and Europeanization: the proportionality of national control and administrative discretion

in *Journal of European Public Policy* , Volume 18, Issue 7 2011 , 944-961

Judicial policy-making is having an increasing impact on political domains traditionally guarded by national sovereignty. This paper examines how the European judiciary has expanded Community competences into the policy domains of welfare and immigration, followed by subsequent Europeanization, against the preferences of the member governments. It finds that the principle of proportionality constitutes a most powerful means for the European Court to strike the balance between supranational principles and national policy conditions and administrative discretion. While the Court has previously been cautious to apply the principle beyond economic law, it no longer treads as reluctantly, instead generally limiting the inner core of national policy control, i.e. the capacity of the national executive to detail, condition and administer national policies in almost all domains.

Section C) Regional integration processes

Subsection 6. The European unification process

JÖRG MONAR

Justice and Home Affairs

in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011 , 145-164

The year 2010 marked a new start for the JHA (Justice and Home affairs) domain in the EU.

Section C) Regional integration processes

Subsection 6. The European unification process

Tobias Cwik, Volker Wieland

Keynesian government spending multipliers and spillovers in the euro area

in *Economic Policy*, Volume 26, Issue 67 , 493 - 549

The global financial crisis has led to a renewed interest in discretionary fiscal stimulus. Advocates of discretionary measures emphasize that government spending can stimulate additional private spending – the Keynesian multiplier effect. Thus, we investigate whether the spending package announced by euro area governments for 2009 and 2010 is likely to boost GDP by more than one for one. Because of modelling uncertainty, it is essential that such policy evaluations be robust to alternative modelling assumptions and parameterizations. We use five different empirical macroeconomic models with Keynesian features such as price and wage rigidities to evaluate the impact of the fiscal stimulus. Four of them suggest that the planned increase in government spending will reduce private consumption and investment significantly. Only a model that largely ignores the forward-looking behavioural response of consumers and



firms implies crowding-in of private spending. We review a range of issues that may play a role in the recession of 2008–2009. Implementation lags are found to reinforce crowding-out and may even cause an initial contraction. Zero-bound effects may lead the central bank to abstain from interest rate hikes and increase the GDP impact of government spending. Crowding-in, however, requires an immediate anticipation of at least two years at the zero bound. Using a multi-country model, we find that spillovers between euro area countries are negligible or even negative, because direct demand effects are offset by the indirect effect of a euro appreciation. New-Keynesian dynamic stochastic general equilibrium (DSGE) models provide a strong case for government savings packages. Announced with sufficient lead time, spending cuts induce a significant short-run stimulus and crowding-in of private spending.

Section C) Regional integration processes

Subsection 6. The European unification process

Varsori Antonio

L'Europa e gli Stati Uniti dopo l'11 settembre

in Ventunesimo Secolo. Rivista di Studi sulle Transizioni, Anno X, n. 25, giugno

The aim of the article is to offer an analysis on how September 11th and the linked international events have been perceived in Europe and have affected Euro-American relations. These relations went through different phases. After a first period, marked by an European sympathetic feeling towards the US, Bush's decision to launch a military campaign against Saddam Hussein's Iraq was opposed by many European governments and originated one of the most difficult phases in transatlantic relations.

This opposition not only led to a resilient hostility against American foreign policy within European public opinions, but also had significant consequences on European Union and on the political and intellectual debate about EU's future. From 2004 to 2008 Europe and the US seemed to look for a partial rapprochement, due to many internal and international factors. 2008 financial crisis, Obama's victory and Bin Laden's death put September 11th to the background: Europe and the US are definitively shelving it.

Section C) Regional integration processes

Subsection 6. The European unification process

Pierre Bérard e Pascal Eysseric

L'Europa è condannata alla globalizzazione?

in Diorama, n. 304, luglio-agosto

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Nicolò Conti, Elisabetta De Giorgi

L'Euroscetticismo a parole: Lega Nord e Rifondazione comunista tra retorica e comportamento istituzionale

in Rivista Italiana di Scienza Politica, Vol. XLI, Numero 2, Agosto , 265-290

The aim of the article is to investigate how two Eurosceptic parties, the Northern League and Rifondazione Comunista, shape their political discourse on the EU and vote on European issues within the Italian Parliament. For this purpose, we



use two data sets on roll-calls and party manifestos. We show that there is a low level of congruence between the rhetoric and the institutional behaviour of these two parties. Especially when in government, they tend to be rather loyal to the EU commitments. This, in spite of the fact that the European issue has become more politicised in the Italian Parliament over time.

Section C) Regional integration processes

Subsection 6. The European unification process

Martucci Francesco

L'Union économique et monétaire à l'ordre de la politique économique et monétaire

in *Revue du droit public et de la science politique en France et à l'étranger*, n. 4 , 1049-1140

Section C) Regional integration processes

Subsection 6. The European unification process

Monjal Pierre-Yves

L'accès aux avis motivés de la Commission européenne par les collectivités locales – Remarques sur les manquements locaux imputables à l'État ou comment justifier certains silences coupables...

in *Revue du Marché Commun et de l'Union Européenne*, n. 550, juillet-août , 424-438

Local communities are bound to apply European Union law. Any failure is obviously condemnable, both by the Court of Justice and by internal courts. Yet in some cases, such failures are clearly chargeable to the State. That is particularly the case in the area of public contracts and concessions. Are communities who unwillingly make an unlawful implementation of national law, in a position to prevent and/or annihilate such risks of failure? Probably, access to the motivated opinions of the Commission could be a means for them to protect themselves from such risks, whose legal consequences could be very heavy. But between the objective interest that such communities can have in knowing the contents of the opinion and the legal room for manoeuvring afforded to them for obtaining them, there is a long way to go. Can such reprehensible silence by the State and the Commission be justified at a time when it can be thought that the Lisbon Treaty acknowledged the local level as the relevant level for implementing the objectives of the European Union?

Section C) Regional integration processes

Subsection 6. The European unification process

Rosas Allan, Kaila Heidi

L'application de la Charte des droits fondamentaux de l'Union européenne par la Cour de justice: un premier bilan

in *Diritto dell'Unione europea*, n. 1 , 1-28

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Pospsilová Anna, Kruck Hans

L'émancipation difficile des eurodéputés - L'histoire et le contenu du statut des députés au Parlement européen
in *Cahiers de Droit Européen*, n. 3-4 , 225-272

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Colombeau Sara Casella

La Fabrique des "Européens", processus de socialisation et construction européenne
in *Politique européenne* , n. 34, 2, 2011 , 261-265

L'ouvrage collectif La Fabrique des "Européens", processus de socialisation et construction européenne, dirigé par Hélène Michel et Cécile Robert, publié en 2010 aux Presses Universitaires de Strasbourg rassemble treize contributions d'auteurs européens sur la question de la socialisation à l'Europe. Les directrices et contributeurs...

Section C) Regional integration processes

Subsection 6. The European unification process

Marek Sawicki

La Politique agricole commune comme facteur d'intégration : un point de vue polonais
in *Politique Etrangère*, Vol. 76, n°2 été , 335-342

Poland has considerably modernized its agriculture through financial support from the European Union, which it joined in 2004. The CAP, which limits are henceforth blatant, must be reformed. The changes put forward by the Commission are not sufficient and some Member States must be more cooperative, setting aside electoral considerations. Everyone has an interest in seeing the CAP be simplified and more productive.

Section C) Regional integration processes

Subsection 6. The European unification process

Rosenzweig Luc

La Pologne a la tete de l'Europe
in *Politique internationale*, n. 132 - Ete, 2011

Interview to Bronislaw Komorowski. Bronislaw Komorowski, a committed free-marketer and former opponent of the communist regime, was propelled to the presidency of Poland under tragic circumstances: as speaker of parliament, he became interim leader following the plane crash on April 10, 2010 that killed the incumbent, Lech Kaczynski. Three months later, he won the presidential election. As Warsaw takes over the EU's rotating presidency for the next six months, Mr. Komorowski chose *Politique Internationale* to present his vision of Europe and in particular Poland's role in



the region. Poland faces a number of challenges, including strengthening economic governance, working toward a common European defense and security policy, and establishing a unified EU position on the Arab Spring, the conflict between Israel and Palestine, and Russia.

Section C) Regional integration processes

Subsection 6. The European unification process

Fabbrini Federico

La composizione del Parlamento europeo dopo il Trattato di Lisbona
in *Rivista trimestrale di diritto pubblico*, n. 3 , 787 ff.

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Dastoli Pier Virgilio

La contestazione della scelta europea
in *Critica liberale*, Volume XVIII, n. 187, maggio 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Dastoli Pier Virgilio

La difficile sfida della riforma dell'unione
in *Critica liberale*, Volume XVIII, n. 189-190, luglio-agosto 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Olivier DEBARGE

La distribution au détail du médicament au sein de l'Union Européenne : un croisement entre santé et commerce. La délimitation des règles appliquées à l'exploitation des officines
in *Revue internationale de droit économique* , Vol. 25, n°2 , 193-238

Du fait d'un statut hybride alliant commerce et santé, l'exercice de la profession pharmaceutique en Europe est situé à un croisement. Trois enjeux polarisent l'attention : l'ouverture du capital des officines, le maintien des monopoles pharmaceutique et officinal, et l'application de critères de répartition des officines. Les États membres, compétents au regard du principe de subsidiarité, ont développé des législations disparates se basant soit sur un modèle dérégulé qui favorise une finalité économique, soit sur un modèle qui implique une réglementation restrictive induisant une différenciation entre l'activité officinale et les autres professions, soit enfin sur un modèle mixte. Défavorable aux deux



derniers modèles, la Commission européenne a engagé de nombreuses actions basées sur l'article 258 TFUE pour violation des libertés d'établissement et de circulation des capitaux. L'évolution des règles relatives à l'exploitation des pharmacies d'officine fait donc l'objet d'incertitudes croissantes exprimées par les États et les ordres professionnels. Saisie de plusieurs litiges, la CJUE devait déterminer dans quelle mesure les États, qui ont l'obligation de respecter les libertés communautaires, peuvent y déroger pour protéger l'intérêt général. La Cour s'est prononcée en réalisant une application logique du traité favorisant la santé publique au détriment d'une concurrence absolue.

Section C) Regional integration processes

Subsection 6. The European unification process

Bangui Taha

La désacralisation de la garantie contre les changements de doctrine par le droit communautaire est-elle amorcée ?

in *Revue du Marché Commun et de l'Union Européenne*, n. 551, septembre , 514-522

The main novelty under the Fifth republic lies in the fact that the law is no longer the only one in regulating fiscal law: it is still a central element, but only one among others, of the legal system, subjected to norm hierarchy, to community law, to international agreements and complemented by fiscal administrative doctrine. The question that is asked now is as follow: should administrative doctrine be considered as a norm, or the contrary, since it would be unlawful since more favourable than the law? It is indeed that question that is central since the administrative Court of Appel of Paris ruled that a taxpayer could claim doctrine found contrary to community law in pursuance of article L 80 A of the LPF. Superseding of community law on domestic law, or protection of legitimate trust: which of those two principles of community law should prevail? To answer this question, a balance between the principle of lawfulness and the principle of legal safety has to be sought.

Section C) Regional integration processes

Subsection 6. The European unification process

Basilien-Gainche Marie-Laure

La lutte contre la traite des êtres humains : directive communautaire, contentieux européen, et impasses françaises

in *Revue du Marché Commun et de l'Union Européenne*, n. 550, juillet-août , 445-453

Whereas European institutions are reviewing a bill to reinforce human being trafficking prevention, we have an opportunity to show how difficult it seems to national authorities (in this instance, the French authorities) to ensure the effectiveness of community and European standards in the area, as shown by the dispute handled by the Committee against Modern Slavery (CCEM), which fights against human beings trafficking for the purpose of domestic slavery. Though legal action is the main means of action for ensuring victim acknowledgement and bringing perpetrators of trafficking acts to court, its scope is found to be very limited. Indeed French agencies and courts are obviously having a hard time using the qualification of acts of trafficking, and acknowledging the status of victim of trafficking, and sentencing the perpetrators of acts of trafficking. That is why the CCEM has to initiate claims before the European Court of Human Rights: European legal proceedings appear to be the last resort for asserting the rights of trafficking victims in particular instances and in principle. Though it is vital, going to the European judge seems ineffective. The CCEM has real victories, which leave a sour taste. Thus the Siliadin ruling handed down by the European Court of Human Rights on July 26, 2005. The Court did acknowledge the duty of effectively punishing forced work or slavery practices under



article 4 of the Convention and condemned France on the ground of failure to perform that duty. Unfortunately its decision did not have the effects one could expect, on a national level.

Section C) Regional integration processes

Subsection 6. The European unification process

Sabatákakis Ekaterini

La mise en sommeil de l'Europe sociale – Actualité et perspectives de la politique sociale de l'Union européenne

in *Revue du Marché Commun et de l'Union Européenne*, n. 551, septembre , 506-513

Although social Europe has overcome the several obstacles that it has faced, it has set up a legal basis protecting the social rights of workers, and even of European citizens. However, after the years 2000, it was gradually compelled to redefine its role. Soft coordination methods replaced hard methods. Thus the old concept that the European union should be built traditionally through law has changed. In that prospect, what is the future of social Europe?

Section C) Regional integration processes

Subsection 6. The European unification process

Anand Menon (trad. Guylaine Vivarat)

La politique de défense européenne après le traité de Lisbonne Beaucoup de bruit pour rien

in *Politique Etrangère*, Vol. 76, n°2 été , 375-387

The Lisbon Treaty was meant to provide Europe with new capacities in terms of foreign policy and defense. Yet it has not resolved some major issues Europe is facing, including coherence between institutions, questions of military capacity, and above all the lack of unity of purpose stemming from the divergence of national policies. The Union can henceforth only move forward by redefining its limited ambitions, according to its wishes and means.

Section C) Regional integration processes

Subsection 6. The European unification process

Sánchez Santana José Antonio

La potestad sancionadora de la Comisión Europea. La presunción de inocencia, el principio “nemo tenetur prodere seipsum” y los derechos de defensa en la jurisprudencia del TJUE

in *Revista de Derecho Constitucional Europeo* , n. 15

Full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/15JASanchezSantana.htm#ocho>

Section C) Regional integration processes

Subsection 6. The European unification process

Ottaviano Ilaria

La prima cooperazione rafforzata dell'Unione europea: una disciplina comune in materia di legge applicabile a



separazioni e divorzi transnazionali

in *Diritto dell'Unione europea*, n. 1 , 113-144

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Pingel Isabelle

La procédure de réexamen en droit de l'Union européenne

in *Revue du Marché Commun et de l'Union Européenne*, n. 551, septembre , 532-536

The multiplication of community courts has prompted the authors of the Treaty to set up claim methods against rulings issued by first instance courts. In addition to appeals to the Court of Justice against rulings entered by the first instance court, there now is the re-examination procedure, now available only for direct claims. It is possible against a decision entered by the Union Court on an appeal against a ruling by the civil service Court. An exceptional procedure, re-examination is limited by short deadlines and complex rules (involvement of the prosecutor and of various ruling bodies). The first cases judged on the matter are an opportunity, both to appreciate how the new procedure works and to discuss how it could be improved (simplification and time saving).

Section C) Regional integration processes

Subsection 6. The European unification process

Vila J.B.

La sortie d'un Etat-membre dans le Traité sur l'Union européenne

in *Revue Trimestrielle de droit européen*, n. 2 , 273-298

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ruiz Tarrías Susana

La “presupuestación con perspectiva de género” en el presupuesto general de la Unión Europea. El reto de la adopción del “Gender Budgeting”

in *Revista de Derecho Constitucional Europeo* , n. 15

Full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/11SRuizTarrias.htm#siete>

Section C) Regional integration processes

Subsection 6. The European unification process

Rinaldi Niccolò



Le carenze del progetto della riforma elettorale

in *Critica liberale*, Volume XVIII, n. 189-190, luglio-agosto 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Canton-Fourrat Altide

Le droit de vote des citoyens européens et l'évolution du statut juridique de Saint-Barthélemy – Note CE, 14 juin 2010, Darup, n° 307053

in *Revue du Marché Commun et de l'Union Européenne*, n. 550, juillet-août , 421-423

The disappearance of a city as a result of a change in law and its replacement in its territory by another community, is not, in itself, likely to annihilate the right of European Union citizens to take part in local elections taking place in that territory.

Section C) Regional integration processes

Subsection 6. The European unification process

Delori Mathias

Le poids de la mémoire sur la politique étrangère. Une exploration des imaginaires historiques des experts des politiques de défense et de sécurité de la France, du Royaume-Uni et de l'Allemagne

in *Politique européenne* , n. 34, 2, 2011 , 231-241

L'actualité internationale de ces dernières années a conduit de nombreux observateurs à relever que l'Union européenne peine à se doter d'une Politique étrangère et de sécurité commune (PESC) digne de ce nom (Menon, 2002 ; Wilde d'Estmael et al., 2004 ; Merchet, 2009). L'épisode de la guerre en Irak est dans toutes les mémoires :...

Section C) Regional integration processes

Subsection 6. The European unification process

Marcello De Cecco e Fabrizio Maronta

Le regioni tedesche e i conti della serva

in *Limes*, n. 4, 2011 , 47-52

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Martin Koch, Alexandra Lindenthal

Learning within the European Commission: the case of environmental integration

in *Journal of European Public Policy* , Volume 18, Issue 7 2011 , 980-998



This article analyses how the Directorates-General for Transport and Energy (DG TREN) and for Enterprise (DG ENTR) of the European Commission reacted to the demand to integrate environmental aspects into their activities. In doing so, we study the DGs – as suborganizations within an organization – through the lenses of organizational learning concepts. To reveal if, and to what extent, the observed reactions of both DGs towards environmental integration can be described as organizational learning, we develop a heuristic model that allows for a distinction between single-loop and double-loop learning as well as between compliant and non-compliant learning. Our empirical study detects different types of organizational learning by DG TREN and DG ENTR in three time periods between 1986 and 2004. Furthermore, our analysis shows that the modified strategies to foster environmental integration by the DG for Environment were important triggers for organizational learning in both DGs.

Section C) Regional integration processes

Subsection 6. The European unification process

FABIAN AMTENBRINK

Legal Developments

in **Journal of Common Market Studies**, Volume 49, Issue s1, September 2011 , 165-186

The EU regulatory response to the turmoil in the global financial markets and in several Member States during 2010.

Section C) Regional integration processes

Subsection 6. The European unification process

Tizzano Antonio

Les Cours européennes et l'adhésion de l'Union à la CEDH

in **Diritto dell'Unione europea**, n. 1 , 29-57

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Sophie HARNAY, Jean-Sylvestre BERGÉ

Les analyses économiques de la concurrence juridique : un outil pour la modélisation du droit européen ?

in **Revue internationale de droit économique** , Vol. 25, n°2 , 165-192

The article presents the main contributions of the economic analyses of regulatory competition and emphasizes the numerous analogies between the notion of competition in the market for goods and services and the “market” for legal rules. It then questions the relevance of the economic analyses of regulatory competition with regard to European law and the process of designing the UE legal system. It also attempts to determine the framework in which regulatory competition actually occurs before, finally, suggesting that the economic analyses of regulatory competition be included within a broader analysis of European law and the law-making process in Europe.

Section C) Regional integration processes

Subsection 6. The European unification process



Chaltiel Florence

Les crises de l'Europe

in *Revue du Marché Commun et de l'Union Européenne*, n. 551, septembre , 485-486

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Quittkat Christine, Kotzian Peter

Lobbying via Consultation — Territorial and Functional Interests in the Commission's Consultation Regime

in *Journal of European Integration*, Volume 33, Issue 4 , 401-418

Starting off with a short introduction to the current Commission's consultation regime the paper analyses participation of various actors in different consultation instruments of Directorate General Employment, Social Affairs and Equal Opportunities and Directorate General Health and Consumers based on quantitative data. Analyzing participation patterns of different groups of actors, we explain differences in participation patterns recurring to actor's resources and the properties of the instrument as a means to effectively advocate positions. In particular, we test whether the new consultation instruments, designed to counter-balance the dominance of specific groups and professional lobbyists, meet their intended purpose in that they effectively reach out and include new, additional sets of actors. Our results indicate a spill-over between consultation and lobbying and underline the different roles attributed to different actors such as functional and territorial interest representatives in the Commission's consultation regime.

Section C) Regional integration processes

Subsection 6. The European unification process

Jaime Tijmes

Los procesos de toma de decisiones en la Unión Europea

in *Estudios internacionales : revista del Instituto de Estudios Internacionales de la Universidad de Chile*, Vol. 44, No. 169 , 55-78

The European Union (UE) has combined decision making processes based on unanimity and on majority voting, mainly owing to the recognition that, depending on the context, they present valuable advantages as well as shortcomings. Thus, the EU has so far followed a rather pragmatic course. The future seems to lie along this same path, not favouring one decision-making process per se over the other, but combining unanimity and majority voting according to the needs and possibilities of the specific issue at hand.

Section C) Regional integration processes

Subsection 6. The European unification process

di Nucci Alessia

Los sistemas constitucionales de Bulgaria y Rumanía

in *Revista de Derecho Constitucional Europeo* , n. 15



full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/09ANucci.htm#once>

Section C) Regional integration processes

Subsection 6. The European unification process

Magnotta Maria Rita

Los sistemas constitucionales de Chipre, Grecia y Malta

in *Revista de Derecho Constitucional Europeo* , n. 15

Full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/08MRMagnotta.htm#cuatro>

Section C) Regional integration processes

Subsection 6. The European unification process

Massa Gallerano Greta

Los sistemas constitucionales de Holanda y Luxemburgo

in *Revista de Derecho Constitucional Europeo* , n. 15

En este estudio la autora se propone analizar las características esenciales de los ordenamientos constitucionales de Holanda y Luxemburgo. Dichos Estados, pertenecientes a “los padres fundadores” de la Unión Europea han conseguido a lo largo del tiempo establecer un equilibrio entre el mantenimiento de la propia soberanía y la apertura hacia la integración y la cooperación, internacional y comunitaria. Integración y cooperación han sido las palabras clave que han permitido a estas “pequeñas naciones” consolidar un punto de vista común, un conjunto de tradiciones constitucionales comunes a los Estados miembros de la Unión, a las que la jurisprudencia del TJUE y posteriormente los Tratados han reconocido naturaleza de principios generales del derecho y que han contribuido al desarrollo del Derecho Constitucional Europeo.

Full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/04GMGallerano.htm#tres>

Section C) Regional integration processes

Subsection 6. The European unification process

Poli Tommaso Nicola

Los sistemas constitucionales de la República Checa y Eslovaquia

in *Revista de Derecho Constitucional Europeo* , n. 15

El autor en este estudio presenta un “esquema constitucional” de los ordenamientos de la República Checa y de la República Eslovaca, desarrollando un análisis conjunto de los dos países, en virtud de su precedente experiencia constitucional común.



En efecto, la República Checa y Eslovaquia, antes unidas en Checoslovaquia, se separaron en 1992, tras el fin de la época comunista, en un marco de aparente legalidad y continuidad constitucional.

Es, entonces, de particular interés reconstruir las características generales de estos dos ordenamientos y comprender la distinta aproximación al proceso de integración europea.

A este propósito, se puede destacar por un lado, la reticencia de la República Checa a la cesión de poderes soberanos a la Unión Europea cuya manifestación evidente es el régimen de "opt-out" a la Carta de los derechos fundamentales de la Unión Europea; por el otro la actitud más cercana a la integración europea e internacional de Eslovaquia que en su Constitución menciona expresamente la adhesión a la Unión Europea y la participación en una organización de seguridad recíproca colectiva.

Full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/07TNPoli.htm#tres>

Section C) Regional integration processes

Subsection 6. The European unification process

Daniel Göler et Mathias Jopp

L'Allemagne, la Libye et l'Union européenne
in *Politique Etrangère*, Vol. 76, n°2 été , 417-428

Germany's abstention on Resolution 1973 by the UN Security Council derives from the very fundamentals of its foreign policy. Nevertheless, during the Libyan crisis the EU has shown its capacity to adopt common policies on sanctions in the humanitarian field, with German involvement. The development of the EU's security and defense policy can only be built around low-intensity military missions, and agreement between Paris and Berlin.

Section C) Regional integration processes

Subsection 6. The European unification process

De Fiores Claudio

L'Europa alla ricerca del suo "We the people"
in *Democrazia e diritto*, AnnoXLVII, n. 3-4

,

Section C) Regional integration processes

Subsection 6. The European unification process

Bouillaud Christophe

L'euroscpticisme n'est-il qu'un mot?
in *Politique européenne* , n. 34, 2, 2011 , 243-254



Les quatre ouvrages dont il va être ici question n'auraient sans doute pas vu le jour si les électeurs français et néerlandais n'avaient pas rejeté à d'aussi larges qu'inattendues majorités en 2005 le Traité constitutionnel européen (TCE). Ce double événement a donné une actualité nouvelle à la perception, déjà présente dans le discours médiatique depuis...

Section C) Regional integration processes

Subsection 6. The European unification process

Aldrin Philippe, Dakowska Dorota

Légitimer l'Europe sans Bruxelles ? Un regard sur les petits entrepreneurs d'Europe, entre décentrement et recentrages

in *Politique européenne* , n. 34, 2, 2011 , 7-35

En tant que création d'un nouveau centre politique dépassant l'horizon connu et enraciné de l'État, le projet d'intégration européenne a eu à affronter une série de défis politiques tout à fait inédits si l'on veut bien les considérer du point de vue de la formation historique de l'ordre politique moderne en Europe . En effet, l'addition des traités, institutions,...

Section C) Regional integration processes

Subsection 6. The European unification process

Merkl Christian, Schmitz Tom

Macroeconomic volatilities and the labor market: First results from the euro experiment

in *European Journal of Political Economy* , Volume 27, Issue 1, March 2011 , Pages 44-60

We analyze the effects of labor market institutions (LMIs) on inflation and output volatility. The eurozone offers an unprecedented experiment for this exercise: since 1999, no national monetary policies have been implemented that could account for volatility differences. We use a New Keynesian model with unemployment to predict the effects of LMIs. In our empirical estimations, we find that higher labor turnover costs have a significant negative effect on output volatility, while replacement rates have a positive effect, both in line with theory. While LMIs have a large effect on output volatility, they do not matter much for inflation volatility.

Section C) Regional integration processes

Subsection 6. The European unification process

Calleya Stephen C.

Managing the winds of change in the Mediterranean: Europe's challenge

in *European View* , vol. 10, n. 1, June , 59-66

The southern Mediterranean is a geo-strategically sensitive part of the world that lacks a proper security arrangement. Territorial conflicts, economic stagnation and terrorism are the main obstacles hindering the region from achieving a desirable level of stability and engaging in a new Euro-Mediterranean partnership. Europe must develop a way of achieving long-term success in promoting economic and political reforms and the improvement of economic governance. Given its geographical proximity to the southern Mediterranean, Europe's tall order for the next few decades is to create a Mediterranean area of functioning market economies that fully respect the rule of law.



Section C) Regional integration processes

Subsection 6. The European unification process

Howard Grøn Caroline, Wivel Anders

Maximizing Influence in the European Union after the Lisbon Treaty: From Small State Policy to Smart State Strategy

in *Journal of European Integration*, Volume 33, Issue 5 , 523-539

How do small states maximize their influence in the European Union? This article argues that the traditional small state approach to European integration is being undermined by formal and informal developments in the EU. Small states must therefore change their traditional policy focused on binding the great powers to a smart state strategy utilizing small state weakness to gain influence. We outline the basic characteristics of a smart state strategy and illustrate the practical applicability of the strategy by discussing three basic aspects of ideal type smart state behaviour: (1) the state as lobbyist, (2) the state as self-interested mediator, and (3) the state as norm entrepreneur.

Section C) Regional integration processes

Subsection 6. The European unification process

Leggewie Claus

Meer und Sonne für Europa: Ein neues Generationsprojekt

in *Blätter für deutsche & internationale Politik*, Oktober, 2011 , 31-34

The full text is free:

www.blaetter.de/archiv/jahrgaenge/2011/oktober/meer-und-sonne-fuer-europa-ein-neues-generationsprojekt

Die „Idee Europa“ und die Europäische Union stünden vor ihrer schwersten Bewährungsprobe seit 1945, lautet der pessimistische Tenor vieler Kommentare zur Euro-Krise und zur unpopulären Sanierung der Staatshaushalte. Vertreter der Generation, die den Zweiten Weltkrieg erlebt haben, verweisen warnend auf die Erfahrung der europäischen Selbstzerstörung und Teilung im 20. Jahrhundert. Europa sei die einzige Versicherung gegen Krieg und Armut, der Garant wirtschaftlichen Wohlstands. Den Jüngeren, die Europa als pure Selbstverständlichkeit erleben, rufen sie zu, sich mehr für die europäische Zukunft einzusetzen. Sonst, wird wie eine Drohung nachgeschoben, sei es bald vorbei mit der Freizügigkeit beim Reisen, Studieren und Arbeiten.

In der Tat sind die Errungenschaften der europäischen Einigung schwer bedroht. Niemand demonstriert für die Europäische Union, die unter schweren Beschuss „der Märkte“, also des Finanzkapitals, geraten ist. Stattdessen häufen sich die Mäkeleien am „Monster Brüssel“, gewinnen speziell unter jungen Männern rechtspopulistische Europa-Skeptiker und -Gegner an Boden. Jenseits ihrer Grenzen ist die EU weiterhin höchst attraktiv, für die geschundene Bürgeropposition in der Ukraine und Weißrussland ebenso wie für die nordafrikanische Demokratiebewegung. Aber wo sich im Inneren Empörung artikuliert, vom Athener Syntagma-Platz bis zur Puerta del Sol in Madrid, gilt die EU gilt als gnadenlose Exekutorin einer ungerechten Sparpolitik, die die Zukunftsperspektiven gerade der Jüngeren verdunkelt...



Section C) Regional integration processes

Subsection 6. The European unification process

Schmitz Holger, Stammler Philipp

Mehr Freiheiten für den nationalen Gesetzgeber! Die Rechtsprechung des EuGH und des BVerfG zur zeitlichen Beschränkung von Urteilstwirkungen

in *Archiv des öffentlichen Rechts* , Volume 136, Number 3, July 2011 , 479-499

Abstract

Preliminary rulings under Art. 267 TFEU may refer to the validity or the interpretation of an act of European Union law. As far as the latter is concerned, the Court of Justice of the European Union (CJEU) specifies the meaning and scope of a rule of European law as it is to be, or ought to have been, understood and applied from the time of its coming into force. Interpretative judgements therefore have, in principle, retroactive effect. Due to the primacy of EU law, national legislation which proves itself incompatible with the Court's interpretation cannot even be applied to legal relationships established before the Court's judgment.

This may have serious implications for the Member States, especially in the case of requests for a preliminary ruling with regard to national tax law. Member States may have to refund tax payments running into millions. Nevertheless, the CJEU limits the temporal effect of its judgments only in certain specific circumstances. Such a step is only taken where it appears that Member states have been led into practices not complying with European Union law by reason of objective, significant uncertainty regarding the implications of European Union law, to which the conduct of other Member States or institutions of the European Union may have contributed. In addition, there has to be a risk of serious economic repercussions owing in particular to the large number of legal relationships entered into in good faith on the basis of rules considered to be validly in force.

Until now, there have been not many cases in which the Court considered these criteria as having been met. In contrast, the legal practice of the Federal Constitutional Court of Germany often makes exceptions to the retroactive effect of its rulings concerning the validity of national legislation. For reasons of legal certainty and to avoid serious adverse effects on public interests, it sometimes even determines the temporary continued validity of legislation. Although the competencies of the CJEU and the Federal Constitutional Court differ to some degree, the factual effects of their rulings regarding the interpretation or rather the validity of legislation are the same. Therefore, the reasons which lead to exceptions with respect to retroactive effects in the rulings of the Federal Constitutional Court also apply to interpretative rulings of the CJEU. Both types of rulings encroach upon the competencies of the legislator and both courts have to observe the principle of legal certainty as it also applies to the law of the European Union. As a result, the legal practice of the Federal Constitutional Court may serve as a guideline for a practice of the CJEU which allows for the interests of the Member States to a greater extent. To this end, it appears sufficient to apply the criteria for the limitation of the temporal effects of interpretative rulings established by the CJEU in a more generous manner.

Section C) Regional integration processes

Subsection 6. The European unification process

Schilling Theodor



Multilingualism and Multijuralism: Assets of EU Legislation and Adjudication?

in *German Law Journal*, Vol. 12, issue 7 , 1460-1491

The article discusses whether EU arrangements allow the opportunities offered by its multijuralism and multilingualism to be realized and the problems raised by them to be minimized. Those opportunities are defined, in the case of multijuralism, as the EU having at its disposal a toolbox of many legal solutions for many situations. In the case of multilingualism, one has to distinguish between a strong variety (all language versions are equally authentic) and a weak variety (one authentic language and so many official translations). One opportunity offered by both varieties is that multilingual laws are linguistically superior to monolingual ones because of the clarifying effect of translations. An opportunity offered only by the strong variety is that the meaning of such a law can best be pinned down by linguistic triangulation, i.e. by approaching it from different linguistic angles. Problems caused only by strong multilingualism are the intractability of contradictory language versions of a law and the very indeterminacy of all laws, which is the necessary counterpart of the possibility of linguistic triangulation. Concerning multijuralism, the article finds ample possibilities for EU lawmakers and adjudicators alike to make use of the toolbox. Concerning multilingualism, while the clarifying effect of translation is real enough, current arrangements allow the EU to profit from it only at some legislative stages. Further, linguistic triangulation is found not to be a workable concept in the EU, which has 23 authentic official language versions. Strong multilingualism therefore, cannot offset the problems it causes.

Full text available at:

<http://www.germanlawjournal.com/index.php?pageID=11&artID=1369>

Section C) Regional integration processes

Subsection 6. The European unification process

Editorial

Más Alemania

in *Política Exterior*, 142 - Julio/Agosto

Alemania y Francia vuelven al centro de Europa. La más fuerte capacidad de tracción viene de Alemania. Pero Alemania prefiere no separarse de Francia en los años críticos que Europa atraviesa. Dedicamos la parte central del número a este asunto.

Section C) Regional integration processes

Subsection 6. The European unification process

Hickel Rudolf

Nach der Rettung ist vor der Rettung. Europa in der Krisenschleife

in *Blätter für deutsche & internationale Politik*, September, 2011 , 59-68

The full text is free:

www.blaetter.de/archiv/jahrgaenge/2011/september/nach-der-rettung-ist-vor-der-rettung



Section C) Regional integration processes

Subsection 6. The European unification process

Adam Silke, Maier Michaela

National parties as politicizers of EU integration? Party campaign communication in the run-up to the 2009 European Parliament election

in *European Union Politics* , Vol. 12, n. 3, September , 431-453

In this article we seek to understand whether, how and under what conditions political parties publicly articulate matters of European integration and encourage contestation over Europe. Based on a content analysis of parties' televised advertising spots during the 2009 European Parliament (EP) election campaign in six countries (Bulgaria, the Czech Republic, Germany, the Netherlands, Spain, the United Kingdom), we find evidence that European Union (EU) issues and actors are more prominent on the campaign agenda in countries with many Eurosceptic parties. Eurosceptic and non-Eurosceptic parties co-orient themselves towards each other in their EU articulation. Finally, contestation over Europe exists in the realm of identity politics: right-wing fringe parties (and in some countries also mainstream parties) characterize the EU as a threat to national sovereignty and identity, whereas left-wing mobilization against the EU on economic matters is hardly visible. Regarding the two politicization dimensions — EU articulation and contestation — we show that party campaigns cannot be described as purely second-order national contests any more. Instead, the strategic party mobilization model seems to better characterize the 2009 EP campaigns.

Section C) Regional integration processes

Subsection 6. The European unification process

Morris Kate, White Timothy J.

Neutrality and the European Union: The case of Switzerland

in *Journal of Law and Conflict Resolution*, vol. 3, n. 7, september , 104-111

ABSTRACT: Switzerland remains a neutral state outside of the European Union (EU). This paper examines realist, liberal, and constructivist theories of neutrality to explain Switzerland's unwillingness to join the EU after the cold war. Five other neutral states have decided to participate in the EU while maintaining their neutrality. The continued Swiss reluctance is best explained by a historic identity that the Swiss perceive is threatened by membership in the EU. Realism's focus on great power politics and state's pursuit of power offers little to explain Swiss neutrality. Liberalism offers an explanation for the enticement of membership, but it is constructivism that explains both the nature of Swiss neutrality and its continuing ability to shape Swiss foreign policy by preventing membership in the EU.

Section C) Regional integration processes

Subsection 6. The European unification process

Karen Devine

Neutrality and the development of the European Union's common security and defence policy: Compatible or competing?

in *Cooperation and Conflict*, 46 (3) , 334-369

This article examines the content of concepts of neutrality articulated in elite and public discourses in the context of the



development of the European Union's (EU) Common Security and Defence Policy (CSDP). In parallel with security and defence policy developments in successive EU treaties, many argue that the meaning of neutrality has been re-conceptualized by elites in EU 'neutral' member states (specifically, Austria, Finland, Ireland and Sweden) to the point of irrelevance and inevitable demise. Others argue that the concept of 'military' neutrality, as it is termed by elites in Ireland, or 'military non-alignment', as it is termed by elites in Austria, Sweden and Finland, meaning non-membership of military alliances, is compatible with the CSDP in the Lisbon Treaty. An investigation of these paradoxical discursive claims as to the status of neutrality yields findings of a divergence in public 'active' and elite 'military' concepts of neutrality that embodies competing foreign policy agendas. These competing, value-laden, concepts reflect tensions between, on the one hand, the cultural influences of a domestic constituency holding strong national identities and role-conceptions informed by a postcolonial or anti-imperialist legacy and, on the other hand, elite socialization influences of 'global actor' and common defence-supported identity ambitions encountered at the EU level that can induce discursively subtle yet materially significant shifts in neutral state foreign policy. The article concludes with an analysis of the compatibility of both 'military' neutrality and the 'active' concept of neutrality with the CSDP in the Lisbon Treaty and draws conclusions on the future role of neutrality both inside and outside the EU framework.

Section C) Regional integration processes

Subsection 6. The European unification process

Kochenov Dimitry

New developments in the European Neighbourhood Policy: Ignoring the problems

in Comparative European Politics, vol. 9, n. 4-5, september-december , 581-595

ABSTRACT: This article provides a brief outline of the main developments that affected the European Neighbourhood Policy (ENP) structure in 2008 and 2009, considering both the Eastern Partnership and the Union for the Mediterranean. This analysis makes it clear that both new initiatives originated in a desire to distance the progress of the European Union (EU)'s relations with the Eastern European non-members and with the Mediterranean countries from the framework of the ENP, securing a positive change in the EU's engagement with the neighbourhood which the ENP failed to ensure. Although both attempts were not successful, the need to address the drawbacks of the new construct involving the ENP and the two new initiatives unable to solve any outstanding problems is absolutely clear. The article concludes with a call to reform the essence of the ENP which should replace the current approach of adding new layers of policy on top of the existing structures of unsound performance. A serious rethinking of the ENP is urgently required.

Section C) Regional integration processes

Subsection 6. The European unification process

Martonyi János

New hopes for the European Neighbourhood Policy: A view from Hungary

in European View , vol. 10, n. 1, June , 39-44

The dramatic popular uprisings sweeping across North Africa and the Middle East require that Europe reassess and reformulate its policies towards its neighbours to the south. European policy towards the region must, now more than ever, strive to promote the very values of democracy and freedom upon which the European project itself has been based, while also taking into account the unique social and cultural nuances at play in the region and in each country individually. Moreover, European policy must involve a strong merit-based component tied directly to concrete and measurable progress. Finally, EU leaders need to consider Europe's neighbourhood policy from a holistic standpoint.



Addressing the important events in the southern neighbourhood should not come at the expense of the EU's commitment to its eastern neighbours who have made substantial progress towards free and democratic systems.

Section C) Regional integration processes

Subsection 6. The European unification process

De Wilde Pieter

No Polity for Old Politics? A Framework for Analyzing the Politicization of European Integration

in *Journal of European Integration*, Volume 33, Issue 5 , 559-575

In the literature on European integration, politicization as concept is often attributed major importance. This article shows how the literature variously discusses the politicization of European Union (EU) institutions, the politicization of EU decision-making processes or the politicization of EU issues. Similarly, the literature attributes three different functions to politicization: it functions to crystallize opposing advocacy coalitions, to raise the question of legitimacy and to alter the course of European integration. Despite this diversity, this article argues we are in fact dealing with an encompassing process. To further our understanding of politicization of European integration, politicization as process is defined as an increase in polarization of opinions, interests or values and the extent to which they are publicly advanced towards policy formulation within the EU. Furthermore, attention is directed to practices of representative claims-making in the public sphere through which relationships of delegation and accountability can be altered in discourse.

Section C) Regional integration processes

Subsection 6. The European unification process

Albert Salon

Noi francesi non ci fidiamo dei tedeschi

in *Limes*, n. 4, 2011 , 231-236

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

IUSTINIANUS

O Geropa o Italia

in *Limes*, n. 4, 2011 , 121-132

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Bolukbasi H. Tolga, Ozcurumez Saime



Of context, interaction and temporality: Historical institutionalism and Turkey's approach to the ENP and the UfM

in *Comparative European Politics*, vol. 9, n. 4-5, september-december , 524-542

ABSTRACT: Why is Turkey's approach to EU's European Neighbourhood Policy (ENP) and the Union for the Mediterranean (UfM) more cautious now after a period of active cooperation in their shared neighbourhood? How can such reversal be explained despite parallels in the interests of the EU and Turkey in their shared neighbourhood and complementarities in their policy instruments used to advance these interests? This article evaluates the explanatory power of rational choice, sociological and historical institutionalism in comparative politics in addressing these questions. On the basis of qualitative case study evidence including interviews with key stakeholders, it concludes that historical institutionalism, with its emphasis on context, interaction and temporality, is better equipped than rational choice and sociological institutionalisms at accounting for Turkey's changing foreign policy choices concerning the ENP and the UfM.

Section C) Regional integration processes

Subsection 6. The European unification process

Bechev Dimitar

Of power and powerlessness: The EU and its neighbours

in *Comparative European Politics*, vol. 9, n. 4-5, september-december , 414-431

ABSTRACT: EU's policies towards neighbouring countries and subregions are often blamed for their ineffectiveness. This article explores the sources and dynamics of the Union's leverage. Surveying the literature on eastern enlargement and the European Neighbourhood Policy, it draws on IR conceptual apparatus to distinguish two modes of interaction between the EU and its neighbours – gatekeeping and power projection. Its core claim is that the former mode is central to the Union's influence in 'near abroads', including parts of the former Soviet Union and the Western Balkans.

Section C) Regional integration processes

Subsection 6. The European unification process

Sánchez Marcelo

Oil shocks and endogenous markups: results from an estimated euro area DSGE model

in *International Economics and Economic Policy*, Volume 8, Number 3 / September 2011 , 247-273

This paper estimates a linearised DSGE model for the euro area. The model is New Keynesian and allows for a role for oil usage and endogenous price markups. The importance of shocks to monetary policy and oil prices is estimated to have declined in the post-1990 period, in line with the higher predictability of policy and the fall in the persistence and—to a lesser extent—variability of oil disturbances. Counterfactual exercises show that oil efficiency gains would alleviate the inflationary and contractionary consequences of oil shocks, while higher wage flexibility would help ease the impact on real output at the expense of larger inflationary pressures. While we report evidence of “countercyclical” price markups, the rise in markups induced by an oil disturbance is not found to considerably amplify the inflationary and contractionary effects of the shock. The paper discusses the policy implications of our empirical results for the euro area economy.



Section C) Regional integration processes

Subsection 6. The European unification process

Elton Chris

Paradigm Change within the CAP 1985-92: The European Commission's Construction of an Alternative Policy Narrative in the Late 1980s

in *Journal of European Integration History*, vol. 16, n. 2 , 103-122

Policy change in the Common Agricultural Policy (CAP) has been the subject of much academic debate, especially among political scientists. The nature of change in the CAP is widely contested, with some scholars arguing that its underlying ideas or policy paradigm have been fundamentally transformed over time. It has been argued by others that change has resulted from a cumulative process of incremental adaptation to the changing policy environment. This article argues that previous work has not systematically explored how the CAP paradigm came to be transformed, including specifically the role of actors and policy institutions. It therefore examines how a new policy discourse was constructed over the 1985-92 period and how the new paradigm shaped a re-prioritisation of policy goals, the design of new policy instruments and the delegitimation of others, while securing the key economic, social and cultural values which had underpinned the original design of the CAP.

Section C) Regional integration processes

Subsection 6. The European unification process

Redazione di *Critica liberale*

Parlamenti nazionali e legislazione europea

in *Critica liberale*, Volume XVIII, n. 188, giugno 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Le Cam Florence, Utard Jean-Michel

Parler(s) d'Europe sur le Web Cafebabel ou les énonciations dispersées d'une parole européenne

in *Politique européenne* , n. 34, 2, 2011 , 63-93

Au-delà des discours prophétiques sur les vertus de l'Internet à favoriser la formation d'un espace public européen, le web donne lieu à des investissements divers d'entreprises de promotion de l'Europe, de la part d'institutions comme de citoyens « ordinaires » de l'Europe. L'étude de cas du site Cafebabel.com met en évidence les ambiguïtés d'une position entre une démarche fondée sur la volonté déclarée de favoriser l'expression des citoyens européens, et la proximité avec les sources informationnelles et la relative dépendance aux ressources institutionnelles qui conditionnent son existence et sa survie. L'étude du dispositif énonciatif montre les difficultés à produire les normes d'une parole légitime, mais non institutionnelle sur l'Europe.

Section C) Regional integration processes

Subsection 6. The European unification process

Geoffrey R D Underhill



Paved with Good Intentions: Global Financial Integration and the Eurozone's Response
in *European Political Science (ECPR)*, Volume 10, Issue 3, 366–374

Regional governance systems may resolve the dilemmas of global financial integration, and the Eurozone is the most advanced attempt to do so. The Euroland sovereign debt crisis is a test of this proposition but the outcome finds the EU wanting. The first section places EMU in the broader context of financial liberalisation. The next section shows that we have long known that financial liberalisation is associated with financial instability, demanding robust governance. The subsequent section examines the reaction to the Eurozone crisis, and argues that the lessons available were poorly learned. Although the EU and ECB revealed leadership and crisis management capacity in the financial market phase, the sovereign debt phase of the crisis was less successfully handled, producing conflict among Eurozone members. As a result the Eurozone hangs in the balance.

Section C) Regional integration processes

Subsection 6. The European unification process

Arndt Wonka, Berthold Rittberger

Perspectives on EU governance: an empirical assessment of the political attitudes of EU agency professionals
in *Journal of European Public Policy*, Volume 18, Issue 6 2011, 888-908

European Union (EU)-level agencies have emerged as important actors on the EU's policy-making scene. To date, we know relatively little about the personnel working in EU agencies: what attitudes do EU agency staff members hold on issue-dimensions relevant for the EU integration process? How do they perceive of their role in EU policy-making? Moreover, we know little about the cohesiveness of attitudes of agency staff within and between different EU agencies. The aim of this contribution is conceptually and empirically descriptive. It draws on original data from an online survey of professionals working in EU agencies to gain insights into the attitudes held by EU agency staff on three substantive attitudinal dimensions: conceptions relating to legitimate and accountable EU governance, conceptions about the preferred level of centralization of political authority in the EU, as well as views on economic governance in the EU. While the conceptual focus of this paper is on attitudes and not on behaviour, the attitudes held by EU agency staff and their relative homo- or heterogeneity is likely to affect perceptions and evaluations of the political environment and interpretations of the challenges agency staff members face in their substantive area of work. The findings of the survey will enable us to draw broader conclusions about the type and quality of accountability relationships as well as of the EU's democratic legitimacy. Moreover, the data will permit to inform arguments about the actor quality of EU agencies, which are often conceived as efficient institutional solutions to overcome credibility problems.

Section C) Regional integration processes

Subsection 6. The European unification process

Carsten Hefeker

Policy Uncertainty and Economic Reforms in a Monetary Union
in *German Economic Review*, Vol 12 Issue 3, 274-285

The paper analyzes the relation between monetary uncertainty and government incentives to implement economic reforms in order to reduce structural distortions and make economies more flexible. It is shown that uncertainty about the central bank's behavior leads to more reforms. I relate this result to the debate about central bank structure in a larger European monetary union



Section C) Regional integration processes

Subsection 6. The European unification process

Kubicek Paul

Political conditionality and European Union's cultivation of democracy in Turkey

in Democratization, vol. 18, n. 4, July, Special Issue: DEMOCRACY PROMOTION IN THE EU'S NEIGHBOURHOOD: FROM LEVERAGE TO GOVERNANCE? , 910-931

This contribution assesses the effectiveness of the European Union's (EU's) efforts to promote democracy in Turkey through strategies of political conditionality (leverage) and via the cultivation of Turkish civil society (linkage). Testing various hypotheses about leverage and linkage, it finds that the EU's efforts, particularly those emphasizing conditionality, were far more effective from 2000 to 2005, prior to the beginning of accession talks with Turkey. Since that period, ambiguities about conditionality and whether Turkey will be able to gain admission, as well as internal political developments in Turkey, have slowed political reform in Turkey. Examination of the Turkish case, therefore, shows both the possibilities and constraints of EU democracy promotion via linkage and leverage.

Section C) Regional integration processes

Subsection 6. The European unification process

Fernandez-Maublanc Lucienne-Victoire

Portée en droit fiscal français du droit de toute personne de ne pas contribuer à sa propre incrimination

in Revue du Marché Commun et de l'Union Européenne, n. 550, juillet-août , 476-479

Can community taxation law ignore the contributions of the European Court of Human Rights in the fiscal area. Without even having to get into the debate on the issue of the European Union's adherence to the Convention, it is obvious that practice includes Human Rights in community taxation law, in international conventional fiscal law. The public freedom spirit is already found in the implementation of major liberties guaranteed by community law for domestic taxation other than VAT. Such integration of public liberties meets the very definition of tax law, which was never limited, in history, to a simple taxation technique. But breakthroughs are sometimes slow and disappointing. The likening of tax penalties to accusations in criminal law, in the meaning of article 6 of the European Convention on Human Rights, was a major breakthrough in tax payer protection. However, the potential of the fair proceedings is having a hard time finding its way in French taxation, and a recent decision by the state Council provides a new example of that. In a ruling dated March 17, 2010, SARL Café de la Paix (re n= 309197), the State Council rules that the penalty of article 175 of the General Taxation Code, which punishes a legal entity refusing to name the beneficiary of distributed income, does not breach the right of any person not to contribute to his or her own incrimination, guaranteed by the EDH Convention nor the right of any person accused of a criminal offence not to be forced to testify against himself, provided for by the New York international agreement relating to civil and political rights. In doing so, the French administrative High Court gave a narrow interpretation of that guarantee that French taxation law is found not to breach. More generally, the scope of the EDH Convention in tax law would need to be reinforced, whereas in the same time, the State Council is prone to implementing case law interpretations by the Luxembourg Court.

Section C) Regional integration processes

Subsection 6. The European unification process



Haguenau-Moizard Catherine

Pour la reconnaissance d'un effet direct horizontal aux directives

in *Revue du Marché Commun et de l'Union Européenne*, n. 550, juillet-août , 454-460

In spite of repeated calls by part of doctrine and several public prosecutors, the Court of Justice of the European Union maintains its refusal to recognise the direct horizontal effect of directives. This article review the terms of the debate in light of the recent decision entered by the CJEU in the Kucukdeveci case. After highlighting the conflicts of case law, we will show that recognising the direct horizontal effect of directives would be the least bad solution available to the Court

Section C) Regional integration processes

Subsection 6. The European unification process

Marion Guillou

Pour une Politique agricole commune ambitieuse, mais renouvelée

in *Politique Etrangère*, Vol. 76, n°2 été , 321-334

Several factors are making it compulsory to rethink the Common Agricultural Policy (CAP), including demographic, climate and environmental change. The renewal of the CAP should lead to stable incomes for farmers and prices of agricultural products, as well as to a better accounting of global public goods like climate and biodiversity. "Green" innovation must also be fostered.

Section C) Regional integration processes

Subsection 6. The European unification process

Balaguer Callejón Francisco

Presentación

in *Revista de Derecho Constitucional Europeo* , n. 15

Full text available at:

<http://www.ugr.es/~redce/REDCE15/articulos/00presentacion.htm>

Section C) Regional integration processes

Subsection 6. The European unification process

Kay Adrian, Ackrill Robert

Problems of composition, temporality and change in tracing the Common Agricultural Policy through time

in *Journal of European Integration History*, vol. 16, n. 2 , 123-142

Investigating reasons for change and continuity is central to any historical perspective on the Common Agricultural Policy (CAP). However, the achievement of this explanatory ambition is often hampered by problems in operationalising the dependent variable, 'the CAP'. This paper draws on recent theoretical developments which distinguish between policy means and policy ends, identifying three levels for each with varying degrees of abstraction. We are thus able to move away from the strict dualism that policy change is either incremental or paradigmatic. Through careful decomposition of key CAP reform events from 1977, a greater depth of understanding of the nature of gradual policy



change is revealed. In particular significant policy change has been achieved through cumulative incremental endogenous adjustments to lower level policy means (instruments and their calibration), while policy ends have changed less frequently and (high-level) policy goals have endured largely unaltered.

Section C) Regional integration processes

Subsection 6. The European unification process

Hoffmann Lars, Monaghan Elizabeth

Public Debate on the Future of the European Union: A Viable Legitimising Strategy?

in Politics, Vol. 31, Issue 3, October , 140-147

In this article we analyse the phenomenon of public debate on the future of Europe which has become a preferred tool of EU policymakers over the last decade. We assess the potential legitimacy benefits of such a public debate process and examine in detail two case studies: the Convention on the Future of Europe and the Debate Europe website. We compare these two public debates with regard to their composition, objectives and working procedures. Our findings show that public debate is no panacea for the EU's ongoing legitimacy-related problems and they also point to general challenges for citizens' involvement in the ongoing European integration process.

Section C) Regional integration processes

Subsection 6. The European unification process

Caravita Beniamino

Quale manovra, quale Europa

in Federalismi, Anno IX - Nr. 16

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Pierre H. Boulanger

Quelle réforme pour la Politique agricole commune et le budget européen ?

in Politique Etrangère, Vol. 76, n°2 été , 343-358

Since the Treaty of Rome set out the objectives of the Common Agricultural Policy (CAP), the dynamics in Europe and changes in the international environment have constantly made these issues more complex. The CAP has without doubt come to the end of a cycle based on price support. A new paradigm needs to emerge rapidly, to be implemented as of 2014. The result of multilateral negotiations could accelerate ambitious CAP reform.

Section C) Regional integration processes

Subsection 6. The European unification process

Belke Ansgar, Dreger Christian



Ramifications of debt restructuring on the euro area. The example of large european economies' exposure to Greece

in *Intereconomics*, Volume 46, Number 4 / August 2011 , 188-196

The Greek government budget situation plays a central role in the debt crisis in the euro area. Strong consolidation measures need to be implemented, with potential adverse effects on the Greek economy and further credit requirements. Debt conversion might therefore become a reasonable alternative. The following paper provides some simulation-based calculations of the expected fiscal costs for the governments in the large European countries, Germany, France, Spain and Italy, arising from different policy options — among them a second Greek rescue package.

Section C) Regional integration processes

Subsection 6. The European unification process

Ruffa Chiara

Realist-normative power Europe? Explaining EU policies toward Lebanon from an IR perspective

in *Comparative European Politics*, vol. 9, n. 4-5, september-december , 562-580

ABSTRACT: This article seeks to explain the relationship between the European Union (EU) and one of its Middle Eastern neighbors: Lebanon. By conducting an in-depth empirical single case study and engaging in competitive theory testing, this article shows that the EU in Lebanon behaves at the same time as a normative and a realist power. This article challenges both the scholarship on the EU that sees the EU as a normative power as well as scholarship that focuses on structural neorealism to explain the EU's role in its neighborhood. This article adopts an approach that is different from the mainstream approaches in two ways. First, it focuses on the entire set of policies that the EU has implemented or not in Lebanon. Second, it provides an in-depth case study centered on the interaction between the EU and Lebanon, while also looking at the regional dynamics and at the domestic tensions within Lebanon. By doing so, it shows that the EU is a 'realist-normative' power in the specific case of Lebanon. Thus, these two frameworks are a false dichotomy and the argument shall be tested on other cases to make it generalizable. This suggests that the constructivist-realist divide coexists in practice.

Section C) Regional integration processes

Subsection 6. The European unification process

Engsig Sørensen Karsten

Reconciling Secondary Legislation and the Treaty Rights of Free Movement

in *European Law Review*, Vol. 36, issue 3 , 321-339

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Morano-Foadi Sonia , Andreadakis Stelios

Reflections on the Architecture of the EU after the Treaty of Lisbon: The European Judicial Approach to Fundamental Rights

in *European law journal*, Volume 17, Issue 5, September , 595–610



This paper, based on an overarching project, focuses on the role of the Court of Justice of the EU (CJEU) (also known as the Luxembourg Court) in shaping legal integration in Europe. The entry into force of the Lisbon Treaty, the new legally binding nature of the EU Charter of Fundamental Rights and the future EU's accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) bring significant changes to the fundamental rights discourse within the European Union. These developments allow the enhancement of human rights protection within the EU. Based on empirical data collected through interviews with the Court of Justice's judges and Advocates General and recent case-law, the paper offers original insights into the post-Lisbon era of regional integration and reflects on the impact of the Charter on the CJEU jurisprudence.

Section C) Regional integration processes

Subsection 6. The European unification process

De Nanclares Pérez Martín José

Reflexiones a propósito de algunos riesgos para el adecuado cumplimiento del Derecho de la Unión Europea: sobre las repercusiones de la expulsión de gitanos de Francia

in *Revista Espanola de Derecho Constitucional*, n. 92

La expulsión de gitanos que se produjo en Francia durante el verano de 2010 ha desencadenado un interesante debate político y académico sobre el grado de cumplimiento de normas esenciales del Derecho de la Unión Europea, especialmente en lo relativo al mercado interior y a la protección de los derechos fundamentales. El trabajo analiza fundamentalmente la incompatibilidad de las expulsiones de nacionales de Estados miembros, como las acaecidas en Francia, con las normas de la Unión que garantizan la libre circulación y residencia, así como las disposiciones de la Carta de Derechos Fundamentales que prohíben tajantemente las expulsiones colectivas. Igualmente se tratan los riesgos que es tipo de hechos pueden tener en el futuro sobre el papel de la Comisión como institución encargada de velar por el cumplimiento del Derecho de la Unión Europea.

Section C) Regional integration processes

Subsection 6. The European unification process

Costa-i-Font Joan

Regional and institutional heterogeneity matters! Revisiting trade effects of the euro

in *Intereconomics*, Volume 46, Number 3 / June 2011 , 161-168

The creation of a single currency is deemed to produce further heterogeneity in regional trade, as regions differ in their exposure to trade with other European countries. It is possible to disentangle two separate effects on bilateral trade, namely the "exchange rate volatility effect" (from exchange rate fixing in 1999) and the pure "common currency effect" (resulting from the issuing of a new currency in 2002). This paper presents an empirical analysis that shows evidence of a regional concentration of currency union effects in a few Spanish regions.

Section C) Regional integration processes

Subsection 6. The European unification process



Patt Anthony, Komendantova Nadejda, Battaglini Antonella, Lilliestam Johan

Regional integration to support full renewable power deployment for Europe by 2050

in *Environmental Politics*, Volume 20, Issue 5, Special Issue: The politics of energy: Challenges for a sustainable future, September , 727-742

The European Union is currently working on a achieving a target of 20% renewable energy by 2020, and has a policy framework in place that relies primarily on individual Member States implementing their own policy instruments for renewable energy support, within a larger context of a tradable quota system. For 2050 the target is likely to be more stringent, given the goal of reducing European carbon dioxide emissions by 80% by then. Preliminary analysis has suggested that achieving the 2020 target through renewable power deployment will be far less expensive and far more reliable if a regional approach is taken, in order to balance intermittent supply, and to take advantage of high renewable potentials off the European mainland. Analysis based on modeling is combined with the results of stakeholder interviews to highlight the key options and governance challenges associated with developing such a regional approach.

Section C) Regional integration processes

Subsection 6. The European unification process

David Levi-Faur

Regulatory networks and regulatory agencification: towards a Single European Regulatory Space

in *Journal of European Public Policy* , Volume 18, Issue 6 2011 , 810-829

The European regulatory space has been expanding rapidly since the 1990s. The double movement towards a single market on the one hand and a Single European Regulatory Space on the other is evident almost everywhere. A new regulatory architecture is emerging and is expressed in the extension of regulatory capacities beyond the European Commission via two major forms of institutionalization: agencies and networks. This paper explores the politics and architecture of the institutionalization and administrative rationalization of the EU regulatory space and demonstrates (a) how agencies replace networks in a process that might best be called 'agencification'; (b) how agencies compete with networks and are often able to create, employ, and control them, creating what might best be called 'agencified networks'; and (c) how networking empowers agencies creating a new type of regulatory organization that might best be called a 'networked agency'.

Section C) Regional integration processes

Subsection 6. The European unification process

DAVID ALLEN, MICHAEL SMITH

Relations with the Rest of the World

in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011 , 209-230

Did the EU in 2010 give evidence of its capacity to manage the dual process of transition represented by the implementation of the Lisbon Treaty and the process of global transformation? Did the EU develop a "grand strategy" that might guide it in exploiting change for its own and the more general advantage?

Section C) Regional integration processes

Subsection 6. The European unification process



RICHARD G. WHITMAN, ANA E. JUNCOS

Relations with the Wider Europe

in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011 , 187-208

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Hobolt Sara B., Van der Brug Wouter, De Vreese Claes H., Boomgaarden Hajo G., Hinrichsen Malte C.

Religious intolerance and Euroscepticism

in *European Union Politics* , Vol. 12, n. 3, September , 359-379

Research on Euroscepticism focuses increasingly on the role of group identities: national identities and attitudes towards multiculturalism. Yet hardly any attention has been paid to the way in which religious intolerance shapes Euroscepticism. We argue that religious intolerance influences not only diffuse Euroscepticism, but also more specifically opposition to enlargement of the European Union with Turkey. To examine the relationship between religious intolerance and Euroscepticism, this article analyses unique data from two representative surveys conducted in Ireland and the Netherlands. Our findings show that religious intolerance is indeed a powerful determinant of attitudes towards the European Union and that it particularly shapes people's attitudes towards future Turkish enlargement. This study therefore contributes to the literature by demonstrating that social identities are strong determinants of Euroscepticism.

Section C) Regional integration processes

Subsection 6. The European unification process

Chambon Nadège

Renforcer l'action de l'UE par une réforme audacieuse de la PAC et de son financement

in *Revue du Marché Commun et de l'Union Européenne*, n. 550, juillet-août , 472-475

Beginning on 1 July 2011, the Polish, Danish and Cypriot Trio of Presidency of the EU Council will lead the next multiannual financial negotiation (2014-2020). this contentious exercise will take place in a context of growing pressure on public expenses, which could potentially force the EU to make trade-offs. The idea of using CAP funds to finance other EU policies is one idea currently being studied - CAP funds represent 40% of the EU budget and the need to reform the CAP is now commonly accepted. But the potential gains to be accrued from moving funds from the CAP to other policies are difficult to assess. Moreover, whether these potential gains would actually benefit the tax payer is uncertain. Indeed, agriculture is already one of the smallest public expenses in Europe (0.4 percent of the GDP) and it provides a broad range of public goods. How will the Trio Presidency be able to lead the Council to positive long term choices?

Section C) Regional integration processes

Subsection 6. The European unification process

GÄtze Michael; Olsen Henrik Palmer



Restrained Integration of European Case Reports in Danish Legal Information Systems and Culture

in *Nordic Journal of International Law*, vol. 80, issue 3 , 279-295

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Barnier Michel

Réguler le secteur financier pour assainir les bases de la croissance

in *Revue du Marché Commun et de l'Union Européenne*, n. 551, septembre , 491-497

Full text available online: http://ec.europa.eu/commission_2010-2014/barnier/docs/articles/201109_revue_de_ue_fr.pdf.

Section C) Regional integration processes

Subsection 6. The European unification process

Bilgin Mert

Scenarios on European energy security: Outcomes of natural gas strategy in 2020

in *Futures*, Volume 43, Issue 10, December , 1082-1090

This paper adopts a futuristic methodology and analyzes the role of natural gas in European energy security in order to transform economic and policy uncertainties into meaningful scenarios. It implements “trend analysis” to forecast the volume of gas needed until 2020 by elaborating the estimates of the EU Commission and “scenario building” to come up with alternative futures forging different regional implications. The economic analysis stems from four scenarios as introduced by the EU Commission: (1) baseline scenario with average oil price of 61\$/bbl; (2) baseline scenario with average oil price of 100\$/bbl; (3) New Energy Policy scenario with average oil price of 61\$/bbl; (4) New Energy Policy scenario with average oil price of 100\$/bbl. The policy analysis is derived from the options, restraints, priorities and strategies of the concerned actors which include the EU Commission, selected EU members, suppliers and transit countries. The analysis on actors results in four policy scenarios: (1) Russia first; (2) Russia everywhere; (3) security first; (4) each for itself. The matrix, which excludes the possibility of unprecedented developments such as a drastic increase in European shale gas production or continuing global recession, clusters 16 contingencies. The paper, within this context, gives an idea on how alternative policy options of European energy security may lead to different futures based on oil prices, environmental commitments and strategic initiatives of the concerned actors.

Section C) Regional integration processes

Subsection 6. The European unification process

Eva Herschinger, Markus Jachtenfuchs and Christiane Kraft-Kasack

Scratching the heart of the artichoke? How international institutions and the European Union constrain the state monopoly of force

in *European Political Science Review*, Volume 3, Issue 03 , 445-468

In recent years, a growing literature has argued that European Union (EU) member states have undergone a profound transformation caused by international institutions and by the EU, in particular. However, the state core – the monopoly



of the legitimate use of physical force, embodied by the police – seemed to remain intact. The literature has argued that in this area, international institutions are weak, and cooperation has remained informal and intergovernmental. We take issue with these claims and evaluate the strength of international institutions in two core areas of policing (terrorism and drugs) over time. We find that in terms of decision-making, precision, and adjudication, international institutions have become considerably stronger over time. Even when international institutions remain intergovernmental they strongly regulate how EU member states exercise their monopoly of force. Member states are even further constrained because adjudication is delegated to the European Court of Justice. Thus, even the state core is undergoing a significant transformation.

Section C) Regional integration processes

Subsection 6. The European unification process

Heribert Dieter

Se due euro sono meglio di uno

in *Limes*, n. 4, 2011 , 39-46

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lorenzo Striuli

Security and Defence Policy against the upheavals in the Arab world

in *CeMiSS - Osservatorio Strategico e Quarterly*, A. IX, Spring , 45-48

Several European countries, in the last years, had adopted rapprochement policies towards Gheddafi's Libya, that can be considered to be at least questionable, because they were addressed to a man who represented, for forty years (with terrorism, military adventurism, "days of rage" against Italy, illegal immigration sponsorship or with all the typical satrap-like foolishness) an element of permanent instability in the southern Mediterranean. This point has never been argued in depth; quite the opposite, it has been accepted by many with unavailability or indifference. It is much more less widespread treated, however, that, in the course of the nowadays' general

upheavals of the Arab world, there has been a general failure of several international partnership initiatives, and for a lot of them the European Union played a central role in their establishment, as in the case of the Euro-Mediterranean Partnership (the so-called Barcellona process) and the Mediterranean Union (whose too much high initial expectations had already become quite ambitious for some years).

In this situation, the blatant failure of any common security and defence policy among European countries, after a dozen years from the first attempts of this much-sought European ambition (dating back to the beginning of the 50s), hasn't been analyzed at all, even if it has been abruptly highlighted by the Libyan crisis.

Section C) Regional integration processes



Subsection 6. The European unification process

Coppolaro Lucia

Setting up the financing institution of the European Economic Community: the creation of the European Investment Bank (1955-1957)

in *Journal of European Integration History*, vol. 15, n. 2 , 87-104

This article illustrates the origins of the European Investment Bank (EIB) established by the Treaty of Rome in 1957. It shows that the main idea behind the EIB was that the implementation of a common market among states with different levels of economic development had to be accompanied by the setting up of a financial institution that would channel capitals to lagging-behind regions and sluggish sectors. Notwithstanding this basic common ground, the different economic conditions of the funding members led them to assume different stances on the structure and functions of the financial institution. The final decision to establish a bank that could capably and efficiently borrow on the international capital markets prompted the members of the EEC to provide this institution with its own financial resources, legal personality and majority voting. This outline made the EIB a trustworthy actor on the international capital market and the most supranational of the institutions created by the EEC.

Section C) Regional integration processes

Subsection 6. The European unification process

van Spanje Joost, de Vreese Claes

So what's wrong with the EU? Motivations underlying the Eurosceptic vote in the 2009 European elections

in *European Union Politics* , Vol. 12, n. 3, September , 405-429

In recent decades, ordinary European Union (EU) citizens have been able to express their opinion on the course of the European project on several occasions. Judging from electoral outcomes, there is quite some Euroscepticism among them. What motivations underlie the Eurosceptic vote? Using an extended and comprehensive multidimensional measure of EU attitudes, we investigate which specific attitudes and issue positions were conducive to Eurosceptic voting in the 2009 European Parliament elections. Based on a voter survey in 21 countries, we conclude that concerns about the EU's 'democratic deficit', low perceived utility of the EU for the country, negative affection towards the EU, opposition to EU integration, and an absence of EU identity enhance anti-EU voting. In addition, these effects depend on the dispersion of party positions concerning EU matters, so that the more the parties diverge on EU matters, the stronger the effect becomes of each of the five EU dimensions mentioned on party choice. We conclude by setting these findings in perspective and discussing their implications for the future of the European project.

Section C) Regional integration processes

Subsection 6. The European unification process

Ruzza Carlo

Social Movements and the European Interest Intermediation of Public Interest Groups

in *Journal of European Integration*, Volume 33, Issue 4 , 453-469

It is argued that, in the EU environment, social movements are important actors and acquire distinctive traits in terms of coalitional activities, inter-institutional relations, modes of financing, and representational activities. They put forward an



often utopian vision of desirable policy changes that other non-state organizations and institutional activists can utilise as a negotiating standards, whilst recognising, however, that they may be unachievable. This role is appreciated by institutional activists — bureaucratic and political actors sympathetic to movements — who typically attempt to channel funds, legitimacy and visibility to social movement organizations, both for reasons of ideological congruence and to engage in processes of bureau-shaping and budget maximising from which they benefit. The relative absence of strong policy steering on the EU level enables them to do so to a larger extent than in national polities. This is however more likely to occur when there is a specific legal base that legitimises movements' support.

Section C) Regional integration processes

Subsection 6. The European unification process

Schuler-Harms Margarete

Sozialstaat und europäische Integration. Eine aktuelle Positionsbestimmung

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 59, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Andrés Javier, Hurtado Samuel, Ortega Eva, Thomas Carlos

Spain in the Euro: a general equilibrium analysis

in *Journal of the Spanish Economic Association*, Volume 1, Numbers 1-2 / March 2010 , 67-95

This paper analyzes the determinants of Spain's macroeconomic fluctuations since the inception of the euro in 1999, with a special attention to observed growth and inflation differentials with respect to the rest of the European Monetary Union (EMU). For that purpose we estimate the Banco de España DSGE model of the Spanish economy and the rest of the Eurosystem (BEMOD). We find that observed differentials are the result of a combination of asymmetric country-specific shocks (in particular, demand and productivity shocks for growth and cost-push shocks for inflation) as well as asymmetric economic structure (especially lower nominal wage and price rigidities in Spain). Finally, we find that EMU membership has had a nonnegligible effect on observed differentials.

Section C) Regional integration processes

Subsection 6. The European unification process

PAUL M. HEYWOOD

Spain's EU Presidency: Ambitions beyond Capacity?

in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011 , 77-89

No abstract available



Section C) Regional integration processes

Subsection 6. The European unification process

Alex Warleigh-Lack, Ralf Drachenberg

Spillover in a soft policy era? Evidence from the Open Method of Co-ordination in education and training
in *Journal of European Public Policy* , Volume 18, Issue 7 2011 , 999-1015

In this paper we re-examine early neofunctionalist concepts of spillover, spill-around and build-up, and apply them to the case of the Open Method of Co-ordination (OMC) in education and training policy. We show that even an EU at 'the end of integration' can bind its Member States more closely together over time. In this way, we add to recent analyses of unanticipated spillover in 'hard' policies by showing that such can be the outcome of 'soft' policies too, and set out a hypothesis to guide future investigations.

Section C) Regional integration processes

Subsection 6. The European unification process

Hughes Hallett Andrew, Hougaard Jensen Svend E.

Stable and enforceable: a new fiscal framework for the Euro area
in *International Economics and Economic Policy* , Volume 8, Number 3 / September 2011 , 225-245

Since the great financial crash, the need for new fiscal rules to prevent unsustainable fiscal policies is universally recognised. In practice such rules, including those in the Stability and Growth Pact, have proved to be impossible to enforce. Thus, to avoid unsustainable fiscal policies reappearing, and to prevent monetary policy from being undermined by undisciplined governments, there is a need for a framework capable of imposing fiscal discipline. This paper considers an intertemporal assignment, where fiscal policy focuses on long-term objectives and monetary policy on short-term stabilisation. We argue for public sector debt targets as a practical way to achieve such a set up, and an excess debt protocol is constructed to give enforceable form to those targets. The ideas of "fiscal space" and optimal debt levels are used to provide a mechanism for identifying a stable region within which the debt targeting regime should operate. Making these factors explicit would both improve the credibility of planned fiscal policies and reduce risk premia on borrowing costs. We finally show how Europe's competitiveness pact, and debt restructuring operations, can be used to maximise the available fiscal space.

Section C) Regional integration processes

Subsection 6. The European unification process

JERZY BUZEK

State of the Union: Three Cheers for the Lisbon Treaty and Two Warnings for Political Parties
in *Journal of Common Market Studies* , Volume 49, Issue s1, September 2011 , 7-18

Political parties at the European level will determine whether, in the future, Europe is a confident and leading force, or a defensive and stagnant one, responding to and ultimately dictated by national interests.

Section C) Regional integration processes

Subsection 6. The European unification process

Keller Helen, Kühne Daniela, Fischer Andreas



Statut-Entwurf für den Europäischen Gerichtshof für Menschenrechte. Ein Beitrag zur Reform des Konventionssystems

in *Europäische Grundrechte zeitschrift*, vol. 38, issue 13 , 341-360

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Knodt Michèle

Strategies of Territorial and Functional Interests: Towards a Model of European Interest Intermediation?

in *Journal of European Integration*, Volume 33, Issue 4 , 419-435

Research on interest representation in EU governance has addressed different kinds of actors in somewhat different and independent discourses. This contribution will start from the specific requirements is demanding as well as opportunities the European multi-level system is offering to territorial and functional interest representation. The main question will be whether differentiations or similarities can be found in the comparison of functional and territorial interest representation. The contribution will elaborate on this question in the following section and assume that there are more similarities than differences within the use of strategies by territorial and functional interests. The contribution elaborates two explanations for the similarities and differences found. Empirical evidence is given in the second part of the contribution. It will be shown that we even find convergence within territorial and functional interest intermediation and how actors have learned from each other. In addition it will be revealed that other factors than the type of interest are responsible for persistent differences. A third short chapter points out that both types of interests work with complementary strategies to succeed within the European multi-level system. All in all, the contribution will speculate about whether it is possible to identify certain elements of a European model of interest intermediation across the different actor categories.

Section C) Regional integration processes

Subsection 6. The European unification process

Eva G. Heidbreder

Structuring the European administrative space: policy instruments of multi-level administration

in *Journal of European Public Policy* , Volume 18, Issue 5 2011 , 709-727

How can we perceive a European administrative space (EAS), given the persistent diversity between public administrations of the member states? To overcome theoretical and conceptual hurdles, I argue that a suitable pragmatic approach is to start from typology that presents ideal types of supranational instrumentation. The distinct actor constellations between supranational and national levels that are linked to each type entail divergent dynamics of an integrating administrative structure. Despite the external promotion of a metaphorical single administrative space during the Eastern enlargement, the driving dynamics of the emerging EAS remain based on mechanisms that respect and sustain differences between increasingly interdependent national public administrations. The theoretical framework and empirical application provide a first step for further research towards a comprehensive understanding of multi-level public administration and a systematic account of the varying effects that EU governance has on domestic public



administrations.

Section C) Regional integration processes

Subsection 6. The European unification process

ELLINAS, ANTONIS A. ; SULEIMAN, EZRA N.

Supranationalism in a Transnational Bureaucracy: The Case of the European Commission

in **Journal of Common Market Studies**, Volume 49, Issue 5, September 2011 , 923-947

While a significant body of scholarly work suggests that we can best understand the policy output of international bureaucracies by focusing on the preferences of their political masters, this article joins those looking 'inside' such bureaucracies to comprehend their behaviour. Using an original data set from nearly 200 interviewees, the article examines the policy preferences of top bureaucrats of the European Commission. It shows that top Commission managers favour deeper European integration regardless of their national background or their organizational experience. The tilt of the Commission bureaucracy toward supranationalism is indicated by a broader consensus within the organization on some of the most controversial initiatives in the EU, such as the constitutional treaty, Turkish accession and the directive for the liberalization of the services sector. This notable consensus suggests that despite occasional policy setbacks and perceived intergovernmental 'trends', the Commission will continue serving its integrative mission.

Section C) Regional integration processes

Subsection 6. The European unification process

Schabas William A.

Synergy or Fragmentation? International Criminal Law and the European Convention on Human Rights

in **Journal of International Criminal Justice**, Volume 9, Issue 3, July , 609-632

There is much interaction between the European Court of Human Rights and international criminal law. Although it does not seem that the Court will operate as a final remedy for alleged violations of human rights by the international tribunals, in recent years it has found itself addressing difficult legal issues involving international crimes and prosecutions, notably in the KKK cases: Kolk, Korbely and Kononov. At the international tribunals, there has been much resort to European case law, particularly on fair trial and detention issues. An explicit invitation has not proved necessary at the ad hoc tribunals. Nevertheless, the Rome Statute directly encourages resort to human rights law in Article 21(3). But the greatest influence of the European Court may be at the substantive level. Its case law has explored the scope of the principle of legality and the duty to prosecute. In turn, this has enriched the vision of judges at the international criminal tribunals.

Section C) Regional integration processes

Subsection 6. The European unification process

Seidel Katja

Taking Farmers off Welfare. The EEC Commission's Memorandum "Agriculture 1980" of 1968

in **Journal of European Integration History**, vol. 16, n. 2 , 83-102

The so-called Mansholt Plan of 1968 was the first of many attempts to reform the Common Agricultural Policy (CAP). It



was a radical proposal to transform European agriculture and to modernise agricultural structures. As such, the reception of the Mansholt Plan, the reactions of member states and farmers' lobbies and the aftermath of the Memorandum have been discussed in the literature. This article sets out to place the Mansholt Plan in the wider context of the rise of structural policy in the EEC in the 1960s. It analyses the preparation of the Memorandum, explores the policy and decision-making process leading to it, and discusses the different actors that were involved in the process. The article thus sheds new light on a crucial episode in the history of the CAP.

Section C) Regional integration processes

Subsection 6. The European unification process

Knodt Michèle, Greenwood Justin, Quittkat Christine

Territorial and Functional Interest Representation in EU Governance
in *Journal of European Integration*, Volume 33, Issue 4 , 349-367

This special issue starts from the assumption that, in contrast to the mainstream view, a convergence can be detected in strategies of interest representation across different actor types of functional and territorial interests, despite differences which remain. The question is posed here as to whether a European model of interest representation in European governance is detectable across categories of actors? It is assumed that the convergence over actor characteristics is due to the main characteristics of the European Union as an interactive and communicative system of multi-level governance which provides a special political opportunity structure to the different actors. The contributions of the issue compare territorial and functional interest representation regarding actor types, national embeddedness, policy field, and resources (financial and human resources, competences, capacity to act, learn and interact) with respect to the emergence of a highly complex European model of interest representation with cross-sectoral, intersectoral, and some intrasectoral, characteristics.

Section C) Regional integration processes

Subsection 6. The European unification process

Germond Carine

The Agricultural Bone of Contention: The Franco-German Tandem and the Making of the CAP, 1963-1966
in *Journal of European Integration History*, vol. 16, n. 2 , 25-44

The making of the Common Agricultural Policy (CAP) in the first half of the 1960s was characterized by a series of Franco-German conflicts that regularly resulted in Community crises. Based on research conducted in France and in Germany, this article explores to what extent the two countries' disagreements on the developments of the European Economic Community were responsible for the repeated crises that broke out on agricultural matters. Focusing on three key agricultural negotiations, it sheds light on the shifting power relations within the Franco-German tandem and on how both countries were able to shape Community bargains in the agricultural area.

Section C) Regional integration processes

Subsection 6. The European unification process

Dijkstra Hylke, Vanhoonacker Sophie



The Changing Politics of Information in European Foreign Policy

in *Journal of European Integration*, Volume 33, Issue 5 , 541-558

This article studies the development of European foreign policy from an informational perspective. It illustrates how since the establishment of European Political Cooperation in 1970, the European Union has gradually evolved from a platform to share foreign policy information into a Brussels-based system that gathers and processes information autonomously. Building upon the broader literature of delegation in international organisations, it explains the gradual shift in the centre of informational gravity from the national capitals to Brussels through motives of efficiency and credibility. The development of an operational foreign policy after the Treaty of Amsterdam has considerably raised the demands for rapid and high quality data. A system entirely dependent on the ad hoc information flows from the member states proved incompatible with these new ambitions. The recent establishment of the European External Action Service and the transformation of the European Commission delegations into Union delegations is the most recent step in this long-term and highly institutionalised process of European informational cooperation.

Section C) Regional integration processes

Subsection 6. The European unification process

Peers Steve

The Constitutional Implications of the EU Patent

in *European Constitutional Law Review*, Volume 7 / Issue 02, , 229-266

Council Decision of March 2011 to authorize enhanced co-operation as regards unitary patent protection – Proposed Regulations implementing enhanced co-operation in this area – Proposed treaty concerning patent litigation – Challenges to the validity of the decision authorizing enhanced co-operation – Incompatibility of the patent litigation treaty with EU law – EU external competence concerning intellectual property and civil jurisdiction issues

Section C) Regional integration processes

Subsection 6. The European unification process

DERMOT HODSON

The EU Economy: The Eurozone in 2010

in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011 , 231-249

The eurozone's sovereign debt crisis in 2010.

Section C) Regional integration processes

Subsection 6. The European unification process

Christer Gulbrandsen

The EU and the implementation of international law: the case of 'sea-level bureaucrats'



in *Journal of European Public Policy* , Volume 18, Issue 7 2011 , 1034-1051

Is the European Union (EU) influencing national bureaucracies' implementation of international law? This paper reports findings from interviews with ship inspectors and their superiors about European training aimed at harmonization. The maritime sector's highly institutionalized global regime may constitute an unlikely case for European influence over national bureaucrats for historical, institutional and economic reasons. This examination of 'sea-level bureaucrats' shows how European executive capacity is acquired at the national level even in this sector, adding to our insights on implementation and compliance in European governance. We find evidence that inspections seem Europeanized, and together with research on other sectors, this indicates the development of a new, international, multi-level administrative order with stronger traits of direct implementation. In it, the EU may have developed into an interpretative filter for national implementation of global maritime safety rules.

Section C) Regional integration processes

Subsection 6. The European unification process

Zielonka Jan

The EU as an International Actor: Unique or Ordinary?

in *European Foreign Affairs Review*, vol. 16, issue 3 , 281-301

ABSTRACT: It is often argued that the EU is a peculiar if not unique international actor. Unlike other major actors, it is a largely civilian power promoting universal norms in its vast neighbourhood and beyond. This article will test this proposition by comparing the EU's external policy to those of the United States, China and Russia. Five variables will be examined: (1) international aspirations and self-images; (2) governance form and structure; (3) means of governance; (4) borders and the scope of governance; and (5) centre-periphery relations. The article will conclude that all four actors share certain important characteristics. They all represent huge territorial units with sizable power resources across various fields. They all consciously apply these power resources to influence if not manipulate domestic politics in their respective peripheries. They all justify their power politics by reference to noble norms and values. But because of its peculiar governance system, fuzzy borders and predominantly civilian policy means, the EU practices its politics differently from the three other actors considered here.

Section C) Regional integration processes

Subsection 6. The European unification process

Casier Tom

The EU's two-track approach to democracy promotion: the case of Ukraine

in *Democratization*, vol. 18, n. 4, July, Special Issue: DEMOCRACY PROMOTION IN THE EU'S NEIGHBOURHOOD: FROM LEVERAGE TO GOVERNANCE? , 956-977

This contribution argues that the European Union (EU) promotes two forms of democracy in its policy towards Ukraine: formal democracy (institutions and procedures at polity level guaranteeing a free and fair electoral process) and substantive democracy (principles and mechanisms that allow for an ongoing societal control over policy processes). While the first form of democracy is mainly promoted through intergovernmental channels, the latter is promoted both at a transgovernmental and more weakly at an intergovernmental level. The question raised is why more progress has been made in formal democratic reforms in Ukraine (between 2006 and 2009), than in the field of substantive democracy. Two explanations are put forward: the higher visibility of formal democratic reforms in the framework of



Ukraine's legitimacy seeking with the EU and the strategic behaviour of domestic actors. It is argued that institutional democratic reforms are regarded as the litmus test for Ukraine's feasibility for future EU membership and act to a degree as a sort of 'self-imposed' conditionality. This, however, is counterbalanced by strategic behaviour of domestic actors, resisting deeper democratic change to compensate for the power they lose as a result of a more democratic electoral process. The EU's one-sided emphasis on the promotion of formal democracy over substantive democracy facilitates this.

Section C) Regional integration processes

Subsection 6. The European unification process

Verdun Amy, Chira Gabriela E.

The Eastern Partnership: The burial ground of enlargement hopes?

in Comparative European Politics, vol. 9, n. 4-5, september-december , 448-466

ABSTRACT: The enlargement of the European Union (EU) to the East in 2004 and 2007 has triggered new questions on the nature of EU governance. The EU is proud of its enlargement policy, which it considers to be one of the most successful EU policies. It wants to extend the prospect of membership to handpicked candidates, for example, some countries of the Western Balkans, Turkey and Iceland. This offer was not on the table when the request came from aspiring Eastern neighbouring countries. What are the reasons for this differential treatment of aspiring Eastern countries? How can we understand what determines post-2007 EU enlargement? Might enlargement of the EU towards Former Soviet Republics (FSRs), EU 'Eastern partners' like Armenia, Georgia, Moldova, Ukraine and perhaps even Belarus, come onto the table any time during the foreseeable future? What would be the determining factors? Following Pierson's (2000) 'increasing returns' theory, we argue that, despite formal refusal from the EU, each country may increase its chances by complying with EU enlargement-type conditionality. These countries' aspirations may also be favourably viewed if there were external factors that would render their accession more advantageous to the EU.

Section C) Regional integration processes

Subsection 6. The European unification process

Kaufmann Sylvia-Yvonne

The European Citizens' Initiative: A Great Responsibility for Federalists

in Federalist Debate (The), Year XXIV, n. 2, July

<http://www.federalist-debate.org/fdb/archive/detail.bfr>

Section C) Regional integration processes

Subsection 6. The European unification process

Bajon Philip

The European Commissioners and the Empty Chair Crisis of 1965-66

in Journal of European Integration History, vol. 15, n. 2 , 105-124

In March 1965, the Commission of the European Economic Community presented an ambitious proposal package to the Council of ministers, which ultimately triggered the crisis of the (French) 'empty chair' between July 1965 and January 1966. This article suggests that Commission president Walter Hallstein had a highly tactical approach to the overall



package. Contrary to conventional wisdom, the French commissioner Robert Marjolin sympathised with the idea of strengthening the European Parliament, thus supporting the political character of the initiative. While rational choice theory fails to explain crucial aspects of the commissioners' bargaining in spring 1965, historical and sociological institutionalist theory can be utilised as a conceptual framework for analysing the formation of the commissioners' preferences and more generally, for understanding the supranational history of the present-day European Union.

Section C) Regional integration processes

Subsection 6. The European unification process

Michael Freeden, Diana Mishkova, Javier Fernández Sebastián, Willibald Steinmetz, Henrik Stenius

The European Conceptual History Project (ECHP): Mission Statement

in *Contributions to the History of Concepts*, Vol. 6, n°1, 111-116

After a complex integration process which has taken more than half a century, most Europeans—and non-Europeans—no longer identify Europe with simply an economic common market; yet the final political status of the European Union is still an open question. In general, Europe is usually regarded as the birthplace of a set of values claiming universal validity and serving as the basic political reference for citizens and institutions throughout the world. The emergence and spread of such significant concepts as civilization, democracy, liberalism, parliamentarism, (human) rights, or tolerance, for example, are generally associated with modern European history.

Surprisingly enough, the history of the processes of formation and development of such conceptual systems, inextricably woven into the construction of Europe, has so far not received the attention it deserves. With the specific aim of redressing this imbalance, a group of scholars from a number of European universities have set up the European Conceptual History Project (ECHP).

This document presents the outlines of the project.

The series European Conceptual Histories (ECH) will open with a general introductory volume, presenting the main lines and the theoretical framework of the endeavor, followed by another seven volumes dealing with cluster concepts: civilization, federalism, state and market, historical regions, liberalism, parliamentarism, and planning. The editorial board has commissioned the volumes to a number of editors who will coordinate the research of specialists from all over Europe.

Section C) Regional integration processes

Subsection 6. The European unification process

Kıvanç Ulsoy

The European Impact on State–Religion Relations in Turkey: Political Islam, Alevi and Non-Muslim Minorities

in *Australian Journal of Political Science*, vol. 46, n. 3, 407-423

ABSTRACT: Since Turkey's application for membership of the European Union (EU) in 1987, the EU has itself been a structural component of Turkey's political transformation. The European impact intensified after Turkey was granted the



status of an official candidate at the EU's Helsinki Summit in 1999. Since then, Turkey has issued a series of reform packages with the aim of starting accession negotiations, which began in October 2005. These reforms have initiated a democratic regime that is structurally different from its predecessors in terms of its definition of political community, national identity and the territorial structure of the state. Among many other aspects of the current political transformation such as the resolution of the Kurdish problem and administrative reform, this article concentrates on how the European impact, which I label Europeanisation, has influenced state-religion relations in Turkey. Europeanisation has three major mechanisms that influence actors, institutions, ideas and interests in varying ways: institutional compliance, changing opportunity structures, and the framing of domestic beliefs and expectations. The article concentrates on how these mechanisms operate in the creation of a new regulatory framework of religion in Turkey.

Section C) Regional integration processes

Subsection 6. The European unification process

Christopher Lord

The European Parliament and the legitimization of agencification

in *Journal of European Public Policy* , Volume 18, Issue 6 2011 , 909-925

The European Parliament (EP) has often criticized the agencification of the European Union. Yet in practice it often uses its legislative powers to strengthen the powers and independence of European agencies. To explain this paradox, this paper analyses the six cases where the 2004–2009 EP legislated to create a new European agency. It argues that the Parliament overcame some of its doubts about agencification by proposing amendments which brought the legislation closer to its own legitimization beliefs. Moreover, the EP has developed a substantial repertoire of amendments which it now more or less repeats every time it is confronted with a proposal for a new agency. Many of these amendments are designed to shore up control of agencies, sometimes in novel ways which suggest that the Parliament has in part made its peace with agencification by becoming more amenable to the control of agencies by methods involving multiple principals.

Section C) Regional integration processes

Subsection 6. The European unification process

Fattmann Rainer

The European Trade Unions movement and the Common Agricultural Policy (1958-1972): a First Venture in a new Research Field

in *Journal of European Integration History*, vol. 16, n. 2 , 45-58

The Free and Christian trade unions of the six founding members of the EEC had been one of the motors of European Integration from its beginnings. The Hallstein Commission entertained close relations to the European Federations of free and Christian trade unions, which had been created immediately after the founding of the EEC. In the field of agriculture Sicco Mansholt installed systematically contacts to the European landworkers federations. The plans of Sicco Mansholt's "Memorandum for a reform of the European agriculture" corresponded exactly to the ideas, which the 'European Federation of Trade Unions for Agriculture' had developed in the preceding years.



Section C) Regional integration processes

Subsection 6. The European unification process

Häge Frank M.

The European Union Policy-Making dataset

in European Union Politics , Vol. 12, n. 3, September , 455-477

This article introduces the European Union Policy - Making (EUPOL) dataset. The dataset contains the complete records of the European Commission's PreLex database, which tracks the interactions between the European institutions on legislative proposals and non-legislative policy documents over time. To be of maximum use to the research community, the dataset is both comprehensive and replicable. It relies on 2600 variables to describe the detailed event histories of more than 29,000 inter-institutional decision-making processes between 1975 and 2009. The data collection has been completely automated, enabling scholars to scrutinize and replicate the generation of the dataset. To illustrate the dataset's general utility and discuss specific pitfalls, I present a descriptive analysis of the outcome and duration of Council decision-making.

Section C) Regional integration processes

Subsection 6. The European unification process

Portela Clara

The European Union and Belarus: Sanctions and partnership?

in Comparative European Politics, vol. 9, n. 4-5, september-december , 486-505

ABSTRACT: The present article discusses the evolution of the European Union (EU) sanctions imposed in response to authoritarianism in Belarus in an attempt to ascertain the impact of these measures on the limited rapprochement that took place in the period 2008–2010. It is argued that despite the mostly non-economic character of the measures levied by the EU, the Belarusian steps towards compliance were motivated by economic rationales. The EU's responsiveness to these measures reveals its nature as an accommodating negotiator of its own sanctions regimes.

Section C) Regional integration processes

Subsection 6. The European unification process

Patrick A. Messerlin

The European Union single market in goods: between mutual recognition and harmonisation

in Australian Journal of International Affairs, Volume 65, Issue 4 , 410-435

The paper explores the European Union's historical, current and possible future approaches to the use of regulatory competition (be it unconditional or subject to some core common rules before leading to mutual recognition) and regulatory harmonisation in the trade in goods in the Single Market. Section 1 describes the 'long march' of the European Commission from the 'Old' Approach to the 'New' Approach to the 'New Legislative Framework', a march far from over. It shows that the Old and New Approaches are much less different—and increasingly so—than generally said. Both are a mix of harmonisation and 'mutual recognition'—the principle according to which goods lawfully



produced in one country cannot be banned from sale on the territory of the other country, even if they are produced with different technical or quality specifications. Finally, section 1 describes the shrinking use of mutual recognition by the EC during the last twenty years. Section 2 examines the EC technical regulations policy in the world context with its two very different tracks, the Mutual Recognition Agreements with its large trading partners and the Deep and Comprehensive Free Trade Agreements with its Eastern and Southern neighbours. The concluding section underlines the increasing gap between the current EC policy and what is desirable from the European consumers' welfare perspective. The EC is increasingly missing the opportunities offered by the mutual recognition principle—an irony since it was the European Court of Justice which created this notion, and a worrisome evolution since it reflects an increasing mistrust among EC Member States (hereafter, ECMS). Finally, the concluding section presents five proposals for reinvigorating the use of the mutual recognition in EC law.

Section C) Regional integration processes

Subsection 6. The European unification process

Zhyznomirska Lyubov

The European Union's 'Home Affairs' model and its European neighbours: Beyond the 'Area of Freedom, Security and Justice'?

in Comparative European Politics, vol. 9, n. 4-5, september-december , 506-523

ABSTRACT: Policies and discourses that construct the European Union (EU) as an 'area of freedom, security and justice' (AFSJ) present threats to EU citizens as mainly being of cross-border nature. They produce a binary opposition of a safe 'inside' (that is the EU territory) set against an unstable and threatening 'outside'. Neighbouring Eastern European countries belong to the 'outside'; they are presented in the EU's official discourse as the zones of origin and/or transit for risks to the EU's public order and security. The ways in which security threats are construed, as well as the EU's role in mitigating or eliminating those threats, have significant implications for relationships between the EU and its European neighbours. The formulation of foreign policy relies upon discursive representations of identity, and it is a specific boundary-producing practice that co-constitutes both the 'foreign' and the 'domestic' (Campbell, 1998). From this perspective, the EU's discourse on the external dimension of the justice and home affairs emerges as one of many ways through which a common European identity is being forged. The construction of the AFSJ establishes the EU as a territory with a special 'home affairs' model and distinguishes the 'inside' from the 'outside'.

Section C) Regional integration processes

Subsection 6. The European unification process

Palmowski Jan

The Europeanization of the Nation-State

in Journal of Contemporary History, Volume 46, Issue 3, July 2011 , 631-657

Abstract

This article explores the interrelationship between national and supranational politics in contemporary history. In Europe, the nature of national and transnational politics, law and economics has been completely transformed through the emergence of the European Union (EU) and its predecessor, the European Community (EC). We cannot understand the European nation-state (and its regions) without appreciating the EC's or EU's dynamic (and often asymmetric) impact on public law, economics, the environment, social legislation, human rights and culture. This Europeanization of the nation-state has affected in different ways members and non-members of the EC and EU. The interplay between



national and transnational politics, while not unique to the contemporary world, presents particular challenges to the contemporary historian. The enmeshing of national and supra- as well as international spheres means that the contemporary state cannot be analysed with the same tools and assumptions about political sovereignty as its nineteenth-century predecessors. Instead, this article calls for a greater readiness to engage in the complexities of national and EC/EU history and engage in a new dialogue with other disciplines, notably the political sciences.

Section C) Regional integration processes

Subsection 6. The European unification process

Majocchi Antonio

The Eurozone decisions: a step towards a European lender of last resort, but others must follow
in *Perspectives on federalism*, Vol. 3, issue 1 , I-IV

The decisions taken by the recent meeting of the Heads of State and Government - held in Brussels on 21 July 2011- strengthen the European Financial Stability Facility (EFSF) and constitute a first step towards a European lender of last resort. But other steps will have to follow to make this credible

Full text available at:

<http://www.on-federalism.eu/index.php/component/content/article/95-the-eurozone-decisions-a-step-towards-a-european-lender-of-last-resort-but-others-must-follow>

Section C) Regional integration processes

Subsection 6. The European unification process

Vasilyan Syuzanna

The External Legitimacy of the EU in the South Caucasus
in *European Foreign Affairs Review*, volume 15, issue 3 , 341-357

ABSTRACT: This article delves into the external legitimacy of the European Union (EU) in the South Caucasus by analysing the perceptions of the EU's image and role as held by the Armenian, Azeri, and Georgian governments, the public, and political parties. It tests the academic claims regarding the EU's 'difference' by scrutinizing key official documents, drawing on surveys, and relying on in-depth semi-structured interviews. Consequently, it reveals the variations among the three South Caucasian states in terms of their current and potential future visions of the EU. By showing that the Union is seen as comparable to others, like the United States and Russia or intergovernmental organizations (IGOs) such as the North Atlantic Treaty Organization (NATO), the Council of Europe (CoE), and the Organization for Security and Cooperation in Europe (OSCE), this article ponders on the potential future perception of the Union provided the needs, interests, demands, and aspirations of Armenia, Azerbaijan and Georgia. Most importantly, it probes into the proportionality of the EU's policy in the South Caucasus, ponders on its ramifications as a result of the boost in its external relations foreseen by the Lisbon Treaty, and offers policy advice for the Union to meet the expectations of its 'neighbours'.



Section C) Regional integration processes

Subsection 6. The European unification process

Velo Dario

The Future for European Society: Subsidiarity, Federalism, New Humanism

in *Pace Diritti Umani*, anno 8, n. 1, gennaio-aprile

ABSTRACT: Oggi stiamo assistendo alla crisi di un ciclo dominato dalla globalizzazione, dal liberismo e dalla post-modernità. Queste idee e questi processi si sono alimentati a vicenda e hanno affermato la supremazia del mercato sullo Stato, dell'individualismo sui valori universali, dell'assenza di regole sulle istituzioni democratiche.

La crisi sta offrendo l'opportunità di affermare un nuovo modello di economia, di società e di Stato. L'economia sociale di mercato è il modello europeo che, saldando la tradizione liberale con quella cristiana, afferma un ordine fondato su libertà, solidarietà e sussidiarietà.

Si delinea un nuovo ciclo ove potrà affermarsi un nuovo umanesimo che affermi la centralità dell'uomo, il suo diritto a uno sviluppo integrale, in un sistema costituzionale in grado di garantire il suo diritto di cittadinanza in ogni aspetto della vita.

Section C) Regional integration processes

Subsection 6. The European unification process

Egenhofer Christian, Behrens Arno

The Future of EU Energy Policy after Fukushima

in *Intereconomics*, Volume 46, Number 3 / June 2011 , 124-128

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Barron Andrew

The Impact of National Business Cultures on Large Firm Lobbying in the European Union: Evidence from a Large-Scale Survey of Government Affairs Managers

in *Journal of European Integration*, Volume 33, Issue 4 , 487-505

This paper reports research into cross-national differences in corporate lobbying in the European Union (EU). Original data collected through an online survey, conducted between April and June 2010, of 132 government affairs managers in large firms are analysed to ascertain the extent their political activities are influenced by the national business cultures in which they were socialised. Findings indicate significant relationships between (1) respondents' culturally-grounded attitudes towards time and their level of engagement with policy-makers, and (2) their culturally-conditioned attitudes towards power and hierarchy and their choice of political tactics when seeking to promote their political interests.



Contrary to expectations, no significant relationship was found between respondents' cultural preferences for acting autonomously or within a group, and their level of participation in the policy-making process. The research makes important contributions to the literature on Europeanization as well as to research into the internationalisation of corporate political strategising.

Section C) Regional integration processes

Subsection 6. The European unification process

Frouville Olivier de

The Influence of the European Court of Human Rights' Case Law on International Criminal Law of Torture and Inhuman or Degrading Treatment

in *Journal of Politics in Latin America* , Vol 3, No 1 , 633-649

The ad hoc international criminal tribunals have had recourse to the case law of the European Court of Human Rights (ECtHR) in order to define the constituent elements of a number of crimes relating to torture or inhuman or degrading treatment. At the same time, this reference to the ECtHR case law has not been exclusive (the tribunals have made reference to other sources), and it has not always been decisive (in some cases, the ECtHR case law was not helpful). In any event, this use of human rights case law only happened in the early years of the tribunals. Once the constituent elements were defined, self-reference prevailed: the Chambers of the tribunals no longer referred to the human rights system in general or to the ECtHR in particular, but to previous judgments of the other Chambers or of the Appeal Chamber. This is also true of the tribunals that were created subsequently: the hybrid tribunals, such as the Special Court for Sierra Leone, and the International Criminal Court, have not felt compelled to refer to human rights case law, as precedents by other international criminal tribunals were available. Now, another phenomenon may develop: as the European Court is more and more involved in international humanitarian law and international criminal law issues, it may increasingly refer to the international criminal tribunals' case law in interpreting the European Convention of Human Rights.

Section C) Regional integration processes

Subsection 6. The European unification process

LOUKAS TSOUKALIS

The JCMS Annual Review Lecture. The Shattering of Illusions – And What Next?

in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011 , 19-44

(This article is dedicated to the memory of Tommaso Padoa-Schioppa, a leading European thinker and practitioner, who played a major role in the European construction and the creation of the euro in particular, and Susan Strange, a pioneer in the study of international political economy, who analysed the workings of casino capitalism and its internal explosive dynamics at an early stage. They both stood up against the intellectual orthodoxy of their time – what the French call 'la pensée unique').

Section C) Regional integration processes

Subsection 6. The European unification process



Avcı Gamze

The Justice and Development Party and the EU: Political Pragmatism in a Changing Environment

in *South European Society & Politics*, Volume 16, Issue 3, Special Issue: Part II. Turkey and the European Union: Accession and Reform, September , 409-421

The article focuses on the Justice and Development Party (Adalet ve Kalkınma Partisi, AKP) and assesses whether the AKP has given up on Turkey's European Union (EU) membership goal since the beginning of negotiations in 2005. The article first reviews the AKP's EU policy, and then analyses shifts in the domestic and institutional contexts of cooperation and their effects on the AKP's EU policy preferences and policy action in the form of reforms. The article concludes with the observation that the AKP has reverted to a 'passive activism' in its approach to the EU due to the high cost of passing high-stake reforms.

Section C) Regional integration processes

Subsection 6. The European unification process

Corrias Luigi

The Legal Theory of the Juridical Coup: Constituent Power Now

in *German Law Journal*, Vol. 12, issue 8 , 1553-1572

In a thought-provoking article, Alec Stone Sweet put forward a problem he called the juridical Coup d'État. His work was the opening of a debate to which Neil Walker, Wojciech Sadurski and Gianluigi Palombella contributed. In a subsequent essay, Stone Sweet responded to their comments. In this article, I would like to sketch this debate and explore its significance for legal theory. It is my hypothesis that the problem of the juridical coup is closely connected with the relationship between constituent (constituting) and constituted (constitutional) power. Moreover, the juridical coup shows in an exemplary way how this relationship should be understood. Before addressing the problem in these terms (Section C), analyzing an additional example of a juridical coup in EU law (Section D) and developing my own position vis-à-vis the different contributors (Section E), in the following section, I will give an overview of the argument of Stone Sweet. Taking into account the wealth of issues raised by him, I will concentrate on those aspects of his essay that are of most interest from a legal-philosophical point of view. Thus, the first question to be answered is: What are we to understand under a Juridical Coup d'État and what is its theoretical importance?

Full text available at:

<http://www.germanlawjournal.com/index.php?pageID=11&artID=1375>

Section C) Regional integration processes

Subsection 6. The European unification process

Beck Gunnar

The Lisbon Judgment of the German Constitutional Court, the Primacy of EU Law and the Problem of Kompetenz-Kompetenz: A Conflict between Right and Right in Which There is No Praetor

in *European law journal*, Volume 17, Issue 4, July , 470-494

The ECJ has long asserted its Kompetenz-Kompetenz (the question of who has the authority to decide where the borders of EU authority end) based on the Union treaties which have always defined its role as the final interpreter of EU



law. Yet, no national constitutional court has accepted this position, and in its Lisbon Judgment of 2009 the German Constitutional Court (FCC) has asserted its own jurisdiction of the final resort' to review future EU treaty changes and transfers of powers to the EU on two grounds: (i) ultra vires review, and (ii) identity review. The FCC justifies its claim to constitutional review with reference to its role as guardian of the national constitution whose requirements will constrain the integration process as a standing proviso and limitation on all transfers of national power to the EU for as long as the EU has not acquired the indispensable core of sovereignty, i.e. autochthonous law-making under its own sovereign powers and constitution, and instead continues to derive its own power from the Member States under the principle of conferral. Formally therefore, at least until such time, the problem of Kompetenz-Kompetenz affords of no solution. It can only be 'managed', which requires the mutual forbearance of both the ECJ and FCC which both claim the ultimate jurisdiction to decide the limits of the EU's powers—a prerogative which, if asserted by both parties without political sensitivity, would inevitably result in a constitutional crisis. The fact that no such crisis has occurred, illustrates the astute political acumen of both the FCC and the ECJ.

Section C) Regional integration processes

Subsection 6. The European unification process

Kirsch Andrea

The Loss of Citizenship by Revocation of Naturalization or ex lege: Overview of German Case Law and Legislative Changes of 2009

in *German Law Journal*, Vol. 12, issue 8 , 1659-1680

In recent years, German nationality law was subject to changes. Several legal issues that had previously not been decided by the Bundesverwaltungsgericht (Federal Administrative Court—FAC) and the Bundesverfassungsgericht (Federal Constitutional Court—FCC) were clarified by these courts. Still, some questions had been left unanswered; the courts explicitly demanded that parliament become active. Issues were namely the time limit for revocation of naturalization, the effect of revocations on third parties (like children) that had been naturalized at the same time and the effects of the discontinuance of certain premises that had been the condition for the obtainment of citizenship by children ex lege on their naturalization. Parliament complied with this call to action; in February of 2009, the changes came into force.

This article deals with revocation of naturalizations obtained by fraud on the one hand and with the question to what extent the citizenship of children is affected in the cases mentioned on the other hand. For that purpose, both the case law as well as the legislative changes will be presented and compared to each other.

Full text available at:

<http://www.germanlawjournal.com/index.php?pageID=11&artID=1378>

Section C) Regional integration processes

Subsection 6. The European unification process

Avcı Gamze

The Nationalist Movement Party's Euroscepticism: Party Ideology Meets Strategy



in **South European Society & Politics**, Volume 16, Issue 3, Special Issue: Part II. Turkey and the European Union: Accession and Reform, September , 435-447

This article explores what conditions or what specific issues lead to shifts in the positioning of the Nationalist Movement Party (Milliyetçi Hareket Partisi, MHP) towards Turkey's European Union (EU) membership goal. The article first examines the MHP's background and characteristics and compares it with similar parties in Western Europe. Subsequently, the MHP's EU stance during 1999–2002 and in the post-2002 period is discussed. The article concludes that ideology matters for the MHP but that shifts in degrees of Euroscepticism during particular periods can be explained by strategic considerations of the MHP, which respond to the party's electoral gains or losses, its position in the party political spectrum and whether it is in government, in opposition or outside parliament.

Section C) Regional integration processes

Subsection 6. The European unification process

Patel Kiran Klaus

The Paradox of Planning: German Agricultural Policy in a European Perspective, 1920s to 1970s

in **Past and Present**, Volume 212, Issue 1, August , 239-269

There are two ways to narrate the history of agriculture in modern Western countries, including Germany. The first — and better-known — could be called the story of decline: between 1850 and today the percentage of the workforce employed in agriculture dropped from fifty-five to two; and the sector's contribution to Germany's gross domestic product fell from 6 per cent in 1960 to roughly 1 per cent today. 1 By and large, the economic, social and political leverage of agriculture shrank, initially during the course of industrialization and later during the transformation to a service society; it became Western societies' sacrifice on the altar of modernity. What remained is a highly subsidized sector with a problematic output. Until recently, it has produced surpluses which are then either destroyed or sold to less developed countries, putting farmers there out of business. Also, agriculture is held responsible for a loss of biodiversity and other forms of environmental degradation. All in all, this interpretative framework highlights the farewell to an agrarian society and the problematic consequences that have accompanied this process. 2

The second is the triumphalist narrative. Never in human history have so few farmers been able to feed the vast majority of a country's population. In early twentieth-century Germany, for instance, it took one farmer to produce food for four people. Today, a single farmer can feed more than 140 persons. In Europe, hunger has been eradicated in the post-war years. 3 Historians like Giovanni Federico remind us that the story of modern Western agriculture is also a story of growth — of the potentials of modern technology and of the success of political and economic planning. It was modern agriculture that led to the final victory over the Malthusian thought that had inspired and driven so many politicians, pundits and ...

Section C) Regional integration processes

Subsection 6. The European unification process

Kelemen R. Daniel, Tarrant Andrew D.

The Political Foundations of the Eurocracy

in **West European Politics**, vol. 34, n. 5 , 922-947

ABSTRACT: This article explores the politics behind the design of EU regulatory institutions. The EU has established an



extensive 'Eurocracy' outside of the Commission hierarchy, including over 30 European agencies and a number of networks of national regulatory authorities (NRAs). The article examines the politics of institutional choice in the EU, explaining why EU policy-makers create agencies in some policy areas, while opting for looser regulatory networks in others. It shows that the design of EU regulatory institutions – 'the Eurocracy' – is driven not by functional imperatives but by political considerations related to distributional conflict and the influence of supranational actors.

Section C) Regional integration processes

Subsection 6. The European unification process

Azevedo Alves André

The Portuguese Malaise: Structural Causes of the Crisis and Lessons for the Eurozone in Economic Affairs, Volume 31, Issue 2, June 2011 , 47-52

The analysis of the structural causes of the Portuguese crisis points to a mix of internal and external factors that reinforced each other. Among the external factors were the perverse incentives posed by the current institutional setting in the EU and the single currency. These have wider implications for the eurozone in that the long-term sustainability of the eurozone will require more effective operation of internal adjustment mechanisms. Additionally, the implementation of monetary competition in the eurozone is suggested as an alternative to the current path towards greater centralisation.

Section C) Regional integration processes

Subsection 6. The European unification process

Piattoni Simona

The Problematic Coexistence of Functional and Territorial Representation in the EU in Journal of European Integration, Volume 33, Issue 4 , 369-384

The paper explores the difficult coexistence between territorial and functional representation in the European Union. It starts by presenting a rather general framework for the analysis of territorial and functional claims that distinguished between 'lumpy' claims — indivisible claims that can be made only by representatives of collective actors on the basis of shared identities and that cannot, therefore, be parceled out or compromised upon — and 'divisible' claims — claims forthcoming from individual actors that can be aggregated and presented as 'categorical', but whose aggregation does not give rise to any collective identity. After discussing (and discarding) the more radical views that consider territorial representation as wholly outdated and ineffective, it sketches two more nuanced solutions to the problematic coexistence of territorial and functional representation — democratic experimentalism and multi-level governance — that purport to describe the ways in which binding decisions are made in the EU. It concludes that the representational mixes embodied in these solutions are indeed viable, but that they both require the willingness on the part of territorial and functional representatives to shed their 'lumpy' claims and to be ready to compromise over 'divisible' claims.

Section C) Regional integration processes



Subsection 6. The European unification process

Szydło Marek

The Process of Granting Exclusive Rights in the Light of Treaty Rules on Free Movement
in *German Law Journal*, Vol. 12, issue 7 , 1408-1445

After the Sporting Exchange and Ernst Engelmann rulings of the European Court of Justice (ECJ) in 2010, it is now entirely clear that the process of granting exclusive rights to undertakings must be conducted in compliance with the Treaty rules on free movement, particularly in accordance with the consequent principles of non-discrimination, equal treatment and transparency, irrespective of whether the right is awarded by means of a public contract or by other legal means (public or private). Thus, even if public authorities wish to exclude competition in a given market due to justified reasons, and are authorized by EU law to do so, they must nonetheless ensure a sufficient degree of competition for that market so as to ensure an undistorted rivalry of the various market operators at the stage of application for that right. It is submitted that the public authorities granting exclusive rights should not complain about the requirements that are imposed upon them by the TFEU rules. After all, by granting exclusive rights within competitive and transparent procedures, the public authorities have an excellent chance to select, from among the many potentially interested operators²¹³; including those from other Member States²¹³; beneficiaries that will best serve the needs of the relevant community. In turn, if they want to depart from those requirements, they must substantiate the existence of a clearly defined public interest that is capable of outweighing the benefits resulting from a competitive and transparent procedure.

Full text available at:

<http://www.germanlawjournal.com/index.php?pageID=11&artID=1367>

Section C) Regional integration processes

Subsection 6. The European unification process

Shawn Donnelly

The Public Interest and the Economy in Europe in the Wake of the Financial Crisis
in *European Political Science (ECPR)*, Volume 10, Issue 3 , 384–392

The financial crisis increased the importance of the member states at the expense of European Union (EU) rules on the single market and Economic and Monetary Union. The commission allowed exceptions that could become lasting if the economic downturn persists. At the same time, the EU has supported stronger financial market regulation, but not in corporate governance, where the member states retain reserved powers. The EU only gets and keeps institutions that the member states support.

Section C) Regional integration processes

Subsection 6. The European unification process

WILLIAM E. PATERSON

The Reluctant Hegemon? Germany Moves Centre Stage in the European Union
in *Journal of Common Market Studies*, Volume 49, Issue s1, September 2011 , 57-75

The Federal Republic of Germany has been distinctive in its commitment to integration and enlargement and has always



played a key-role in European integration. But the eurozone crisis has proved to be a tipping point for classic German Europeanism while simultaneously Germany has been pushed somewhat reluctantly centre stage to become Europe's reluctant hegemon. In this article we will examine how this tipping point was arrived at, how the German government has performed in this new role and the implications for Germany and the wider EU.

Section C) Regional integration processes

Subsection 6. The European unification process

Celep Ödül

The Republican People's Party and Turkey's EU Membership

in *South European Society & Politics*, Volume 16, Issue 3, Special Issue: Part II. Turkey and the European Union: Accession and Reform, September , 423-434

As the founder of the Turkish secular state, the Republican People's Party (CHP) has defended the Westernisation of Turkish society, supported Turkey's acceptance to the EU as a full member, and played crucial roles in Turkey–EU relations. Nevertheless, the CHP's language towards the EU started to sound critical during the 2000s. This study argues that the CHP's seeming scepticism towards the EU is not an ideological U-turn, but a conditional situation. The CHP's Euroscepticism is an outcome of its distrust of the Justice and Development Party government's honesty and ability in implementing the required reforms for Turkey's EU membership.

Section C) Regional integration processes

Subsection 6. The European unification process

Hennessy Alexandra

The Role of Agenda Setting in Pension Market Integration

in *Journal of European Integration*, Volume 33, Issue 5 , 577-597

Through a study of pension market integration, this article analyzes variation in the European Commission's ability to use its agenda setting tools effectively. Contrasting failed and successful negotiations over European pension directives, the main argument is that efficient agenda setting in this policy area requires the Commission to build strategic coalitions, frame issues in a way that resonates with key actors, set aside internal rivalries, trim a crowded agenda, and enhance the quality of information flows regarding workplace pension reform options and limits in other countries.

Section C) Regional integration processes

Subsection 6. The European unification process

Mueller Wolfgang

The Soviet Union and Early West European Integration, 1947-1957: From the Brussels Treaty to the ECSC and the EEC

in *Journal of European Integration History*, vol. 15, n. 2 , 67-86

The Soviet reaction to the first steps of West European integration after World War II was influenced by Cold-War thinking and ideological preconceptions. The main tools of the Soviet struggle against the ECSC, EDC and EEC projects



were denunciations of the new institutions, threats, attempts at stirring up discord between their members, and propagandistic offers of “all-European cooperation”. Recently declassified papers of the Soviet foreign minister Viacheslav Molotov and the Foreign Ministry grant us new insights into the Kremlin’s opinions about early European integration and into the background of Moscow’s reaction. The evidence enables us to reassess the preparation of Soviet countermeasures, in particular, the link between, on one hand, Soviet protests against French participation in the EDC and, on the other hand, the Stalin Notes on Germany. Further evidence contributes to a more accurate assessment of the Soviet initiatives for “all-European economic cooperation”, particularly in the UNECE, and against the creation of the EEC.

Section C) Regional integration processes

Subsection 6. The European unification process

Erlingsson Gissur Ó., Persson Mikael

The Swedish Pirate Party and the 2009 European Parliament Election: Protest or Issue Voting?
in *Politics*, Vol. 31, Issue 3, October , 121-128

In the 2009 Swedish European Parliament election, the Pirate Party gained 7.1 per cent of the votes. We evaluate the sudden and unexpected success of the Pirate Party by testing two competing explanations: did voters cast their votes for the party as a protest against the established parties, or can the result be explained by voters' opinions regarding the party's main political issues? Contrary to popular beliefs, empirical evidence indicates that the success of the Pirate Party cannot be explained with reference to protest voting. Rather, the most important reason why individuals voted for the Pirate Party was the importance they ascribed to the party's main political issues.

Section C) Regional integration processes

Subsection 6. The European unification process

Akşit Sait, Şenyuva Özgehan, Gürleyen Işık

The Turkish Parliamentary Elite and the EU: Mapping Attitudes towards the European Union
in *South European Society & Politics*, Volume 16, Issue 3, Special Issue: Part II. Turkey and the European Union: Accession and Reform, September , 395-407

This study aims to map out the opinions and attitudes of the Turkish parliamentary elite regarding Turkey's membership of the European Union in general and the future of Europe in particular. The parliamentary elite group consists of political party representatives present in the current Turkish Grand National Assembly. The study uses the findings of the Turkish Elite Survey 2009 conducted by the Center for European Studies, Middle East Technical University. The article argues that while Turkish parliamentarians support Turkey's entry into the EU, particularly on security grounds, there are significant signs of lack of trust in EU institutions.

Section C) Regional integration processes

Subsection 6. The European unification process

The accession of the European Union to the European Convention on Human Rights and Fundamental



Freedoms

in **Common Market Law Review**, vol. 48, issue 4 , 995-1023

ABSTRACT: After more than fifty years of debate on the relationship between the EC/EU and the ECHR, the Lisbon Treaty introduced a provision requiring, without any doubt, the Union to accede to the Convention: Article 6(2) TEU. After a brief historical review of the developments leading up to this step, the article analyses critically the present state of negotiations, on the basis of the draft texts produced by the CDDH informal working group on the accession of the European Union to the European Convention on Human Rights (CDDH-UE) with the European Commission. The most important topics concern the scope of accession, the extent of control over EU action and remedies. The question what status is to be given to the EU within the ECHR system is also addressed. The crucial issues of the division of responsibility between the Union and its Member States - including the proposed co-respondent system - and the possible means of involving the European Court of Justice in relation to alleged infringements of human rights are examined.

Section C) Regional integration processes

Subsection 6. The European unification process

Drescher Christian

The case of the ECB: Better to lean against the wind than to fight a hurricane

in **Intereconomics**, Volume 46, Number 4 / August 2011 , 197-204

In the light of the recent financial crisis, the ECB has announced a slight shift in the reading of its monetary policy strategy and acknowledges that the case for a "leaning against the wind" strategy has strengthened. This implies that now, more than ever, the ECB is willing to dampen asset bubbles in the early stage of their formation. This article explains what the ECB can learn from historical asset bubbles in EU eurozone member countries. The empirical analysis indicates that asset bubbles in some member countries are mostly followed by asset bubbles in further member countries, which supports the ECB's current reading of its monetary policy strategy.

Section C) Regional integration processes

Subsection 6. The European unification process

Lisa Maria Dellmuth

The cash divide: the allocation of European Union regional grants

in **Journal of European Public Policy** , Volume 18, Issue 7 2011 , 1016-1033

To promote economic and social cohesion, the European Union (EU) structural funds part-finance public investment programmes in European regions with about €30 billion per year. This article develops an explanation for the apportionment of structural funds across EU regions. It is argued that the Commission's decisions on regional transfer levels reflect its bureaucratic interest and potentially undermine EU goals. Using a new data set on regional transfer payments in the EU-15 from 2000 to 2006, and qualitative interviews with decision-makers, this argument is tested and corroborated. In doing so, it is shown that the recipient regions' level of economic affluence is necessary, but no sufficient explanatory factor for regional transfer levels. In contrast to previous findings in the literature, the empirical record does not suggest that regional partisan politics has an effect on the size of regional transfer levels.



Section C) Regional integration processes

Subsection 6. The European unification process

Mark Thatcher

The creation of European regulatory agencies and its limits: a comparative analysis of European delegation
in *Journal of European Public Policy* , Volume 18, Issue 6 2011 , 790-809

Agency creation at the European Union (EU) level differs from that at the national one. European regulatory agencies (ERAs) have limited formal powers and separation from other actors, resembling networks rather than stand-alone agencies. ERAs for economic regulation have been created later and in smaller numbers than for social regulation. Using a historical rational analysis, this paper argues that past delegations to other non-majoritarian institutions at the EU and national levels condition the creation of European agencies. The Commission has defended its existing role and powers, accepting ERAs when they aid its strategy to increase its own reach and ensuring that it has many controls over them. When member states have created independent regulatory agencies (IRAs), those IRAs have defended their autonomy and resisted strong ERAs. Formalized EU networks of IRAs have hindered the establishment of powerful ERAs and when created, ERAs have involved layering and conversion of those networks. Hence formal delegation to ERAs has been limited and uneven.

Section C) Regional integration processes

Subsection 6. The European unification process

Schelkle Waltraud

The euro area after another crisis summit: Ignore the elephant in the room at your peril
in *Intereconomics*, Volume 46, Number 4 / August 2011 , 178-179

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Flassbeck Heiner, Spiecker Friederike

The euro — a story of misunderstanding
in *Intereconomics*, Volume 46, Number 4 / August 2011 , 180-187

From the very beginning of the European Monetary Union the crucial institutions, the European Commission and the European Central Bank, led by mainstream economic thinking, were not up to their task of controlling the core of the system effectively. A huge gap in competitiveness among the member states has arisen due to German wage-dumping policy on the one hand and, on the other, wage growth in Southern Europe which is above the growth of productivity plus the inflation target of 2%. A European-wide coordination of wage policy is the only promising way to close this gap. However, as wages and competitiveness are not high on the agenda of the politicians responsible and their advisers, time to save the euro is running out.

Section C) Regional integration processes



Subsection 6. The European unification process

Glatz Hanns, Palacio Ana, Sally Razeen

The future of world trade: EU priorities for the global trading system after the crisis in European View , vol. 10, n. 1, June , 143-145

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Ekins Paul, Pollitt Hector, Barton Jennifer, Blobel Daniel

The implications for households of environmental tax reform (ETR) in Europe in Ecological Economics, Volume 70, Issue 12, 15 October , 2472-2485

The paper discusses the distributional implications of environmental tax reform (ETR) for households, and presents new results from modelling the impacts of a major ETR for the European Union. The distributional effects arise from the new environmental taxes, any tax reductions made as part of the ETR, the wider macroeconomic impacts from the ETR, any special provisions in the ETR, and the environmental benefits from the ETR. The paper's literature review makes clear that while the impacts from taxes on the household use of energy are very often regressive, transport taxes tend not to be, although the impacts differ between urban and rural households. Moreover, the net distributional impact is often less regressive, or not at all, once the wider distributional effects are taken into account. Residual regressive effects can in principle be removed by further adjustments in the tax or benefits system. The modelling results suggest that an ETR in Europe will actually increase real incomes across the EU as a whole, and will not be generally regressive, although the results differ by country and for different socio-economic groups. The political acceptability of ETR may depend on the worst effects on these groups being mitigated in some way.

Section C) Regional integration processes

Subsection 6. The European unification process

Laura Cram

The importance of the temporal dimension: new modes of governance as a tool of government in Journal of European Public Policy , Volume 18, Issue 5 2011 , 636-653

This article offers an alternative perspective to those which view 'new modes of governance' as evidence of a democratic-participatory turn in the European Union. The temporal dimension in public policy analysis is emphasized. New modes of governance, such as the Open Method of Co-ordination and civil dialogue, are unlikely to reduce the democratic deficit in the short term. Indeed by enhancing the role of unelected institutions and allowing national executives to bypass sceptical electorates, such processes may undermine democracy in the Union. Over the long term, however, new modes of governance and their accompanying narrative may have an important role to play in the European integration process, even contributing to the 'invention' of a people for the European Union.

Section C) Regional integration processes

Subsection 6. The European unification process

Costello Rory, Thomson Robert



The nexus of bicameralism: Rapporteurs' impact on decision outcomes in the European Union
in *European Union Politics* , Vol. 12, n. 3, September , 337-357

When the chambers of a bicameral legislature must negotiate to reach a decision outcome, the bargaining strength of each side is affected by the composition of its negotiating delegations. We examine some of the implications of this proposition for legislative negotiations between the European Parliament (EP) and the Council of Ministers. We develop and test hypotheses on how the bargaining success of the EP is affected by the choice of its chief negotiator, the rapporteur. Our findings support the argument that negotiators in a bicameral setting play a 'two-level game', where bargaining strength is shaped by the degree to which negotiators can credibly claim to be constrained by their parent chamber.

Section C) Regional integration processes

Subsection 6. The European unification process

Martino Maggetti, Fabrizio Gilardi

The policy-making structure of European regulatory networks and the domestic adoption of standards
in *Journal of European Public Policy* , Volume 18, Issue 6 2011 , 830-847

European regulatory networks (ERNs) constitute the main governance instrument for the informal co-ordination of public regulation at the European Union (EU) level. They are in charge of co-ordinating national regulators and ensuring the implementation of harmonized regulatory policies across the EU, while also offering sector-specific expertise to the Commission. To this aim, ERNs develop 'best practices' and benchmarking procedures in the form of standards, norms and guidelines to be adopted in member states. In this paper, we focus on the Committee of European Securities Regulators and examine the consequences of the policy-making structure of ERNs on the domestic adoption of standards. We find that the regulators of countries with larger financial industries tend to occupy more central positions in the network, especially among newer member states. In turn, network centrality is associated with a more prompt domestic adoption of standards.

Section C) Regional integration processes

Subsection 6. The European unification process

Wetzel Anne

The promotion of participatory governance in the EU's external policies: compromised by sectoral economic interests?

in *Democratization*, vol. 18, n. 4, July, Special Issue: DEMOCRACY PROMOTION IN THE EU'S NEIGHBOURHOOD: FROM LEVERAGE TO GOVERNANCE? , 978-1000

Besides the more conventional top-down leverage and bottom-up linkage approach, the European Union (EU) uses a third way to promote democracy in third countries: promotion of democratic governance through functional cooperation in policy sectors. This governance model of democracy promotion has so far been studied only with regard to its effectiveness in target countries. In contrast to earlier research, this contribution takes an 'input' perspective and asks whether adverse sectoral economic interests prevent the EU from consistent democratic governance promotion. Based on three case studies from the two policy sectors of environmental and fisheries policy, the contribution concludes that



EU democratic governance promotion is indeed inconsistent when sectoral economic interests are at stake. The governance model is thus subject to the same pattern of inconsistency as the leverage and linkage model with regard to economic interests.

Section C) Regional integration processes

Subsection 6. The European unification process

Di Quirico Roberto

The prospects for democratization in the European Union post-Soviet neighbours: An overview in Comparative European Politics, vol. 9, n. 4-5, september-december , 432-447

ABSTRACT: After 1991, almost all European post-Soviet republics evolved into authoritarian or, at best, hybrid regimes. The absence of an EU accession prospective that supported democratization in Central-Eastern Europe is only one aspect to consider for explaining the failure of democratization in the European post-Soviet neighbourhood. I argue that other elements also matter. This article examines failed democratization process through a comparative study of the political transformations in Russia, Belarus, Moldova and Ukraine. It formulates some hypotheses on democratization prospects in the area. I show that the process of transformation can be defined as pre-democratic. Finally, I highlight that the processes that should provide these countries with a solid democratic foundation suffer from the lack of powerful agents of change.

Section C) Regional integration processes

Subsection 6. The European unification process

Raffaelli Rosa

The returns directive in light of the El Dridi judgment in Perspectives on federalism, Vol. 3, issue 1 , N- 32-45

The judgment of the Court of Justice of the EU in the El Dridi case clarifies the scope of application of the Returns Directive, in particular with regard to the difference between criminal detention and pre-return detention and to the general objectives of the EU's immigration policy. The ruling will have far-reaching consequences not only on the Italian criminal and expulsions system, but also on the national legislations of a number of Member States

Full text available at:

<http://www.on-federalism.eu/index.php/notes/92-the-returns-directive-in-light-of-the-el-dridi-judgment->

Section C) Regional integration processes

Subsection 6. The European unification process

Siegfried Schieder, Rachel Folz and Simon Musekamp

The social construction of European solidarity: Germany and France in the EU policy towards the states of Africa, the Caribbean, and the Pacific (ACP) and Central and Eastern European Countries (CEEC) in Journal of International Relations and Development, Volume 14, Issue 4 , 469–505

This article compares the foreign policies of France and Germany in the 1990s towards the European Union (EU)'s



special relationships with the countries of Africa, the Caribbean and the Pacific (ACP) on the one hand and the Central and Eastern European countries (CEEC) on the other. Whereas France advocated support for ACP interests, Germany supported those of the CEEC. We argue that French and German prioritisations cannot sufficiently be explained by rationalist, interest-based approaches (i.e. neorealism, economic liberalism and institutionalism) and offer a constructivist supplement to fill in the gaps. This approach is based on the concept of solidarity. First, we develop our theoretical concept and identify three principles of solidarity action (i.e. ties, need and effort). We then apply our concept of solidarity to show how French and German policies towards the Cotonou Agreement, concluded in 2000 with the ACP, and the EU's Eastern enlargement process were shaped by different social constructions of solidarity, resulting in strong preferential support for either the ACP (France) or the CEEC (Germany).

Section C) Regional integration processes

Subsection 6. The European unification process

Heemskerk Eelke M.

The social field of the European corporate elite: a network analysis of interlocking directorates among Europe's largest corporate boards

in *Global Networks*, vol. 11, n. 4, October, 440-460

ABSTRACT: In this article I investigate the emerging patterns of the European corporate elite network as an example of a European social field, as described by Fligstein. The findings confirm that interlocking directorates form a European corporate network. However, the intercorporate network rests on a very small group of European corporate elite members: it remains the playground of a select few pan-European 'big linkers'. Although financial institutions and bankers appear in the upper echelons of the network, they do not occupy crucial positions. Rather, (former) CEOs of Europe's largest big non-financial businesses knit together the network of interlocking directorates. The network rests on a coalescence of finance and industry, rather than on the dominance of the one over the other. Although the project of European unification has been quite successful in organizing the formal institutional structures, it has not yet led to reproduction of a European business community reminiscent of the national communities.

Section C) Regional integration processes

Subsection 6. The European unification process

Asya Zhelyazkova, René Torenlid

The successful transposition of European provisions by member states: application to the Framework Equality Directive

in *Journal of European Public Policy*, Volume 18, Issue 5 2011, 690-708

The present study aims to explain variation between member states in compliance with provisions of a European Union (EU) law. Predictions are derived about the effects of technical fit, discretion, Commission warnings, and conflict in the Council on the probability of member-state transposition of separate EU policy requirements. Hypotheses are tested on the level of compliance of 15 member states with 27 major provisions laid down in the Framework Equality Directive (2000/78/EC). Extensive analysis of documents and reports from key informants provided information on member-state transposition progress at the end of 2004 and 2006. Results show that the domestic adaptation costs to a provision play an important role for member-state transposition success: high levels of fit and provisions granting discretion improve member-state transposition success. Formal warnings by the Commission lead to a better compliance record, while conflict in the Council does not affect the successful transposition of provisions.



Section C) Regional integration processes

Subsection 6. The European unification process

Howorth Jolyon

The 'New Faces' of Lisbon: Assessing the Performance of Catherine Ashton and Herman van Rompuy on the Global Stage

in *European Foreign Affairs Review*, vol. 16, issue 3 , 303-323

ABSTRACT: The Treaty of Lisbon created two key new positions: President of the Council and High Representative for Foreign Affairs and Security Policy Vice President of the Commission. These positions were filled, respectively, by Belgium's former Prime Minister, Herman van Rompuy, and the UK's Catherine Ashton. This article examines the process by which these appointments were made and assesses the performance of the post holders during the first eighteen months of their tenure. It asks what could reasonably have been expected of these two leaders in a context where Member States continue to exercise power and influence alongside rather than via the European Union and in which major events - the sovereign debt crisis and the Arab spring - have challenged the incumbents to stamp their mark on Europe's position in the world. It concludes that van Rompuy has performed relatively satisfactorily, whereas Ashton is widely perceived to have failed in making her mark.

Section C) Regional integration processes

Subsection 6. The European unification process

Donley T. Studlar, Kyle Christensen, Arnita Sitasari

Tobacco control in the EU-15: the role of member states and the European Union

in *Journal of European Public Policy* , Volume 18, Issue 5 2011 , 728-745

Various explanations have been advanced for the adoption of increasingly restrictive tobacco control policies in Western democracies, usually based on an examination of individual instruments. Some of the more popular explanations are socioeconomic modernization, interest group politics, political institutions, government ideology and vertical diffusion from the European Union (EU). This paper uses statistical models to test explanations of tobacco control policy across 15 EU member states adopting instruments of Comprehensive Tobacco Control Policy (CPTC) over two decades. Socioeconomic modernization, economic interest groups and domestic political factors all play a role in policy. Although there is declining influence of pro-tobacco domestic constituencies, adoption of CPTC is still inhibited by corporatist practices in member states. Vertical policy diffusion through the EU has aided domestic sources of policy adoption, making tobacco control policy one of multi-level governance and enhancing its comprehensiveness.

Section C) Regional integration processes

Subsection 6. The European unification process

Dumoulin André

Toward a European Union Security and Defence White Paper: between "non-Identified Object" and Window of Opportunity

in *Revue internationale et stratégique*, 2011/2 (n° 82) , 40-50

It has become a necessity to draft a White Paper for European Union Security and Defence. Despite a long history of



obstacles and hesitation around the subject, an operational, doctrinal and military-technological base for the European Security Strategy is very much needed. The White Paper will also be used to initiate a change of defence instruments with harmonisation of schedules and national defence policies. The economic environment has provided a window of opportunity with budget constraints requiring synergy, sharing and enhanced cooperation. It has also enabled the drafting of this useful document.

Section C) Regional integration processes

Subsection 6. The European unification process

Majocchi Antonio

Towards a European Federal Fiscal Union

in Perspectives on federalism, Vol. 3, issue 1 , E-78-98

The financial crisis revealed the inadequacy of the European Economic and Monetary Union. The response of the EU and of the countries of the Eurozone has been slow and weak, due to the substantially confederal character of the Union and to the limited dimensions of its budget. To try getting out of this impasse it is necessary to promote as soon as possible an initiative to start a political project envisaging the creation of a European Federal Fiscal Union, along the lines followed in the past to achieve the single currency. The first stage should be the creation of a European Fiscal Institute, whose main task should be to save those countries that risk being swept away by the sovereign-debt crisis and to pave the way for the subsequent institutional move toward a Federal Fiscal Union and the institution of a European Treasury. The Fiscal Institute could play the role, in the realization of the Fiscal Union, that had been entrusted to the European Monetary Institution as a prerequisite for the start of the ECB. During a second phase, an issue of Eurobonds would be necessary to supply the UE the financial means needed to support the setting up of a recovery plan of the European economy, to favour a productivity and competitiveness increase, to promote a transition toward a sustainable economy. To be politically manageable, the European budget should increase moderately and should not exceed, in the medium term, 2% of GDP. However it should be necessary to anticipate the return to a system of real resources, substituting what is known as the fourth resource with a European surtax on the national income taxes paid directly by the citizens to the European budget. A new resource could also be assured with the approval of the proposal recently put forward by the European Commission in a Draft Directive to introduce a carbon/energy tax as from 2013. Still from this budget reform perspective, the introduction of a tax on the financial operations of a speculative nature could be considered in the perspective of also guaranteeing a more orderly development of the international financial system. During the last phase, aimed at creating a real Federal Fiscal Union, the budget, based on own resources, would be managed by a federal European Treasury, responsible for the coordination of the EU economic policy and the transition to a sustainable economy. Once this institutional reform is carried out, it would be quite realistic to envisage the creation of a European Finance Minister.

With the creation of a Federal Treasury, after the single currency, would see the birth of a second arm of the Federal State in view of the attribution process to the Union of a decision-making power in foreign policy and in the security sector, starting within the perimeter initially of the Eurozone, where an ever increasing interdependence is manifest and where it is possible to foresee further development in a Federal direction.

The decision to go ahead with the constitution of a Fiscal Union, with a Treasury and a Federal Finance, must be accompanied by a contextual decision fixing the date for the start of a fully fledged completed European Federation since one fundamental principle of democracy is "No Taxation without Representation".

Full text:

<http://www.on-federalism.eu/index.php/essays/96-towards-a-european-federal-fiscal-union>



Section C) Regional integration processes

Subsection 6. The European unification process

Freyburg Tina

Transgovernmental networks as catalysts for democratic change? EU functional cooperation with Arab authoritarian regimes and socialization of involved state officials into democratic governance

in **Democratization**, vol. 18, n. 4, July, Special Issue: DEMOCRACY PROMOTION IN THE EU'S NEIGHBOURHOOD: FROM LEVERAGE TO GOVERNANCE? , 1001-1025

With the European Neighbourhood Policy, the European Union (EU) intensified functional cooperation in a wide range of sectors. This contribution investigates whether this kind of transnational exchange can trigger subtle processes of democratization. It argues that third state officials become acquainted with democratic governance by participating in transgovernmental policy networks implementing functional cooperation between state administrations of established democracies and authoritarian regimes. In this vein, it enriches the governance model of democracy promotion by adding a new level, the micro-level of democratic socialization. Empirically, the argument is tested taking two Twinning projects that the EU has set up in Morocco, that is, the projects on competition policy and on the environment. The conclusion is that in some non-politicized policy fields, such as the environment, EU transgovernmental policy networks can successfully yield processes of democratic socialization in the context of a stable authoritarian regime, like that in Morocco.

Section C) Regional integration processes

Subsection 6. The European unification process

Maubernard Christophe

Transparence, procès équitable et union de droit

in **Revue du Marché Commun et de l'Union Européenne**, n. 551, septembre , 498-505

The requirement of transparency applies to the Union's institutions and bodies, in order to allow a consistent and constructive exchange with European citizens, as encouraged by new article 11 item 3 of the Treaty instituting the European Union, as well as EC regulation n° 1049/2001 relating to access to the documents of some institutions. The European Union Court of Justice, even before its codification, had made a principle of the concept. However, no judge had had an opportunity to rule on the impact of the principle of transparency in legal proceedings. That has been done in the API ruling entered on September 21, 2010. Considering that proceedings documents play a vital role in the proper sequence of proceedings and therefore help ensure fair proceedings, the Court of Justice does not hesitate to clarify the cases where the principle can be usefully claimed and those where, on the contrary, it has to be rule out, including to reconcile the rights of defence with legitimate citizen information. The principle of transparency is therefore the subject of a specific application in legal proceedings.

Section C) Regional integration processes

Subsection 6. The European unification process

Crombez Christophe, Hix Simon



Treaty reform and the Commission's appointment and policy-making role in the European Union
in *European Union Politics* , Vol. 12, n. 3, September , 291-314

This article analyses the role of the Commission in the European Union (EU). We present a game-theoretical model of two EU processes — Commission appointment and the adoption of legislation — and apply this model to the appointment of recent Commissions and their legislative programmes. Institutional reforms of the EU have led to more involvement of the European Parliament and majority voting in the Council in both processes. We find that the introduction of majority voting in the legislative process in the mid-1980s let the Commission move policy further from the status quo. Yet unanimity for appointing the Commission still allowed the member states to commit to a legislative programme that was preferred by all of them. More recently, the move to majority voting for appointing the Commission, combined with the ability of the European Parliament to amend Commission proposals, has moved the EU towards a more majoritarian political system. However, the potential policy consequences of these changes have been limited thus far because of the particular configuration of policy preferences of the governments and the European Parliament.

Section C) Regional integration processes

Subsection 6. The European unification process

Canan-Sokullu Ebru Ş.

Turcoscepticism and Threat Perception: European Public and Elite Opinion on Turkey's Protracted EU Membership

in *South European Society & Politics*, Volume 15, Issue 3, Special Issue: The 'Politics of the Past' in South European Democracies. *Comparative Perspectives*, September , 483-497

This article examines the political debate surrounding Turkey's protracted accession to the European Union (EU) from the viewpoints of mass and elite opinion in Europe, focusing on the impact of Islamophobia and the fears about immigration. It investigates how threat perception reflects itself in the form of Turcoscepticism. It concerns itself with (i) whether Turcoscepticism is based on perceived threats of Islamic extremism or immigration influxes, and (ii) how these perceived threats affect public and elite attitudes towards Turkey's EU membership. Through a quantitative investigation of public and elite polling data (2006–08), the analysis reveals that Islamophobia and fear of immigration contribute to Turcosceptic anxiety in Europe only at the mass level.

Section C) Regional integration processes

Subsection 6. The European unification process

Carlucci Francesco, Melchionni Maria Grazia

Turkey, Europe and the economic crisis

in *Rivista di Studi Politici Internazionali*, Volume 78, n. 1, gennaio-marzo , 41-50

Based on literature and pamphlets mainly concerning Turkey's foreign policy, EU documentation, articles on journal and working papers published by research centres, press information, the article deals with the perspectives for the accession negotiations after the crisis. It begins by outlining the current status of EU-Turkey negotiations and the obstacles preventing its progress. Then it focuses on the wider Middle East after the end of the Iraqi war and at the beginning of a difficult resumption of the Israeli-Palestinian peace progress, and describes the role of regional actor



Turkey has played recently. Afterwards it briefly defines the main characters of the present crisis, acknowledging different expectations the economists have of its duration, and examines the impact it is having on the EU and on Turkey. At the end the Authors do not try to foresee the final outcome of the negotiations, which have been scheduled from the beginning to be a long process and as such will be exposed to other contingencies than the crisis occurring in time. What they aim at doing is to present an overview of the crisis effects on the evaluation the EU and Turkey can do of the merits or disadvantages of Turkish membership of the EU, as well as of their determination to achieve this end.

Section C) Regional integration processes

Subsection 6. The European unification process

Düzgit Senem Aydın, Suvarierol Semin

Turkish Accession and Defining the Boundaries of Nationalism and Supranationalism: Discourses in the European Commission

in South European Society & Politics, Volume 15, Issue 3, Special Issue: The 'Politics of the Past' in South European Democracies. Comparative Perspectives, September , 469-482

The European Union in general and the European Commission in particular are characterised by supranational governance. The enlargement policy gives the Commission the opportunity to export and promote supranational norms and define the boundaries of Europe as a supranational polity through the conditionality of membership and intensive contact with the candidate countries. This article analyses the discourses of the Commission on Turkey and gives us insights into how well Turkey fits the supranational model in the eyes of Commission officials. It demonstrates how the boundaries of supranationalism are set and even challenged by the prospects of Turkey's accession.

Section C) Regional integration processes

Subsection 6. The European unification process

Patel Kiran Klaus, Schot Johan

Twisted Paths to European Integration: Comparing Agriculture and Transport Policies in a Transnational Perspective

in Contemporary European History , vol. 20, n. 4, November , 383-403

Taking the comparison of agricultural and transport policies as an example, this article argues for a new way of writing European integration history. It goes beyond the state-centric confines of the diplomatic history which has dominated the field so far and challenges the teleologies in most accounts. Instead, it argues for the need to take into account long-term perspectives as well as the role of transnational actors with a more contingent narrative. Moreover, it demonstrates that the availability of alternative inter- and transnational regimes can be decisive for the trajectory of integration within EC/EU parameters.

Section C) Regional integration processes

Subsection 6. The European unification process

Michel Quentin

UE post-Lisbonne: entre consécration de l'intergouvernemental et renforcement du communautaire

in Fédéralisme Régionalisme , Volume 11, Numéro 2 - Le régionalisme international : regards croisés. Europe, Asie et Maghreb



Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=1098>

Section C) Regional integration processes

Subsection 6. The European unification process

Coppolaro Lucia

US Policy on European Integration during the GATT Kennedy Round Negotiations (1963–67): the last Hurrah of America's Europeanists

in *International History Review (The)*, Volume 33, Issue 3, 2011 , 409-429

Abstract

This article illustrates US policy on European integration and the European Economic Community (EEC) by focusing on the General Agreement on Tariff and Trade (GATT) Kennedy Round negotiations (1963–7). However underestimated in the history of international relations, GATT provides in fact an outstanding framework for analysing the foreign policy of its members. Whilst analyses of the Round per se already exist, no scholar thus far has focused on US policy towards European integration. Moreover, no previous author has utilised the European archives and has examined the stances of the EEC. This article shows that US support for European integration, which both Kennedy and Johnson followed at the behest of the 'Europeanists' in their respective administrations, conditioned the bargaining position of the United States in Geneva. The US negotiators tried to enhance US trade interests while at the same time attempting to encourage European regional integration. In so doing, the United States played a role in the strengthening of European regional integration by favouring the unity of the area. Moreover, contrary to previous accounts, this article shows that US negotiators were able to direct and move forward a complicated negotiation, showing Washington's leadership. The article concludes by showing that the Kennedy Round ended a period of about twenty years during which the United States acted to promote the unity of Western Europe. At the end of the 1960s, with the worsening of the US economic conditions, the tension in transatlantic relations over monetary and security issues, and the strength that the EEC demonstrated during the Kennedy Round, 'the Europeanists' were no longer able to prevail with their line in the internal discussions. This change became apparent when the Nixon administration shifted to a more detached and ambiguous policy towards European integration.

Section C) Regional integration processes

Subsection 6. The European unification process

Tigipko Sergei

Ukraine's European Choice

in *Russian politics and law*, vol. 49, n. 5, September-October , 55-67

Despite Ukraine's objective need for a multidirectional foreign policy, Kiev's strategic decision to integrate with the political and economic space of the European Union (EU) remains immutable. This decision imposes limits on the country's willingness to cooperate with Russia.

Section C) Regional integration processes



Subsection 6. The European unification process

Carlos Pateiro Rodríguez y Javier Prado Domínguez

Un análisis de la transformación del servicio universal y el ámbito reservado en las políticas de competencia del sector postal en la Unión europea

in *Gestion y política pública*, Vol. 19, n. 2, 187-237

the postal sector has suffered an intense process of transformation oriented towards creating a competitive frame in the European Union (eU). Being considered of general interest in the European directives, these define and delimit universal postal services (ups) and impose universal service obligations (uso). The first problem is financing the uso, solved through the allocation of a reserved scope or a compensating fund for the operator. Like each member state presents its peculiarities from the starting point and throughout the whole process, the effects of opening up of the postal market can be very different. This work analyses the funding alternatives of the ups problem digging deeper into eU case, where some normative steps have been taken, both regarding the financing of the ups and the regulation of access to the network.

Section C) Regional integration processes

Subsection 6. The European unification process

Zei Astrid

Un colpo al cerchio e uno all'Europa: la Germania dopo la sentenza Lisbona

in *Federalismi*, Anno IX - Nr. 13

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Chaouad Robert

Une Europe stratégique post-américaine est-elle envisageable?

in *Revue internationale et stratégique*, 2011/2 (n° 82), 159-166

Le 12 décembre 2003, en clôture de la présidence italienne du Conseil, les États membres de l'Union européenne (UE) adoptaient un concept stratégique de sécurité. Le document, intitulé « Une Europe sûre dans un monde meilleur. Une stratégie européenne de sécurité », avait été préparée sous la direction du Haut représentant pour la politique étrangère et de sécurité...

Section C) Regional integration processes

Subsection 6. The European unification process

Costis Hadjimichalis

Uneven geographical development and socio-spatial justice and solidarity: European regions after the 2009 financial crisis

in *European Urban and Regional Studies*, vol. 18 no. 3, 254-274



The paper discusses certain issues of regional development theory in combination with long-forgotten conditions of uneven geographical development in the context of the current financial and debt crisis in the eurozone. The dominant explanations of the crisis are mainly macroeconomic and financial but this paper argues for its geographical components/foundations. After a short descriptive comment about the current debt crisis in the eurozone and particularly in Southern Europe as part of the wider global crisis of over-accumulation, an alternative interpretation is provided based on uneven geographical/regional development among Euro-regions, especially since the introduction of the euro. The paper also discusses the shift towards what we may call the neoliberal urban and regional development discourse, which is responsible for a de-politicized shift in regional theory and hence downplaying or simply overlooking questions of socio-spatial justice. The discussion about justice and solidarity goes beyond the controversial rescue plan introduced by the European Union and the International Monetary Fund, which was supposedly designed to help one of the so-called – in a typical colonial way – PIIGS (Portugal, Italy, Ireland, Greece and Spain), namely Greece

Section C) Regional integration processes

Subsection 6. The European unification process

Lang Richard

Unlocking the First Protocol. Protection of Property and the European Court of Human Rights
in *Human Rights Law Journal*, vol. 29, n. 6-12, december , 205-215

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Wojcik Stéphanie

Vers une politisation du débat public européen? L'institutionnalisation des «fondations politiques européennes»
in *Politique européenne* , n. 34, 2, 2011 , 167-199

La création de fondations politiques au niveau européen, rendue possible par un règlement adopté en décembre 2007, marque une rupture dans la position de la Commission vis-à-vis des organisations affiliées aux partis politiques au niveau national et européen. Cette évolution s'inscrit dans la réorientation des politiques de communication européenne, avec la recherche de nouveaux dispositifs à même d'atteindre un public désinvesti des enjeux communautaires. La présente contribution se propose d'explorer les mobilisations d'entrepreneurs politiques au Parlement européen et des réseaux des fondations nationales, notamment auprès de la Commission et du Conseil. Le fait que la Commission se saisisse, au plus haut niveau, de cet enjeu, doit être replacé dans la conjoncture politique du moment, au lendemain de l'échec des référendums constitutionnels. L'article propose une appréciation critique de la contribution des fondations politiques européennes à la politisation, souhaitée par certains, du débat public européen. Enfin, il se penche sur les stratégies communicationnelles de ces structures pour voir de quelle manière elles répondent aux injonctions communautaires de proximité et de dialogue.

Section C) Regional integration processes

Subsection 6. The European unification process

Hufeld Ulrich



Vom Wesen der Verfassung Europas

in *Jahrbuch des öffentlichen Rechts der Gegenwart*, Band 59, 2011

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Lock T.

Walking on a tightrope: The draft ECHR accession agreement and the autonomy of the EU legal order

in *Common Market Law Review*, vol. 48, issue 4 , 1025-1054

ABSTRACT: This contribution measures the first draft agreement on the accession of the EU to the ECHR by the strict requirements of the autonomy of the EU legal order. It concludes that the review of EU action by the ECtHR would be compatible with the autonomy. However, the procedure before the ECtHR provided for in the draft agreement raises serious problems. Both the co-respondent mechanism and the prior involvement of the ECJ are well-intended suggested solutions, but may not pass the hurdles erected by the ECJ in its case law on the autonomy.

Section C) Regional integration processes

Subsection 6. The European unification process

Pleines Heiko

Weakness as Precondition of Smooth Integration? Representation Strategies of Functional Interest Groups from New Member States at the EU Level

in *Journal of European Integration*, Volume 33, Issue 4 , 507-521

Based on an empirical study of business associations, trade unions and value-based NGOs from new EU member states this contribution argues that interest groups from the new Central and East European member states could smoothly be integrated into the EU system of interest representation with the help of European umbrella organisations. European umbrella organisations offer immediate access to the EU level, provide a role model of engagement at the EU level and also increase information flows from the EU level to national interest groups and with that into national debates and national policy-making processes. Accordingly, theories of horizontal integration should not only look at the limited impact of interest groups on the implementation of the EU *acquis communautaire*, but also at the effects the smooth integration of new interest groups at the EU level has on the Europeanization of new and prospective member states.

Section C) Regional integration processes

Subsection 6. The European unification process

WILSON, IAIN

What Should We Expect of 'Erasmus Generations'?

in *Journal of Common Market Studies*, Volume 49, Issue 5, September 2011 , 1113-1140



The Erasmus programme promotes student mobility within the EU largely on the assumption that mobile students will become more pro-European. This article presents the results of a panel study of Erasmus students which suggest that, while former Erasmus students may be more pro-European than their peers, this is because students who choose to take part are already more pro-European. The attitudes to Europe and voting preferences of Erasmus students do not seem to diverge from their non-mobile peers while they are abroad. Although the programme may have other benefits, expecting it to create 'Erasmus generations' seems unrealistic.

Section C) Regional integration processes

Subsection 6. The European unification process

Börzel Tanja A.

When Europe hits ... beyond its borders: Europeanization and the near abroad
in *Comparative European Politics*, vol. 9, n. 4-5, september-december , 394-413

ABSTRACT: With the borders of the European Union (EU) moved eastwards, students of Europeanization have been awarded yet another real-world experiment. This article explores to what extent existing Europeanization approaches travel beyond the EU's border to its South Eastern and Eastern neighbours, which are marked by 'bad governance' with regard to both the effectiveness and democratic legitimacy of their domestic institutions. The first part outlines key insights of the literature on 'Europeanization West' regarding the outcomes and the mechanism of the domestic impact of the EU. Then, I summarize the main findings of research on 'Europeanization East' focusing on factors that have limited or at least qualified the domestic impact of the EU in the 10 Central and Eastern European countries in comparison to the EU 15. This article discusses to what extent the concepts and causal mechanisms need even further qualification when applied to countries, such as the European Neighbourhood Countries, that are neither willing nor necessarily capable of adapting to Europe and that do not even have the incentive of EU membership to cope with the costs. I will argue that the EU is unlikely to deploy any transformative power in its neighbourhood as long as it does not adjust its 'accession tool box' to countries the EU does not want to take on as members. The article concludes with some considerations on the policy implications of the EU's approach of 'move closer but don't touch', which has started to creep into its relations with the Western Balkans and Turkey.

Section C) Regional integration processes

Subsection 6. The European unification process

Intereconomics

Whither macroeconomic stability in Europe?

in *Intereconomics*, Volume 46, Number 3 / June 2011 , 122-123

No abstract available

Section C) Regional integration processes

Subsection 6. The European unification process

Merje Kuus

Whose regional expertise? Political geographies of knowledge in the European Union
in *European Urban and Regional Studies*, vol. 18 no. 3 , 275-288



This article examines the production of geographical expertise inside the European Union (EU) bureaucracy in Brussels. My question is not what EU policy professionals know, but how they deploy specific knowledge claims as expertise. Drawing from 62 interviews with 42 policy professionals, mostly in Brussels, I focus empirically on one facet of one policy: the eastern direction of the European Neighbourhood Policy and the efforts of the 'new' or post-2004 member states to project regional expertise about the eastern neighbourhood within EU institutions. In conceptual terms, I investigate the intellectual and social technologies by which expert authority is accomplished. The article illuminates the ways in which policy professionals script political space in terms of particular kinds of places to be dealt with by specific agents in specific kinds of ways. The interview material enables me to examine such processes of knowledge production in greater detail than is allowed by the conventional 'big picture' analyses of European integration.

Section C) Regional integration processes

Subsection 6. The European unification process

Giordani Paolo-Ruta Michele

Why Immigration Policy Should Be a Federal Policy: Considerations on the EU and the US
in *Perspectives on federalism*, Vol. 3, issue 1 , N- 26-31

In a union of states such as the EU or the US, should immigration policy be decentralized or should it be a federal policy? Experience and economic logic offer a simple argument against decentralization. Because immigration reforms in one state are felt beyond its borders, other states will respond in kind. Decentralization will, therefore, create coordination problems between states and will reduce their individual and collective ability to manage immigration. In the EU and the US, the existence of a federal policy is a precondition for an effective management of migratory flows

Full text available at:

<http://www.on-federalism.eu/index.php/notes/91-why-immigration-policy-should-be-a-federal-policy-considerations-on-the-eu-and-the-us>

Section C) Regional integration processes

Subsection 6. The European unification process

Habermas Jürgen

Wie demokratisch ist die EU? Die Krise der Europäischen Union im Licht einer Konstitutionalisierung des Völkerrechts

in *Blätter für deutsche & internationale Politik*, August, 2011 , 37-48

The full text is free:

www.blaetter.de/archiv/jahrgaenge/2011/august/wie-demokratisch-ist-die-eu

In der Debatte über Auswege aus der aktuellen Banken-, Schulden- und Währungskrise geraten jene Argumente aus dem Blick, die daran erinnern, dass Europa ein politisches Projekt ist. Die ökonomistische Blickverengung ist umso unverständlicher, als sich alle Seiten in der Diagnose der tieferen Ursache einig zu sein scheinen: In der Eurozone fehlen die politischen Kompetenzen für eine notwendige Harmonisierung der auseinanderdriftenden nationalen Ökonomien. Dieser Fehler wird sich, wie immer auch die aktuelle Krise bewältigt wird, nur längerfristig beheben lassen –



aber nicht mit einem sogenannten Pakt für Europa, also auf dem Wege einer rechtlich unverbindlichen Verabredung der betroffenen Regierungschefs. Hätte nämlich dieser tief in nationale Kompetenzen eingreifende Beschluss vom 25. März 2011 wider Erwarten doch Erfolg, wäre der Preis eine weitere Aushöhlung der nationalstaatlichen Demokratien...

Section C) Regional integration processes

Subsection 6. The European unification process

Klepsch Catharina, Wollmershäuser Timo

Yield spreads on EMU government bonds — How the financial crisis has helped investors to rediscover risk in Intereconomics, Volume 46, Number 3 / June 2011 , 169-176

This study analyses the determinants of EMU member states' government bond yield spreads from January 2000 until September 2010. Using a dynamic panel regression approach, the authors show that before the outbreak of the financial crisis investors generally ignored fundamental sovereign bond risk factors. However, with the beginning of the financial crisis yield spreads for many member countries escalated. The results indicate not only that investors began to re-evaluate countries' credit risks (measured by projections of debt-to-GDP ratios), but also that risk aversion in the markets, which increased significantly during the crisis, became a major determinant of sovereign bond spreads.

Section C) Regional integration processes

Subsection 6. The European unification process

Schütze Robert

'Delegated' Legislation in the (new) European Union: A Constitutional Analysis in Modern Law Review (the), Vol. 74, issue 5 , 661-693

This article brings classic constitutionalism to an analysis of delegated legislation in the European Union. To facilitate such a constitutional analysis, it starts with a comparative excursion introducing the judicial and political safeguards on executive legislation in American constitutionalism. In the European legal order, similar constitutional safeguards emerged in the last fifty years. First, the Court of Justice developed judicial safeguards in the form of a European non-delegation doctrine. Second, the European legislator has also insisted on political safeguards within delegated legislation. Under the Rome Treaty, 'comitology' was the defining characteristic of executive legislation. The Lisbon Treaty represents a revolutionary restructuring of the regulatory process. The (old) Community regime for delegated legislation is split into two halves. Article 290 of the Treaty on the Functioning of the European Union (TFEU) henceforth governs delegations of legislative power, while Article 291 TFEU establishes the constitutional regime for delegations of executive power.

Section C) Regional integration processes

Subsection 6. The European unification process

Simpson Seamus

'New' Governance in European Union Policy Making: Policy Innovation or Political Compromise in European Telecommunications?
in *West European Politics*, vol. 34, n. 5 , 1114-1133

ABSTRACT: This article makes a contribution to research on soft or 'new' governance in EU policy making by examining



the recent history of telecommunications policy as a case study, a sector hitherto not widely recognised for displaying this kind of governance. Training its focus on the process leading to the agreement of the latest iteration of the EU's Electronic Communications Regulatory Framework, the article finds strong evidence that soft governance has been used within hard governance legislative frameworks primarily as a tool of political compromise, in respect of the classic problem of securing a balance of regulatory power distribution between the national and EU level. Soft governance employed in this way casts doubt over its ability to achieve openness, common purpose, innovativeness and regulatory efficacy.

Section C) Regional integration processes

Subsection 6. The European unification process

Spoerer Mark

“Fortress Europe” in Long-term Perspective: Agricultural Protection in the European Community, 1957-2003
in *Journal of European Integration History*, vol. 16, n. 2 , 143-162

Since its inception, the European Union's Common Agricultural Policy (CAP) has been discussed controversially. Based on data compiled by the OECD and the World Bank which have so far not been used for historical research, we show that the protectionist effects of the CAP between the 1960s and the 1980s were larger than those of its national predecessors. Moreover, there is evidence that already the piecemeal reforms of the 1980s reduced the level of protection and support in the EU, that is prior to the MacSharry reform of 1992.

Section C) Regional integration processes

Subsection 6. The European unification process

Bianchi Daniel

« Une longue réforme tranquille » 1962-2012 : 50 ans de politique agricole commune à l'horizon 2020
in *Revue du Marché Commun et de l'Union Européenne*, n. 551, septembre , 523-531

"The CAP by 2020" is the title of the brand new communication by the Commission aimed at preparing the debate on the future of the Common Agricultural Policy. That policy has changed and continues to do so in a constant manner, reform after reform, with a view to achieving the apparently unchanging, but actually ever-changing goals. As a result, it seems timely to describe, after a quick reminder of the changes and achievements in the past fifty years of agricultural policy, the various contexts in which the CAP will play a role with a view to the 2013 term- end of budget period - and mainly after 2013. After going over the procedural novelties of the Lisbon Treaty which combine with the 2003 CAP reform, we will wonder how the current single payment system, closely linked to the second pillar (rural development) and to the tools introduced by the 2008 health review to allow greater flexibility, can provide an answer to the ongoing issue of the justification of Europe's support to farmers constituting the basis of a CAP extending beyond 2013 in the context of the current global recession and on the background of the dead-end of multilateral negotiations

Section C) Regional integration processes

Subsection 6. The European unification process

Aldrin Philippe, Hubé Nicolas

« Devenir les ambassadeurs de l'Europe » Une lecture politique de la première expérience de démocratie délibérative européenne



in **Politique européenne** , n. 34, 2, 2011 , 95-134

À partir de l'observation in situ du « premier sondage délibératif paneuropéen » – Tomorrow's Europe – qui s'est déroulé dans les bâtiments bruxellois du Parlement européen un week-end d'octobre 2007, les auteurs se proposent d'analyser les conceptions des divers entrepreneurs d'Europe qui ont imaginé, organisé et opérationnalisé par cette expérience un échantillon physique de l'espace public européen. Pendant trois jours, ils ont regardé comment les quatre cents citoyens venus des vingt-sept États membres de l'Union européenne s'y prenaient pour « discuter de l'Europe de demain » dans un dispositif présenté comme scientifiquement éprouvé. Au-delà du débat intellectuellement et politiquement toujours signifiant sur l'artificialité ou la non-représentativité de cette incarnation de la citoyenneté européenne, les auteurs s'intéressent surtout aux représentations d'institution – ici les institutions de l'Union européenne, les think tanks et d'autres partenaires des affaires publiques européennes – relatives aux perceptions populaires de l'Europe. En rapprochant dans une même analyse les emprunts aux théories et aux méthodes de la science (et en premier lieu de la science politique), le protocole prescrit pour la « délibération », la mise en scène de l'interculturalité europhile et la stratégie médiatique de Tomorrow's Europe, l'expérience apparaît davantage sous le jour d'un instrument politique au banc d'essai ; un instrument politique capable de figurer la société civile européenne et de rendre son opinion prédictible.

Section C) Regional integration processes

Subsection 6. The European unification process

Chaltiel Florence

Évolution sans révolution

in **Revue du Marché Commun et de l'Union Européenne**, n. 550, juillet-août , 417

No abstract available

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

David Maxine

A Less than Special Relationship: The UK's Russia Experience

in **Journal of Contemporary European Studies** , vol. 19, n. 2, june , 201-212

ABSTRACT: This article examines the UK's post-Cold War relations with Russia, arguing that three factors have defined the relationship: the mix of a values and interests approach; leadership; and external pressures. These have resulted in the emergence of three distinct phases, each underpinned by the same objectives but with different ideas on how to achieve them. The effects of the UK's special relationship with the USA are also examined, concluding that the UK's transatlantic orientation had the positive benefit for the EU of insulating it from the worst effects of a troubled bilateral relationship, showing bilateralism does not always signal trouble for multilateral arrangements.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Sinkkonen Teemu

A security dilemma on the boundary line: an EU perspective to Georgian–Russian confrontation after the 2008



war

in Southeast European and Black Sea Studies, vol. 11, n. 3, Special issue: Managing Distrust in the wider Black Sea Region , 265-278

Although a relative stability has been reached between Georgia and Russia, they have not done enough to alleviate the security dilemma that led to the armed hostilities in 2008. The changed situation on the administrative boundary lines of the separatist regions together with hard security policies have worsened basic living conditions and possible incomes of the people living in the disputed zones. The EU has taken a strong responsibility as a conflict manager, but so far its achievements have been limited. If the EU is not able to adapt to changing needs on the ground and get its foreign policy together regarding the conflicting parties, its *raison d'être* in the area is at stake.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Tang Seng See

America the Indispensable: Singapore's View of the United States' Engagement in the Asia-Pacific in Asian Affairs: an American review, Vol. 38 - Issue 3 , 156-171

<http://www.tandfonline.com/doi/abs/10.1080/00927678.2011.581600>

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Men Jing

Between Human Rights and Sovereignty—An Examination of EU–China Political Relations in European law journal, Volume 17, Issue 4, July , 534-550

This paper will study the differences between the EU and China on the understanding of human rights and national sovereignty and their impact on EU-China political relations. The paper will be divided into the following parts. The first part will give a review of the concepts of both sovereignty and human rights and the rising concern of human rights in the contemporary world. The second part will study the EU's policy of human rights to see why the EU adheres to its values. The third part will look at China's policy on sovereignty and human rights. The fourth part will examine EU-China political relations and analyse the difficulties in bilateral relations, due to differences in values between the EU and China. The fifth part will draw some tentative conclusion.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Christou George

Bilateral Relations with Russia and the Impact on EU Policy: The Cases of Cyprus and Greece in Journal of Contemporary European Studies , vol. 19, n. 2, june , 225-236

ABSTRACT: This article aims to contribute to a deeper understanding of how two EU Member States, Greece and



Cyprus, have influenced the evolution of common EU positions on Russia. Moreover, it exposes how the policies and positions taken up by Greece and Cyprus inside the EU have either undermined or reinforced a common European approach towards Russia across different policy themes.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Zimelis Andris

Conditionality and the EU–ACP Partnership: A Misguided Approach to Development?
in *Australian Journal of Political Science*, vol. 46, n. 3 , 389-406

ABSTRACT: The Cotonou Partnership between the states of Africa, the Caribbean and the Pacific (ACP) and the European Union (EU) provides a case in which the human rights approach to development is being put into practice. This article uses the partnership to address broader questions regarding the effectiveness of the new approach to development. The EU–ACP partnership is innovative because it reflects the changing international consensus on development, but it is not clear if the norms used in the Cotonou Agreement have achieved the consensus needed to comprise any real shift in development policy. Moreover, it can be argued that what diminishes the efficacy of the human rights approach in the EU–ACP relationship is political conditionality as this mechanism may lead to interventions that are counterproductive to the establishment of stable democracy.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Barysch Katinka, Coker Christopher, Jesien Leszek

EU-Russia relations: time for a realistic turnaround
in *European View* , vol. 10, n. 1, June , 137-138

No abstract available

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Zagorski Andrei

Eastern Partnership from the Russian Perspective
in *Internationale Politik und Gesellschaft*, Heft 3, 2011

No abstract available

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Eisele Katharina, Wiesbrock Anja

Enhancing Mobility in the European Neighborhood Policy? The Cases of Moldova and Georgia
in *Review of Central & East European Law*, vol. 36, n. 2 , 127-155



In 2004, the EU launched the European Neighborhood Policy (ENP) with the objective of avoiding new dividing lines between the EU and its neighbors in the East and the South. This was offered as an alternative to full EU membership. The ENP is intended to bring about prosperity, stability, and security. In this context, the EU has agreed on a number of Action Plans on a bilateral basis with twelve ENP partner states. The mobility of persons is a key policy priority in the framework of the ENP, which is substantiated by the conclusion of 'mobility partnerships' with Moldova (2008) and Georgia (2009). Even though the Action Plans have been negotiated on the basis of 'joint ownership', it is arguable that EU interests have come to dominate the cooperation. The question arises to what extent these policy plans are beneficial for the neighboring countries and individual migrants. This article focuses on the rules and policy priorities contained in the Partnership and Cooperation Agreements, the Action Plans, the visa facilitation and readmission agreements, as well as the mobility partnerships concluded with Moldova and Georgia. The analysis unfolds that the main emphasis of the ENP is on border control and the fight against irregular migration, whereas little has been done to enhance legal migration opportunities. Therefore, we argue that the ENP falls short of meeting the objective to create cooperation based on mutual interest and joint ownership.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Abis Sébastien

Europe et Méditerranée: se souvenir du futur

in *Revue internationale et stratégique*, 2011/3 (n° 83) , 121-129

Pour penser la coopération en Méditerranée, et s'interroger sur son avenir, il convient dans un premier temps de souligner quelques tendances mondiales, européennes et arabes. Vingt ans après la disparition de l'Union soviétique et la fin de l'ordre bipolaire, c'est sans doute une nouvelle grande page de l'Histoire qui se tourne actuellement. Les deux dernières décennies ont vu...

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Timmins Graham

German–Russian Bilateral Relations and EU Policy on Russia: Between Normalisation and the ‘Multilateral Reflex’

in *Journal of Contemporary European Studies* , vol. 19, n. 2, june , 189-199

ABSTRACT: Of all the bilateral relationships between EU member states and Russia, Germany is undeniably the most significant. Both have long been key geostrategic actors in the shaping of the European political environment and while conflict has punctuated their more recent shared history, the two states have extensive economic, social and cultural connections stretching back for several centuries. The 'special relationship' that exists between the two states has flourished since the end of the Cold War, and the purpose of this article will be to investigate the development of political relations between the two states and the impact bilateral relations have had on the EU policy level.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Vieira Marco Antonio, Alden Chris



India, Brazil, and South Africa (IBSA): South-South Cooperation and the Paradox of Regional Leadership
in *Global Governance*, vol. 17, n. 4, october-december , 507-528

ABSTRACT: This article argues that the long-term sustainability of the trilateral partnership established in 2003 between India, Brazil, and South Africa rests on a more conscious engagement with their regional partners. The construction of a strong regional leadership role for IBSA based on its members' strategic positions in South Asia, South America, and southern Africa is the proper common ground to legitimize a diplomatic partnership between the IBSA states. This is even more pressing as China is actively competing for markets and influence with the IBSA trio within their respective regions, particularly in Africa. The paradox though is that, while North powers have welcomed the regional leadership role of IBSA's members, most of their neighbors are not convinced of the actual intentions of New Delhi, Brasilia, and Pretoria. As a result, leadership within IBSA is defined in global terms as a claim to lead the developing world. At the regional level, however, IBSA's claim for regional leadership is less clear, less acceptable, and therefore remains constrained.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Yakacikli Lebriz

Initiatives de coopération dans la région de la mer Noire

in *Fédéralisme Régionalisme* , Volume 11, Numéro 2 - Le régionalisme international : regards croisés. Europe, Asie et Maghreb

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=1073>

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

David Maxine, Gower Jackie, Haukkala Hiski

Introduction: The European Union and Russia

in *Journal of Contemporary European Studies* , vol. 19, n. 2, june , 183-188

No abstract available

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Etzold Tobias, Haukkala Hiski

Is There a Nordic Russia Policy? Swedish, Finnish and Danish Relations with Russia in the Context of the European Union

in *Journal of Contemporary European Studies* , vol. 19, n. 2, june , 249-260

ABSTRACT: This article will focus on the development of the bilateral relations between Russia and Denmark, Finland and Sweden and related implications on wider EU–Russia relations. It firstly identifies the key factors influencing these countries' relations with Russia and those policy areas that are most important in bilateral relations. The second central question is to what extent the three countries' relations with Russia hinder or contribute to the formulation of a 'European' Russia policy. In this context it is also to be examined to what extent these three small countries are able and



willing to make an impact on the formulation and implementation of a common EU Russia policy. The article concludes with an outlook into future bilateral relations between the three countries and Russia as well as wider EU–Russia relations.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Chang Su-Yu

Les relations CEE-Chine, entre 1978 et 1985

in *Bulletin de l'Institut Pierre Renouvin*, n. 33, Printemps

Au début des années 1970, les relations entre la République populaire de Chine et les pays européens, comme les autres pays, se situent dans un cadre interétatique¹. Lorsque les accords commerciaux bilatéraux entre la Chine et les États membres de la Communauté économique européenne (CEE) arrivent à échéance à la fin de 1974, la CEE transmet à la Chine un aide-mémoire sur un possible...

PLAN:

- L'accord commercial CEE-Chine de 1978
- Coopération sino-européenne en 1979
- Les relations sino-européennes, 1980-1982
 - Recul des échanges commerciaux CEE-Chine
 - Le principe de non-ingérence chinois
- Nouvel accord entre 1983 et 1985
 - Progression des exportations vers la Chine
 - Relations CEE-Chine au niveau politique
 - Sur l'accord de 1985
 - Les nouvelles coopérations

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Lauriello Audrey

L'enjeu du régionalisme dans les relations entre les pays émergents. Le cas du Brésil et de l'Afrique du Sud

in *Fédéralisme Régionalisme*, Volume 11, Numéro 1 - Le régionalisme international dans les Amériques : dynamique interne et projection internationale

Full text available at <http://popups.ulg.ac.be/federalisme/document.php?id=1059>

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

J. Cherry

Making Friends with the Hydra European Expectations of the EU-Korea Free Trade Agreement

in *European Journal of East Asian Studies*, Volume 10, Number 1, 59-83

In October 2009 the European Commission (EC) and South Korea initialled a free trade agreement (FTA); this article



seeks to determine to what extent the expectations of the EU business community in Seoul regarding the impact of the FTA are aligned with the motivations and benefits identified in the academic literature. We conclude that there is considerable overlap in terms of the anticipated economic, political and diplomatic benefits such as an increase in trade and investment, the implementation and enforcement of international commercial regulations, and the enhancement of the European Union's (EU's) position and profile in Korea and within the region. Additionally, interviews with the EU business community revealed that their main expectation of the FTA was that it would herald the development of a 'relationship of intent', enhance mutual understanding and provide new tools to resolve the problems they faced in the Korean market.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Robles Alfredo C. Jr.

Negotiating Services with ASEAN: The EU between the WTO and Japan

in *European Foreign Affairs Review*, vol. 16, issue 3, 379-400

ABSTRACT: In future Free Trade Agreement (FTA) negotiations between the EU and individual Association of Southeast Asian Nations (ASEAN) members, trade in services will feature prominently. Such negotiations will be constrained by the network of ASEAN's bilateral Economic Partnership Agreements (EPAs) with Japan, because the EPAs' approach differs from the EU approach at the World Trade Organization's Doha Round in two ways. First, Japan adopted the approach to services trade liberalization favoured by ASEAN. Second, Japan accepted ASEAN's regulations in the services sectors that they liberalized and allowed the movement of certain categories of natural persons to Japan. In return, ASEAN countries opened a large number of services sectors to Japanese investment.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Pogodda Sandra

Obama, the EU and the Middle East

in *Europe en formation (L')*, n. 360, Été, 2011, 43-57

The early months of 2011 saw revolutions spreading in a region formerly known for its political stagnation: North Africa and the Middle East. With the uprisings challenging authoritarian regimes in every corner of the Arab world, external actors with vital security and strategic interests in the region had to adjust their foreign policies strategies within a few weeks. This paper elaborates the assumptions, norms and interests shaping the policy revisions of the US and the EU as the Western powers traditionally vying for influence in the region. Moreover, the paper examines the breakdown of the latest round of direct talks in the Middle East peace process in the light of the 'Palestine Papers' as another recent development with the potential to affect Washington's and Brussels' policies in the region. Based on these two cases the essay analyses the impact of recent Western interventions in the Arab world and asks whether EU and US policies are still relevant to political dynamics in this strategically important part of the world.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Simão Licinia



Portuguese and Spanish Relations with Moscow: Contributions from the EU's Periphery to the CFSP
in *Journal of Contemporary European Studies* , vol. 19, n. 2, june , 213-223

ABSTRACT: Both Portugal and Spain are commonly perceived as secondary actors regarding the shaping of the EU's eastern policies, due to several factors, including geographical distance and both countries' colonial past. This article enquires about this common perception, arguing that although there has been some division of labour among EU member states regarding Common Foreign and Security Policy (CFSP) areas, namely through the exercise of EU presidencies, both countries sponsor a more universal view of their foreign policy, which has led them to engage with Russia, both through the EU and on a bilateral basis. The paper surveys the main areas of this engagement, identifying key factors shaping bilateral relations with Russia and major policy areas where interaction has developed. Finally, the paper assesses the impact of Spanish and Portuguese foreign policy choices on EU common policy towards Moscow, arguing that a central aspect limiting the scope of their input is the nature of relations among EU member states, more than the lack of historical and proximity relations.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

GUILLOTREAU Patrice, PROUTIÈRE-MAULION Gwenaële et VALLÉE Thomas

Que faut-il attendre des nouveaux accords de pêche UE-ACP ? L'exemple du Sénégal

in *Revue Tiers Monde*, n. 206 , 177-196

Since the late 1970s, the European Union (EU) has negotiated the fishing agreements with African-Caribbean-Pacific (ACP) countries for the member states. These agreements usually swap a financial contribution for an access to the resources of the third countries. Many experts consider their impact to be detrimental: overfishing, financial dependence, dismantled local markets, migration, etc. The reform of the Common Fisheries Policy in 2002 offers a new framework aimed at balancing development aid, trade and fishing agreements. The example of the EU-Senegal agreement, which was stopped in 2006, illustrates the difficulty in adjusting the macroeconomic disequilibrium of the ACP countries with regard to the EU.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Tassinari Fabrizio

Region-building as trust-building: the EU's faltering involvement in the Black Sea region

in *Southeast European and Black Sea Studies*, vol. 11, n. 3, Special issue: Managing Distrust in the wider Black Sea Region , 227-293

The half decade since the 'Colour Revolutions' and the historic expansion of the European Union towards the former Soviet satellites in Eastern Europe has proven that EU policy in the Black Sea area is in a bind. It is incapable of making significant leaps forward, i.e. by encouraging closer integration in Eastern and South-Eastern Europe. Moreover, it is not capable of seeing the consequences of the scarce appetite for reforms. This article proposes an assessment of EU policy in the Black Sea region through the lens of trust. The interpretation is informed by a constructivist epistemology of power in international relations, which takes the notion of 'region building' as key inspiration behind key EU policy of the past five years. The article concludes by arguing that, despite the continuing gloom hovering above the EU and its international role, region-building has proven a remarkable trust-building measure, but that any further development in



EU policy has to come from closer political engagement both in the region and in Europe.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Yul Sohn¹, Min Gyo Koo

Securitizing trade: the case of the Korea–US free trade agreement

in International Relations of the Asia-Pacific, Volume 11, Issue 3, September , 433-460

The Korea–US free trade agreement (KORUS FTA) of 2007 clearly shows how countries simultaneously pursue economic benefits and strategic interests in trade negotiations. This study argues that the surprise launch and the successful conclusion of the KORUS FTA illustrate the joint efforts by the United States and the Republic of Korea to re-secure their bilateral economic relations. Security and strategic calculations held by top policy-makers on both sides catalyzed the official launch of FTA negotiations by removing a number of longstanding trade irritants such as Korea's screen quotas and ban on US beefs. At the post-negotiation stage, however, the lack of bipartisanship—particularly in the United States—to provide trade liberalization for their allies in favor of their own broader strategic interests has led to the legislative stalemate of executive efforts at re-securitization of trade relations. This study concludes that the stalemated ratification process shows the erosion, not the strength, of US power to provide security and trade liberalization as public goods.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

David M. Lampton

Slipping Tectonic Plates in U.S.–China Relations: Seeking Stabilization Amid Tremors

in American Foreign Policy Interests, Volume 33, Issue 3 , 111-118

Recent developments suggest two quasi-metaphors for what is going on in U.S.–China relations. The first is Bob Dylan's early April 2011 “gig” in China, where he received what was described as a rapturous welcome but was obliged to omit his signature song, “The Times They Are A-Changin.” Everyone knows the times are changing, which is precisely why the song was not sung. The other metaphor, and the one I prefer, is geological—plate tectonics. Earthquakes of small magnitude represent smaller slippages along fault lines that gradually release energy and permit incremental adjustments on the surface. Larger slippages occur along fault lines in which there has not been a gradual release of energy through smaller movements. Those produce catastrophic readjustments on the surface. Pressure is building in the tectonic plates of U.S.–China relations, and the issue is whether through wise diplomacy, anchored in intelligent strategy, we can gradually accommodate those shifts and channel energy in more productive directions and in more incremental ways. Because I think more has remained the same than has changed, I will first commend to you two articles, the first by J. Stapleton Roy and the second by Professor Chu Shulong, ¹ taking the liberty to summarize my understanding of their main points. Thereafter, I will examine what I believe to be the tectonic plates that are shifting in the relationship and suggest what might be done to make sure that system change is incremental and constructive, not abrupt and destructive.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation



Charmaine G. Misalucha

Southeast Asia-US Relations: Hegemony or Hierarchy?

in *Contemporary Southeast Asia: A Journal of International and Strategic Affairs*, Volume 33, Number 2, August , 209-228

In current International Relations literature, hegemony and hierarchy describe two possible types of international rule. At the theoretical level, their existence makes two presuppositions: first, that they operate independently from each other; and second, that a set of actors experience only one type of rule (that is, hegemony or hierarchy). But what happens when more than one type of rule seems to prevail over the same set of actors? In an attempt to answer this question, this article examines Southeast Asia-US relations in the post-9/11 period and argues that it is possible for international orders to coexist. While the “war on terror” depicted the centrality of the United States, it subsequently became apparent that Washington could only guarantee its place in the hierarchy if it projected itself as a benign hegemon. The article concludes that the existence of multiple types of international rule is a demonstration of the ongoing efforts of states towards building and maintaining deeper relations with each other.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Hu, Shaohua

Structural Constraints on the EU's Role in Cross-Taiwan Strait Relations

in *European Journal of East Asian Studies* , Volume 10, Number 1 , 37-58

Since the beginning of the twenty-first century, many people have called for a more active role for the EU in cross-Taiwan Strait relations. While acknowledging its immense power and influence, this paper argues that the EU's role will remain limited for three structural reasons. Despite the Lisbon Treaty, the EU's sui generis system will continue to constrain its policy towards cross-strait relations. With 27 countries of varying interests, power and perspectives, it is difficult to expect the EU to change its current policies, which consist of the 'one-China' notion and the principle of a peaceful solution. Second, the regional structure along the strait is so complex that the EU can hardly come up with new initiatives. Given the fact that China is more important than Taiwan, the EU can hardly make its policy more favourable to Taiwan. However, supporting Chinese unification, especially in a non-peaceful way, will run counter to the EU's interests and principles. Even if it is willing to play a more active role, the EU lacks power to do so. Finally, the global structure will limit the EU's freedom of action. The EU does not live in a care-free environment, and nearby stability tops its security agenda. In its dealing with global issues, the EU may benefit from Chinese cooperation. Although the EU has close relations with the US, the American factor can hardly be expected to cause major changes in the EU's policy towards cross-strait relations.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Casier Tom

The Bilateral Relations of the Benelux Countries with Russia: Between Rhetorical EU Engagement and Competitive Business Interests

in *Journal of Contemporary European Studies* , vol. 19, n. 2, june , 237-248

ABSTRACT: This article explores the willingness of the Benelux countries to co-ordinate Russia-related policies at the



EU level, contrasting their traditional pro-integrationist disposition and national economic interests. At the rhetorical level all three states display a willingness to co-ordinate policies within the EU. In practice, however, this is dependent on the individual country's economic interests, with energy being of particular importance in Dutch–Russian relations. There appears to be considerable inter-state competition in obtaining lucrative commercial contracts, undermining a coherent EU approach towards Russia. The traditional sources of influence of small states in the EU are limited in the case of the Benelux and Russia. With their traditional pro-integrationist attitudes having undergone substantial change, the Benelux states lack the leadership and the credibility to be seen as impartial brokers of a coalition for a coherent Russia strategy. Ad hoc coalitions on the basis of converging economic interests appear to be more determining for the co-ordination of Russia policies within the EU.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

J. F. Bradford

The Maritime Strategy of the United States: Implications for Indo-Pacific Sea Lanes

in Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Volume 33, Number 2, August , 183-208

The maintenance of safe and secure sea lanes, particularly those that link the United States with its partners in the Indian and Pacific Oceans, is at the very core of US interests. Therefore, US maritime strategy seeks to sustain credible combat power in the Western Pacific and Arabian Gulf/Indian Ocean so as to preclude attempts at interrupting vital sea lines of communication (SLOCs) and commerce. Given these strategic imperatives and the capability of both state and non-state actors to disrupt the Indo-Pacific sea lanes critical to global prosperity, the United States has renewed its commitment to maritime security in Asia. In recent years, the United States has made significant adjustments to its defence posture in order to bring more maritime forces closer to Indo-Pacific sea lanes and defence officials have stated their intention to further enhance US posture in Southeast Asia and the Indian Ocean while maintaining US presence in Northeast Asia. Recognizing that the expansive nature of Indo-Pacific maritime territory and the complexity of the region's maritime challenges prevent any one country from resourcing the operations necessary to provide sea lane security, the United States is also strengthening cooperation with its maritime partners by expanding relationships and trust-building efforts, contributing to the capacity of its partners and enhancing interoperability. At the same time, the United States is supporting the strengthening of maritime symposiums and regional organizations as the foundations for the security architectures necessary to ensure the security of Indo-Pacific sea lanes and sustain regional prosperity.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Yamada Shoko

The discourse on Japanese commitment to Africa: The planning process of the fourth Tokyo International Conference on African Development (TICAD IV)

in Journal of Contemporary African Studies, Volume 29, Issue 3, 2011 , 315-330

Abstract

TICAD was held for the fourth time in 2008, raising unprecedented public interest about Africa in Japan attracting attention not only from aid, diplomatic, trade and research communities but also among the general public. Due to



geographic distance and limited historical connection, it has always been a matter of debate as to why Japan should increase its commitment to Africa. The different interest groups that have participated throughout the TICAD process have always had varying answers to this question. Through analysis of newspapers, journal articles and various documents this article seeks to untangle the process of TICAD's policy making and its outcomes.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Crowley Brian Lee

The transatlantic relationship: an alliance of values

in European View , vol. 10, n. 1, June , 121-126

The long-standing close relationship between the democracies of Europe and North America has been based on shared values. However, the central value we share is not democracy in the abstract. Rather, it is the spirit of individual liberty and the conviction, deeply rooted in our culture, that governments must be bound by the rule of law that preserves the rights of individuals and of minorities, plus a willingness to make sacrifices to defend these values. The will to protect and defend these values have been eroding on both sides of the Atlantic. But the process of erosion is clearly further advanced in Europe, where the institutions of the welfare state matter enormously and large portions of the populace have become dependent on state aid. These developments have brought both Americans and Europeans to a crossroads. On the one hand, Americans must resist the seductive urge to shrug off global responsibilities and retreat into isolation and, on the other, Europeans must beware of pushing their North American allies away. To preserve the transatlantic partnership we must grasp that what increasingly divides us is not policy disputes or political styles but the crumbling commitment of Western culture to the values that made it special and without which no will to defend it can possibly exist.

Section C) Regional integration processes

Subsection 7. Inter-regional Cooperation

Galbreath David J., Lašas Ainius

The 'Baltic' Factor in EU–Russian Relations: In Search of Coherence and Co-operation in an Era of Complexity

in Journal of Contemporary European Studies , vol. 19, n. 2, june , 261-272

ABSTRACT: With their post-Soviet history and conflictual relationship with the Russian Federation, the Baltic States sought entry into the European Union (EU) for more political clout, economic stability and geopolitical reinforcement. However, what Estonia, Latvia and Lithuania discovered was a great deal more complex and less coherent political community than they had hoped. This paper looks at how the Baltic States have affected and been affected by EU–Russian relations. We seek the elusive 'Baltic factor' in EU–Russian relations. In looking at how Baltic foreign policy has changed from pre-enlargement to post-accession, we find that the Baltic States, still haunted by their relationship with Russia, are more likely to be perceived as agenda-spoilers than agenda-setters.

Section C) Regional integration processes



Subsection 7. Inter-regional Cooperation

Lee Dong Sun, Kim Sung Eun

Ties That Bind? Assessing the Impact of Economic Interdependence on East Asian Alliances
in *Pacific Focus*, Volume 26, Issue 2, August, 2006-235

This article investigates how commercial ties affect the cohesiveness of US alliances with East Asian nations. While the conventional wisdom views their effects as positive, we argue that economic interdependence does not markedly reinforce East Asian alliances because the alliances have an asymmetrical structure. To evaluate these competing arguments, we examine the impact of bilateral trade on the US alliances with Japan, Taiwan, the Philippines, and South Korea, over the past quarter-century. Our empirical analysis provides little evidence for the conventional view, while supporting our argument. Based on this finding, the article offers some practical implications for the free trade agreement and the security alliance between South Korea and the USA.

Section D) Federalism as a political idea

Subsection 1. Federalism

Wood Gordon S.

Federalism from the Bottom Up
in *University of Chicago Law Review*, Vol. 78, issue 2, 705-732

Full text available at:

http://lawreview.uchicago.edu/issues/backissues/v78/78_2/78-2-Wood.pdf

Section D) Federalism as a political idea

Subsection 1. Federalism

Rogari Sandro

Federalismo e centralismo in Italia
in *Nuova Antologia*, n. 2258, aprile-giugno

No abstract available

Section D) Federalism as a political idea

Subsection 1. Federalism

Papa Emilio Raffaele

Patriottismo e federalismo
in *Nuova Antologia*, n. 2258, aprile-giugno

No abstract available

Section D) Federalism as a political idea

Subsection 1. Federalism



LaCroix Alison L.

Rhetoric and Reality in Early American Legal History: A Reply to Gordon Wood
in *University of Chicago Law Review*, Vol. 78, issue 2 , 733-758

Full text available at:

http://lawreview.uchicago.edu/issues/backissues/v78/78_2/78-2-LaCroix.pdf

Section D) Federalism as a political idea

Subsection 2. Nationalism

Wimmer Andreas

A Swiss anomaly? A relational account of national boundary-making
in *Nations and Nationalism*, Volume 17, Issue 4, October 2011 , 718–737

ABSTRACT. This article reviews how major theorists of nationalism – from Ernest Renan to Benedict Anderson – have tried to come to grips with the puzzle that Swiss nationalism and the Swiss state present in view of the monoethnic states that surround it. I will argue that this puzzle disappears when assuming a political sociology perspective that highlights the networks of political alliances underlying nationalist movements and the power structure of recently formed nation-states. Studying an ‘outlier’ case such as Switzerland helps us to gain insight into the general processes and mechanisms at work in the rise of nationalism and the nation-state.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Höhne Steffen

Ambizioni imperiali e diritti delle piccole nazioni. La Mitteleuropa in Naumann e Masaryk
in *Contemporanea - Rivista di storia dell'800 e del '900* , numero 3, luglio 2011 , 397-420

Abstract

The article is premised on the idea that the concept of «Mitteleuropa» (central Europe) is part of the European mental map embracing a broad set of meanings. As such, it has been deployed for the construction of collective identities as well as for forging visions that tended to reshape geographical and cultural spaces. In the past the notion of «Mitteleuropa» has been associated with both nostalgic perspectives and forward-looking projects of territorial reorganization. Among the many different views of «Mitteleuropa» two stand out and provide the focus for the article: an imperialistic one, associated with the Prussian-German plans of hegemony in the central and middle-east European area; and an anti-imperialistic model of political and cultural integration concerning a central part of the continent. Focusing on the World war one era, the article investigates the discussions over central Europe crystallizing in two programmatic writings, Friedrich Naumann's *Mitteleuropa* (1915) and Tomàs G. Masaryk's *The New Europe* (1917). The former represented a national-liberal viewpoint championing Germany's hegemonic ambitions in central Europe; the latter gave voice to the idea of a multiethnic evolution of the Habsburg empire in a democratic direction.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Hassan Gerry



Anatomy of a Scottish Revolution: The Potential of Postnationalist Scotland and the Future of the United Kingdom

in *Political Quarterly* , Volume 82, Issue 3, July-September 2011 , 365–378

Abstract

Scottish politics isn't about some remote northern politics but go to the heart of the nature, character and power dimensions of the UK and British state. Scotland has been dramatically changed by the scale of the SNP landslide victory in the 2011 Scottish Parliament elections. Scottish society, identity and culture along with the politics of unionism and nationalism have all changed and will change further. The old fashioned politics of devolution are dead, but what comes next and what are the consequences for Scottish independence? What has to be challenged are old-fashioned out-of-date views of the SNP, and the unreconstructed nationalism of the British state.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Park Hijin

Being Canada's national citizen: difference and the economics of multicultural nationalism

in *Social Identities*, Volume 17, Issue 5, September 2011 , 643-663

Abstract

This paper examines the ambivalent positioning of difference in western multicultural nation-states in the neoliberal moment. It does so by analyzing the multiple and contradictory ways that the figure of Governor General Adrienne Clarkson, a Chinese Canadian woman, was utilized in the service of Canadian nation-building. Much heralded as the first racialized minority (and second woman) to be appointed to the highest public position in the land, Clarkson was chosen to represent and define the Canadian nation to itself and to the international community because of, and not in spite of, her difference. Drawing on media and government texts, this paper highlights the narratives that shaped the meaning of Clarkson's appointment as well as the narratives that were negated. The author emphasizes how gender, in addition to class, race and ethnicity, was central to Clarkson's appointment by analyzing how the disassociation between women and Asian capital was key to her ability to speak for us as one of us. In addition to Canadian government and corporate elite courting of Asian capital, gender was also key to the other narratives that could not be spoken, Clarkson's interracial marriage and discourses of miscegenation.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Jacobo de Regoyos

Bélgica: el laboratorio nacionalista de Europa

in *Cuadernos de pensamiento político*, Nr 31, Julio-Septiembre

No abstract available

Section D) Federalism as a political idea



Subsection 2.Nationalism

Macek-Macková Emanuela

Challenges in conflict management in multi-ethnic states – the dissolution of Czechoslovakia and Serbia and Montenegro

in **Nationalities Papers**, Volume 39, Issue 4, July 2011 , 615-633

Abstract

This article examines the break-ups of post-communist Czechoslovakia and the Union of Serbia and Montenegro under consociationalism. According to Arend Lijphart, social divisions may be neutralized at the elite level with power-sharing mechanisms. Lijphart's theory has been abundantly criticized, particularly because, while its intention is to induce cooperation, consociationalism does not give leaders actual incentives to cooperate. Czechoslovakia and the Union qualified as consociations; however most favorable factors were absent. The states failed to overcome their divisions and broke apart. Both states were going through a democratization period, experienced differently in each republic. The article argues that the application of consociationalism at this time magnified the divisions. Stirring up the ethnic sensitivity of the population was the most reliable strategy for politicians to secure popular support. In this context, and with the EU enlargement prospect, the consociational structure, instead of bringing elites together, weakened the federal power and provided elites the opportunity to defend republican interests at the expense of the federations. Hence, while a consociation requires certain conditions and favorable factors, the context in which consociationalism is implemented, and particularly democratization periods, may have a decisive influence on the leaders' ability to cooperate, on their decisions, and thereby on the state.

Section D) Federalism as a political idea

Subsection 2.Nationalism

The critique of methodological nationalism: Theory and history

Chernilo Daniel

in **Thesis Eleven**, vol. 106, n. 1, August , 98-117

This article seeks to further our understanding of what methodological nationalism is and to offer some insights towards its overcoming. The critical side of its argument explicates the paradoxical constitution of the current debate on methodological nationalism – namely, the fact that methodological nationalism is simultaneously regarded as wholly negative and all-pervasive in contemporary social science. I substantiate the idea of this paradox by revisiting some of the most successful attempts at the conceptualization of the nation-state that have sought to transcend methodological nationalism in four disciplines: sociology, nationalism studies, anthropology and social psychology. The positive side of my argument offers a distinction between different versions of methodological nationalism with the help of which it tries to address some of the problems found in the literature. Theoretically, methodological nationalism is associated with, and criticized for, its explanatory reductionism in which the rise and main features of the nation-state are used to explicate the rise and main features of modernity itself. Historically, the article reassesses the problem of its prevalence, that is, whether methodological nationalism is a key feature of the history of the social sciences.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Biagini Eugenio F.



Citizenship and religion in the Italian constitutions, 1796–1849

in History of European Ideas, Volume 37, Issue 2, Special Issue: 'Pact with the Devil: the Ethics, Politics and Economics of Anti-Machiavellian Machiavellism', June , 211-217

This article explores the link between religion and politics, religious liberty and the rights of religious minorities, by focusing on the constitutions which Italian states adopted and discarded from 1796 to 1849. It concerns questions about the 'national character' and the rights and duties of the citizen, and argues that – far from being 'an outlet' for material discontent – questions of religious identity and pluralism were integral to the Risorgimento definition of liberty. In this context, the author explores also the Mazzinian vision of a democratic republic inspired by an acephalous and non-hierarchical civil religion, similar to the Unitarian Transcendentalism practiced by some of his New York admirers – a far cry from the 'religions of politics' inspired by Saint Simon and Auguste Comte.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Vossen Koen

Classifying Wilders: The Ideological Development of Geert Wilders and His Party for Freedom

in Politics, Vol. 31, Issue 3, October , 179-189

This article deals with the ideological development of Geert Wilders, one of the most important politicians of the Netherlands and one of the figureheads of contemporary populism. In this overview his development will be characterised as a transition from a conservative liberalism to an American-inspired neoconservatism and finally to his own unique version of national populism. A closer study of this ideological development is relevant as Wilders's specific version of national populism, with its strong emphasis on the need to protect Western liberal values against Islam, seems to have the potential to become a new ideological master frame for national populist parties and movements in Europe and the United States.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Lomsky-Feder Edna

Competing models of nationalism: an analysis of memorial ceremonies in schools

in Nations and Nationalism, Volume 17, Issue 3, July 2011 , 581–603

ABSTRACT. By analysing school memorial ceremonies in Israel, this article demonstrates how dominant groups in Israeli society (upper- and middle-class, secular, educated Jews of European origin) exploit their historical monopoly over the Israeli warrior ethos in order to retreat from their unconditional commitment to the state and the military, which stands at the very core of traditional 'heroic nationalism'. Nonetheless, despite their withdrawal from the military ethos, analysis of the school ceremonies shows that rather than distancing themselves from the national collective, they are promoting a different kind of nationalism – one that I term 'traumatic nationalism'. This model departs from the warrior ethos and places mourning and a feeling of victimhood at its centre. Thus, through the arena of education, the dominant groups – which mark out the global as their sphere of action – promote a model of nationalism that meets the demands of the post-national discourse.



Section D) Federalism as a political idea

Subsection 2. Nationalism

MATEO BALLESTER RODRÍGUEZ

Comunidad, patria y nación como fuentes de la legitimidad política en las Comunidades de Castilla (1520-1521).
in *Revista de Estudios Políticos* , n. 153

The revolt of the Communities of Castile has been object of the most discordant interpretations throughout history. Some current perspectives assign the political program of the Comuneros a moderately reformist, or even conservative and traditionalist character. As opposed to that, this article subscribes José Antonio Maravall's interpretation of this political rebellion as modern, ground-breaking and revolutionary. Even though Maravall —whose one hundred-birthday is commemorated this year— never used this terminology in relation to the revolt of the Communities, this article holds that in this historical context there is not only an early expression of a national identity, but also a clear outline of the principle of national sovereignty.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Zimmer Oliver

Coping with deviance: Swiss nationhood in the long nineteenth century
in *Nations and Nationalism*, Volume 17, Issue 4, October 2011 , 756-774

ABSTRACT. This article highlights two processes that shaped Swiss nationhood in the long nineteenth century. The first concerns the competition between different nation-states and the nationalist visions these contests engendered. In a Europe dominated by the norm of the culturally and ethnically homogenous nation, the Swiss authorities, public intellectuals and various political representatives were desperate to display an image of national authenticity to the outside world. The result was a nationalism that combined voluntaristic and organic elements. In the second and main part of this article, the focus turns on citizenship; it is conceived not only as a social and legal institution, but also as a cognitive prism through which people defined their membership in the national community. Remarkably, the authority in granting national citizenship to foreign nationals remained firmly in the hands of the cantons and, above all, the Swiss municipalities. In practical terms, this meant that the Gemeinde provided the institutional and cognitive frame through which nationhood was primarily experienced, imagined and defined. While Switzerland represents a particularly strong case of a communalist polity, it should not be treated as unique. Instead, it should alert us to a potentially fertile yet little-explored area of research: what might be called the communal embeddedness of the national(ist) imagination.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Barabantseva Elena, Sutherland Claire

Diaspora and Citizenship: Introduction
in *Nationalism and Ethnic Politics*, Volume 17, Issue 1, 2011 , 1-13



No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Maskaliunaite Asta

Discursive formations and transformations of and around the Basque nationalism: the case of Lizarra-Garazi Declaration

in *Partecipazione e conflitto*, Fascicolo 2, 2011 , 79-98

When it comes to research on the ethno-territorial movements, the case of the Basque nationalism seem to be one of the more popular subjects for investigation. It presents an especially interesting case for analysis with a mix of violent and nonviolent forms of mobilization. During the democratic post-Franco era, all the attempts to end violence seem to be doomed to fail; the divisions remain as strong as before both within the Basque nationalism and between Basque and Spanish political forces. Consequently, the misunderstandings, different interpretations of the same facts, different narratives creating even deeper divides between the political actors flourish as much as before. In the article is examined just one particular episode in the historical development of the Basque (and Spanish) nationalism: i.e. the events surrounding the signing and further interpretation of the 1998 Declaration of Lizarra. Already at a time when it was signed the Declaration of Lizarra became one of the most controversially interpreted documents in the Basque politics, and it had been shaping the Basque(and Spanish) political debate also in the following years. Studying this case it is illustrated the difficult relationship between violent and non-violent parties in ethnonationalist movements, as well as the complicated interaction between the regional ethnonationalist political parties and the state ones. Furthermore, the case serves as a good illustration of how the political discourse is transformed and as an illustration of the importance of interpretation in politics and of the use of "historical discourse" in these interpretations. It will show how the new political myths are created and how they inform the future interrelations between the involved parties.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Ismer Sven

Embodying the nation: football, emotions and the construction of collective identity

in *Nationalities Papers*, Volume 39, Issue 4, July 2011 , 547-565

Abstract

The article intends to combine contemporary debates about nations and nationalism with a sociological perspective on collective emotions in its attempt to gain a better understanding of the process of constructing national identity. It will further present interdisciplinary evidence that collective emotions evoked in rituals instigate a number of group-related sociocognitive processes that reinforce enduring feelings of belonging and an emotional priming of collective representations. I will suggest that states of "collective effervescence" (Durkheim) do not only tie individuals to a community, but also provide a strong frame for the creation of symbols and the embodiment of shared meanings defining a community. The second part of the article analyzes examples taken from the football media coverage of the FIFA World Cups 2006 and 1974 (both were held in Germany) in order to provide a comparative case study exemplifying the proposed theoretical approach. The sample illuminates some interesting changes that invite further hypotheses about corresponding changes of national identity in a larger context.



Section D) Federalism as a political idea

Subsection 2. Nationalism

Klanjšeka Rudi, Flerea Sergej

Exit Yugoslavia: longing for mononational states or entrepreneurial manipulation?

in *Nationalities Papers*, Volume 39, Issue 5, September 2011 , 791-810

Abstract

The study analyzed whether the dissolution of Yugoslavia and the establishment of succeeding mono-national states was the expression of "longing" of mass proportions on the part of the nationalities within respective federal units. Using the data from two pan-Yugoslav surveys from the period preceding the dissolution, results were obtained that indicated a very limited support for this hypothesis. More specifically, results indicated that support for emancipation was rather weak, among youth in 1986 and even among the adult population in 1990, although some significant mean differences between the federal units and between major nationalities within them were evident. Specifically, opinions favoring independence were detected among Kosovo Albanians and later among Slovenians in Slovenia. In addition, findings also indicated that those with higher socioeconomic status were not more inclined toward independence. Results thus pointed more towards the idea that the dissolution was indeed instigated by a small group of "political entrepreneurs" not captured by the survey data.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Surak Kristin

From Selling Tea to Selling Japaneseness: Symbolic Power and the Nationalization of Cultural Practices

in *European Journal of Sociology*, Volume 52, Issue 02, 2011 , 175-208

Abstract

This article investigates how institutions of cultural production become invested in the national meanings of their products and employ these associations for their own reproduction and expansion. The case I take is of the tea ceremony in Japan, from its pre-modern origins, through its capture by the organizational form of the iemoto system, and to its contemporary projection as a quintessence of Japaneseness. The ritual offers a particularly vivid illustration of the ways in which symbolic power can not only be periodized, first through its accumulation and then its routine exercise, but can also be successively articulated, at first with the state and then with the nation.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Hutchins Rachel D.

Heroes and the renegotiation of national identity in American history textbooks: representations of George Washington and Abraham Lincoln, 1982–2003

in *Nations and Nationalism*, Volume 17, Issue 3, July 2011 , 649–668



ABSTRACT. American history textbooks for the USA's public schools act as quasi-official loci for the renegotiation of national identity and are, as such, subject to much controversy. The choice of heroes and the way in which textbooks depict them display the interplay between competing visions of popular ethno-history and scholarly historiography. This article examines contemporary renegotiation of the national narrative through an analysis of the evolving representation of the USA's two most prominent traditional national heroes – George Washington and Abraham Lincoln – in history textbooks for elementary-school students published from the early 1980s to 2003. This period marks the development of the multiculturalist movement and its subsequent conservative backlash, with debates intensifying in the wake of the events of 11 September 2001.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Rosenzweig Luc

Hongrie: un passe qui ne passe pas...

in *Politique internationale*, n. 131 - Printemps, 2011

Interview to Gyöngyösi Marton. Parliamentary member from the Hungarian Jobbik Party ("Movement for a Better Hungary") since 2010, Marton Gyöngyösi represents the far-right faction on the Parliament's foreign affairs committee, of which he is also vice chairman. In this interview with Luc Rosenzweig, Gyöngyösi expounds on his party's controversial views. After winning 16.67% of the vote in Hungary's recent national elections, Jobbik took 47 of the 386 parliamentary seats. Though not part of the ruling coalition led by Viktor Orban, Jobbik nevertheless acts as a stimulus, urging the government parties to adopt an increasingly prickly form of nationalism. Unlike its far-right counterparts in Europe, the party has not made immigration the central focus of its propaganda. However, its anti-Semitic rhetoric and open hostility toward the country's 600,000-strong Roma population make it a spiritual descendant of the Hungarian fascist movements that were active before and during the Second World War.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Pérez Marco

Il nazionalismo basco nella riflessione storiografica: interpretazioni e costruzioni dell'immaginario identitario

in *Spagna Contemporanea*, Anno XIX, n. 38 , 167-187

Since the seventies, post-Francoist historians proposed a "functional" interpretation of the Basque national issue, mainly as a reaction to the late-XIX century Biscayan industrial revolution. The reading of peripheral nationalism as something "imagined" and "invented" summed up to the later anthropological and cultural analysis of original euskaldun myths, which regarded as irrational modernity based on ethnical and exclusive assumptions. Thus the Basque difference, intended as a variant of the "Spanish labyrinth", hardly allowed for national or international comparisons and occasionally led to the ideological rejection of autonomist discourse. On the basis of these assumptions, Basque nationalism is seen as an example of sacralization of politics, capable of supporting Euskadi's assumed historical peculiarity. More recently, Coro Rubio Pobes' research focuses on the dual (and integrated) Spanish and Basque identity construction, as imagined on a literary and political plan throughout the XIX century. While Sabino Arana's thinking contains local elements (associated to foral traditionalism), his "originality" does not justify the existence of a political religion or an essentialism lying outside the ethno-religious culture of Spanish national-Catholicism.



Section D) Federalism as a political idea

Subsection 2.Nationalism

Borioni Paolo

Il populismo etno-nazionalista e i compiti della socialdemocrazia

in *Democrazia e diritto*, AnnoXLVII, n. 3-4

Section D) Federalism as a political idea

Subsection 2.Nationalism

Laqua Daniel

Internationalisme ou affirmation de la nation? La coopération intellectuelle transnationale dans l'entre-deux-guerres

in *Critique Internationale*, N°52, Juillet/Septembre 2011 , 51-67

Projecting Nationhood? The Nation in Transnational Intellectual Cooperation during the Interwar Years

How did intellectuals and politicians confirm or reinforce national categories, even when they ostensibly promoted visions of an international community ? The article addresses this question through a case study of the League of Nations' mechanisms for intellectual cooperation. After a brief discussion of institutional aspects, namely the establishment of League-affiliated committees and institutes in the 1920s, the article focuses on the interplay of transnational and national practices. National actors – for instance intellectuals and organisations from Central and Eastern Europe – targeted the League bodies, evoking both cultural internationalism and national interests. Furthermore, nationhood was projected at international congresses – sometimes openly, sometimes in more subtle terms – with the pronouncements of delegates from Fascist Italy providing an interesting case in point. Finally, the article discusses how individuals sought to reconcile the multilayered nature of their activities ; to this end, it considers several figures who were involved in the League's efforts to foster a 'société des esprits'.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Alexander Jocelyn, Kynoch Gary

Introduction: Histories and Legacies of Punishment in Southern Africa

in *Journal of Southern African Studies*, Volume 37, Issue 3, Special Issue: Histories and Legacies of Punishment in Southern Africa, September , 395-413

Full text available on-line: <http://www.tandfonline.com/doi/pdf/10.1080/03057070.2011.602880>

Section D) Federalism as a political idea

Subsection 2.Nationalism



Coakley John

Kingdoms, republics and people's democracies: legitimacy and national identity in European constitutions
in *National Identities*, vol. 13, n. 3, September , 267-285

This article uses constitutional texts to explore the models of national identity which elites in European states have apparently wished to endorse. It analyses three types of constitutions – of constitutional monarchies, democratic republics, and former revolutionary communist states – to establish how the primary principle of legitimacy is identified, and how the concept of ‘the people’ is understood. It concludes that these issues evoke a different response in the three types of constitution, suggesting a surprising survival of the implications of the monarchical-republican distinction, and a brief flowering of at least the principle of international proletarian solidarity in communist constitutions.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Buxant Martin

La voie flamade

in *Politique internationale*, n. 132 - Ete, 2011

Interview to Bart De Wever. For many years, Belgium's political elite has dismissed Bart De Wever as a crank. Indeed, the exuberant personality of the leader of the New Flemish Alliance (N-VA) has caused many to doubt his seriousness at times. But since his Flemish nationalist party triumphed in the legislative elections in Flanders on June 13, 2010, he has acquired a new status. This conservative is a staunch defender of Flemish interests, which he has placed above all other considerations. In this exclusive interview, Mr. De Wever is very clear that in voting for his party, the Flemish people expressed their political and economic demands, and he has no intention of compromising in this area. His will be taking an inflexible position during negotiations on Belgium's future: there should be fundamental state reforms to allow each community to live the way they want. Mr. De Wever has been engaged in a fierce standoff with Belgium's French-speaking community for a year now and he shows no sign of giving in.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Vitale Ermanno

La “costellazione postnazionale”

in *Critica liberale*, Volume XVIII, n. 191, settembre 2011

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Rosenzweig Luc

Le credo des Wallons

in *Politique internationale*, n. 132 - Ete, 2011

Interview to Elio Di Rupo. With no federal government for over a year now, the Belgian state is crumbling more and



more with each passing day. King Albert II has therefore appointed Elio Di Rupo, leader of the francophone Socialist party, as "formateur" - making him, in effect, a virtual prime minister charged with resolving the country's institutional crisis. Is Mr. Di Rupo Belgium's last chance for survival? One thing is certain: the "formateur" will have to square the circle of reconciling the interests of his Walloon compatriots, the majority of whom wish to maintain a united Belgium, with the aspirations of the Flemish, who demand ever greater autonomy, even if this endangers state unity. In this exclusive interview, the Walloon leader does not shy from the magnitude of the task ahead and reveals some of the strategies he will deploy to meet the challenge. Mr. Di Rupo believes in maintaining Belgian unity, but not at any cost, and warns that if Flanders decides to declare independence, the Walloons and residents of Brussels should not be afraid to take their own destiny in hand.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Mateos Abdón

Los españoles de América. Nacionalidad y ciudadanía desde la segunda República hasta la España actual in Spagna Contemporanea, Anno XX, n. 39

Democratic citizenship in Spain was hard to build due to the pretension of establishing an imperial monarchy in two continents. Although this pretension had to be abandoned in the XIX century, Spain developed a substitute for the colonial rule to administer territories defined as overseas provinces until well into the XX century. Mass emigration to Hispanic America involved the creation of communities of Spaniards making up a niche of nationality preservation, citizenship building and especially Republican opposition to the monarchy and, since 1936, to the Francoist dictatorship. Subsequent to the recognition on the part of the Second Republic of the right to double nationality, for the first time Civil war exiles put forward the idea of extending citizenship to all Spanish expatriates although this was actually granted only by the 1978 Constitution.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Breuilly John

Max Weber, charisma and nationalist leadership

in Nations and Nationalism, Volume 17, Issue 3, July 2011 , 477–499

ABSTRACT. 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 2. Nationalism



Reinhardt Karin

Mononational Germany? Multinational Switzerland? A critique of Will Kymlicka's theory of multiculturalism in Nations and Nationalism, Volume 17, Issue 4, October 2011 , 775–793

ABSTRACT. This article presents a critique of Will Kymlicka's theory of multiculturalism. It examines Kymlicka's theoretical distinction between mononational and multinational states and his empirical examples that support this theory: Germany as an example of a mononational state and Switzerland as an example of a multinational state. By means of a content analysis of constitutions, it demonstrates that Danes and Sorbs should be characterised as national minorities in Germany, whereas the French- and Italian-speaking communities of Switzerland do not constitute nations. The distinction between mono- and multinational states proposed by Kymlicka does not hold for Germany and Switzerland, and hence must be approached anew, theoretically as well as empirically.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Soto Carrasco David

Nación y misión en un epígono del nacionalcatolicismo: José Solas

in *Spagna Contemporanea*, Anno XX, n. 39

This article analyses how the virtually unknown José Solas tried to integrate the diverse conservative tendencies (traditionalist, Phalangist, Carlist, etc.) within the early Francoist regime, after holding a lecture at “Cursos para extranjeros” organized by the ministerio de Educación Nacional in Santander in the summer of 1938 and published as a book in 1940. Solas wanted to build a philosophical and political doctrine to justify the legitimacy of the new State on the grounds of the basically Catholic character of the Spanish nation. According to Solas, the “Movement” of July 18 was the culmination of the “Mission” of an eternal Spanish nation.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Offord, Derek

Nation-Building and Nationalism in Karamzin's History of the Russian State

in *Journal of Modern Russian History and Historiography* , Vol. 3, issue 1 , 1-50

This essay analyzes Karamzin's contribution, through his History of the Russian State, to the formation of national identity and to the development of nationalism in early nineteenth-century Russia. It explores Karamzin's argument that the development of a unified state gave Russia an equal claim to membership in Europe's family of nations, and thus underlines the way that, for Karamzin, Russia's national identity was subsumed in imperial expansion. Karamzin was first and foremost a political nationalist. Yet the essay also explores the humane, cosmopolitan elements of Karamzin's thinking - elements that were in some tension with his statism and which pointed toward a cultural nationalism more complex than this statism.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Byrne Jennifer



National Identity and Attitudes toward Immigrants in a “Multicreedal” America
in *Politics & Policy*, Vol. 39, Issue 4, August , 485-514

This study expands the literature by examining how the relationship between ethnic/cultural, civic, and liberal conceptions of American national identity shapes attitudes toward immigrants. Using two cross-sectional datasets, an ordinal logit model, and predicted probability scenarios, I find that an unequal balance (i.e., strong favoring of one or more dimensions at the expense of the others) of these three different dimensions of national identity results in extremely negative or positive attitudes toward immigrants, while those that hold moderate levels of these three elements of identity are likely to express neutral-to-positive attitudes. I argue that it is the balance between these dimensions that is important in shaping individual attitudes toward immigrants, making it essential to determine not just individual support for each dimension of national identity but the support of each dimension vis-à-vis each other.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Naxidou Eleonora

National Identity in the 19th-Century Balkans: The Case of Hatzichristos
in *Nationalism and Ethnic Politics*, Volume 17, Issue 3, 2011 , 319-334

Abstract

This article shows that the eventual predominance of national ideology in the Balkans and the subsequent consolidation of the national identity of its peoples was a long drawn-out process that continued even after the founding of nation-states. This is presented through the story of a man by the name of Hatzichristos, who during Ottoman rule in the Balkans, although of Serbian origins, fought on the side of the Greeks in the 1821 Greek war of independence and who then settled as a permanent resident in the newly-formed Greek state. Hatzichristos does not appear to have developed a sense of ethnic self-awareness. His perception of nationalism, if it existed at all, was embryonic. But the fact that the Greeks wrongly referred to him as Voulgaris [Bulgarian] indicates that they did not have any precise definition of what constituted the Others in terms of nationalist criteria.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Alexander Jocelyn

Nationalism and Self-government in Rhodesian Detention: Gonakudzingwa, 1964–1974

in *Journal of Southern African Studies*, Volume 37, Issue 3, Special Issue: Histories and Legacies of Punishment in Southern Africa, September , 551-569

Political prisoners have commonly resisted the terms of their imprisonment. Under certain circumstances, they have also sought to displace the state's authority with their own institutions of government. These efforts provide a unique window onto political ideas and 'languages of stateness', as well as the effects of particular conditions of confinement. ZAPU detainees' practices in the remote outpost of Gonakudzingwa revealed a commitment to a model of bureaucratic power that drew on the Rhodesian state while also offering a critique thereof. Detainees constructed a hierarchy of rule-bound



and specialised committees that closely regulated daily life; they imagined an inclusive nationalist mythology, and they promoted civility and restraint. Detainee self-government could not contain all divisions and disputes, but it did offer an alternative vision of nationalism and authority that stood in stark contrast to the practices of nationalists and guerrillas in exile and in the war zones of Rhodesia.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Sheppard Randal

Nationalism, economic crisis and 'realistic revolution' in 1980s Mexico

in *Nations and Nationalism*, Volume 17, Issue 3, July 2011 , 500-519

ABSTRACT. This article examines how the Mexican state drew upon nationalist discourse for legitimacy following the 1982 debt crisis. The analytical framework situates Mexico within the context of Latin American nationalism and explores the structural and conjunctural factors that contributed to the endurance and effectiveness of Mexican revolutionary nationalism as a hegemonic nationalist discourse. Historical commemorations during the Miguel de la Madrid administration (1982–88) are then examined to show how the state evoked nationalist motifs as it dealt with economic crisis, pressure from the USA, domestic political opposition and the implementation of neoliberal reforms. The relative effectiveness of sometimes counterintuitive appeals to nationalist legitimacy is found to be neither wholly 'rational' nor 'irrational', in this case having its basis in a history of elite and popular negotiation through the revolutionary nationalist framework, the continuity of the post-revolutionary Partido de la Revolución Institucional (PRI) state model and the lack of a viable competing paradigm.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Schwartz Alex

Patriotism or Integrity? Constitutional Community in Divided Societies

in *Oxford Journal of Legal Studies*, Volume 31 Issue 3 September , 503-526

Some commentators worry that a plurinational constitutional order can only ever be an inherently unstable *modus vivendi*. They fear that the accommodation of sub-state nationalism will tend to undermine the viability of constitutional democracies. This article enlists Ronald Dworkin's theory of 'law as integrity' to show how these concerns might be assuaged. My central claim is that the expressive value of integrity can drive a divided society in the direction of an eventual community of principle, even in the absence of a common political identity. I argue that this model of political community is a more plausible prescription for divided societies than the theory that competing nationalisms might be superseded by constitutional patriotism. I go on to explain, however, that integrity has a better chance of realizing this potential if the generally judge-centric focus of Dworkin's theory is expanded to make greater room for non-judicial interpretative responsibility. Occasional references are made to the example of Northern Ireland to illustrate my points.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Meune Manuel



Pluralisme identitaire et nation unitaire en Suisse. Le discours des acteurs politiques locaux dans les cantons bilingues à l'aune du débat

in *Swiss Political Science Review - Schweizerische Zeitschrift für Politikwissenschaft - Revue suisse de science politique*, Volume 17, Issue 3, September 2011 , 308-335

Abstract

Identity Pluralism and Unitary Nation in Switzerland

The paper examines the lack of an internal national movement in Switzerland, due to the strength of federal national narrative. Within multilingual countries like Canada, the self-designation as a nation is a sign of acute language tensions, but in Switzerland, the concept of « linguistic community » is the only one which refers to the ethno-linguistic level. Although identity-based emotions as well as the relationship to territory in the canton of Fribourg remind us of the situation in Quebec, language conflicts are resolved exclusively at cantonal level. The emergence of an « infra-Swiss » national discourse could only occur if the sense of belonging to a French Swiss or a German Swiss group were seen as particularly central. Yet, our survey of 962 municipal councilors in bilingual cantons shows that language affiliation is certainly important by shaping political behavior, but this affiliation does not compete with cantonal identification (which is particularly strong in Valais) or Swiss identification. For reasons related to history and linguistic geography, Switzerland remains a unitary nation.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Kaufmann Eric

Reflections on the Swiss Sonderfall

in *Nations and Nationalism*, Volume 17, Issue 4, October 2011 , 815-820

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Long Katy

Refugees, repatriation and liberal citizenship

in *History of European Ideas*, Volume 37, Issue 2, Special Issue: 'Pact with the Devil: the Ethics, Politics and Economics of Anti-Machiavellian Machiavellism' , June , 232-241

This article considers the meanings attached to refugeehood, repatriation and liberal citizenship in the twentieth century. Refugees are those who have been unjustly expelled from their political community. Their physical displacement is above all symbolic of a deeper political separation from the state and the citizenry. 'Solving' refugees' exile is therefore not a question of halting refugees' flight and reversing their movement, but requires political action restoring citizenship. All three 'durable solutions' developed by the international community in the twentieth century – repatriation, resettlement and local integration – are intended to restore a refugee's access to citizenship, and through citizenship the protection and expression of their fundamental human rights. Yet repatriation poses particular challenges for liberal



political thought. The logic of repatriation reinforces the organization of political space into bounded nation–state territories. However, it is the exclusionary consequences of national controls over political membership – and through this of access to citizenship rights – that prompt mass refugee flows. Can a framework for repatriation be developed which balances national state order and liberal citizenship rights?

This article argues that using the social contract model to consider the different obligations and pacts between citizens, societies and states can provide a theoretical framework through which the liberal idea of citizenship and national controls on membership can be reconciled.

Historical evidence suggests that the connections in practice between ideas of citizenship and repatriation have been far more complex. In particular, debate between Western liberal and Soviet authoritarian/collectivist understandings of the relationship between citizen and state played a key role in shaping the refugee protection regime that emerged after World War II and remains in place today. Repatriation – or more accurately liberal resistance to non-voluntary refugee repatriation – became an important tool of Cold War politics and retains an important value for states interested in projecting and reaffirming the primacy of liberal citizenship values. Yet the contradictions in post-Cold War operational use of repatriation to ‘solve’ displacement, and a growing reliance on ‘state-building’ exercises to validate refugees’ returns demonstrates that tension remains between national state interests and the universal distribution of liberal rights, as is particularly evident when considering Western donor states’ contemporary policies on refugees and asylum. For both intellectual and humanitarian reasons there is therefore an urgent need for the political theory underpinning refugee protection to be closely examined, in order that citizenship can be placed at the centre of refugees’ ‘solutions’.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Kamusella Tomasz

Silesian in the nineteenth and twentieth centuries: a language caught in the net of conflicting nationalisms, politics, and identities

in **Nationalities Papers**, Volume 39, Issue 5, September 2011 , 769-789

Abstract

A probe into the changing perceptions and classifications of Silesian (i.e. the Slavic dialect and the Slavic-Germanic creole of Upper Silesia, or both construed as the ethnolect of the Silesians) during the nineteenth and twentieth centuries, as most saliently influenced by the mutually nullifying competition of German and Polish ethnolinguistic nationalisms. This competition opened the space for the rise of the Silesian national-cum-regional movement, which sometimes undertook the task of codifying a Silesian language. Such codifications were frustrated during the periods of dictatorship and totalitarianism, which lasted in Upper Silesia from 1926/1933 to 1989. Berlin and Warsaw suppressed the possibility of the rise of a Silesian language, perceived as an ideological threat to the ethnolinguistic legitimization of German and Polish national statehood. Today, Warsaw dislikes the recent popular grassroots project to codify Silesian as a language, but, under the democratic conditions enjoyed in postcommunist Poland, the state administration has no legal means to suppress this project. The codification of Silesian gathered pace at the turning of the twenty-first century, due, among other reasons, to the rapid spread of access to the Internet. However, without the state's blessing and support, the outcome of the codification project, remains, at best, uncertain.

Section D) Federalism as a political idea

Subsection 2.Nationalism



Aglietti Marcella

Simboli, archetipi e rappresentazione dell'istituto legislativo nella panflettistica politica spagnola dell'Ottocento in Spagna Contemporanea, Anno XIX, n. 38 , 7-35

The question on what political institutions were best suited to nineteenth-century Spain, and in particular, on the role Cortes should have, was the issue of many political pamphlets, especially those of the first half of the nineteenth century. This source became the privileged arena for the official and unofficial political debate. Positive and negative stereotypes inherited from the past were added to new clichés, often as ambiguous, offering elements of great interest to understand the genesis of a new political and institutional culture of the Nation.

Section D) Federalism as a political idea

Subsection 2.Nationalism

Breilly John, Hechter Michael, Sasse Gwendolyn, Hale Henry E.

Sixth Nations and Nationalism debate: Henry E. Hale's The Foundations of Ethnic Politics: Separatism of States and Nations in Eurasia and the World

in **Nations and Nationalism**, Volume 17, Issue 4, October 2011 , 681–711

No abstract available

Section D) Federalism as a political idea

Subsection 2.Nationalism

Alexseev Mikhail A

Societal security, the security dilemma, and extreme anti-migrant hostility in Russia

in **Journal of Peace Research**, Volume 48, Number 4, July , 509-523

The societal security theory posits that extreme anti-migrant hostility – such as demands to deport all migrants unconditionally – emerges when host communities see migration as a threat to the survival of their group identity. An alternative interpretation – the immigration security dilemma – attributes extreme hostility to the human tendency to prepare for the worst under uncertainty when central authority weakens. Does extreme intergroup hostility relate more to threats framed in terms of group survival or to those framed in terms of uncertainty about government capacity and migration effects? I investigate this question empirically with the Russian national survey data (2005, N = 680) asking who in Russia supports the deportation of all internal and external migrants, legal and illegal, and their children to their places of origin – an extreme and widespread view that would require forced population movements not seen in the region since Stalin's Great Terror. In multivariate tests, agreement with the societal security (survival) rhetoric explained about five percent of variation in support for unconditional, wholesale deportation of migrants; agreement with the security dilemma (uncertainty) rhetoric – about 20%. A comparison of attitudes in the same survey to Armenian, Uzbek, Chechen, and Chinese migrants and the association of each ethnic group with different types of security threat further support this finding. Hostility toward ethnic groups viewed as a weak security threat was more diagnostic of public support for wholesale deportation of migrants than hostility toward groups viewed as a strong security threat.

Section D) Federalism as a political idea

Subsection 2.Nationalism



Lluca Jaime

Sovereignists and Associationists: Explaining the Origins of National Movements' Political Orientation in Nationalism and Ethnic Politics, Volume 17, Issue 2, 2011 , 203-224

Abstract

This article seeks to explain why certain substate national movements tend to develop as “association-seeking” national movements, while others develop a “sovereignty-seeking” orientation. An association-seeking national movement is a national movement that has developed a strong autonomist or federalist orientation. I illuminate the causal mechanisms that help to explain across-case variation in national movements' political orientation by contrasting the origins of the associationist tendency of the Puerto Rican (1930s–1950s) and Catalan (late 19th century–1936) national movements with the origins of the sovereignist tendency of the Québécois (1960–1980) and the Basque (late 19th century–1936) ones. Substate national movements tend to develop as association-seeking movements if they are framed by a mode of development that creates structural incentives for maintaining close political and economic ties with the central state. Sovereignty-seeking national movements tend to occur if a mode of development has resulted in displacement or dislocation, and the substate nationalists perceive that this poses a threat to the national or cultural integrity of their society.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Machava Benedito Luís

State Discourse on Internal Security and the Politics of Punishment in Post-Independence Mozambique (1975–1983)

in **Journal of Southern African Studies**, Volume 37, Issue 3, Special Issue: Histories and Legacies of Punishment in Southern Africa, September , 593-609

This article explores state discourse on domestic security threats and the way the Mozambican party-state sought to counter them in the decade after independence. It analyses the ways in which government forces dealt with ideological enemies, crime and social disorder. It is argued that Frelimo's quest for hegemony and its obsessive aim of building a state-nation under the project of 'socialist revolution' led to harsh intolerance of all that was considered a hindrance to these objectives. As obstacles to the project arose from the outset, the party-state developed a political analysis of security that did not distinguish internal from external security threats. The result was the institutionalisation of a politics of punishment as a state instrument of power and social control aiming to repress, deter and educate party-state opponents and all individuals outside the realm of socialist and revolutionary principles defined by the party-state. The article demonstrates that much of this politics of punishment represented to considerable sections of Mozambican society a return to the 'old regime' insofar as the post-independence state reproduced some colonial mechanisms of punishment and social control.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Chollet Antoine

Switzerland as a 'fractured nation'

in **Nations and Nationalism**, Volume 17, Issue 4, October 2011 , 738-755



ABSTRACT. This article deals with Swiss nationalism and Swiss nation-building. Its main thesis is that Switzerland cannot accurately be described as either a nation or a non-nation but is something in between, and could thus best be characterised as a 'fractured' nation. Switzerland has experienced some powerful nationalist moments, from the creation of the Swiss state in 1848 to the last few decades. Yet this recurrent nationalism among the Swiss, considered alongside their more traditional reluctance to consider themselves a nation, make Switzerland a peculiar object: a 'fractured' nation. This flawed process of nation-building in turn reveals some basic characteristics of all nations – inherent artificiality, and the tremendous efforts undertaken to hide it. Switzerland could be considered an unfinished, incomplete nation, and this is precisely why its study can be interesting for scholars of nations and nationalism.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Ipperciel Donald

Switzerland's nationhood: a normative approach

in *Nations and Nationalism*, Volume 17, Issue 4, October 2011 , 794–814

ABSTRACT. In this article, I explore the subject of Switzerland's nationhood in light of a theoretical approach based on normative principles. This approach has the advantage of avoiding the definitional conundrum arising from the plurality of purely descriptive (often historical) definitions of nationhood. Instead, in accordance with certain normative inferences concerning what the nation ought to be given the principles of democracy, law and inclusion, it portrays the nation as a political entity having the largest possible group of individuals instituting a space of public discussion within a state. In this normative definition, attention should be drawn to the concept of 'space of public discussion', which, to my mind, entails the existence of a common public language used by its citizens – something notably different from either the multilingualism of the elite or a common parliamentary language. Proceeding in this way, I will defend the idea that Switzerland is a multinational state on the basis that cantons may be considered small nations, although certain pressures on the boundaries of the cantonal public spaces tending to expand them to the whole of the linguistic region must also be taken into consideration.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Helbling Marc, Stojanovič; Nenad

Switzerland: challenging the big theories of nationalism

in *Nations and Nationalism*, Volume 17, Issue 4, October 2011 , 712-717

No abstract available

Section D) Federalism as a political idea

Subsection 2. Nationalism

Soldevilla Gaizka Fernández

Séptimos, octavos y milikis. Los finales de ETA político-militar (1981-1985)

in *Spagna Contemporanea*, Anno XX, n. 39

Political-military ETA was one of the Basque nationalist terrorist organizations active during the Spanish Transition. In



1977 it set up a Bolshevik-inspired party, EIA, and a coalition which ran at the general election of that year, Euskadiko Ezkerra. For some years EIA and pmETA constituted the so-called political-military Block, but eventually the path of terrorism proved incompatible with democratic institutions. Differences in strategy brought about internal crises in both groups. As a result, pmETA declared a truce in 1981. The organization split up into two groups. Thanks to the negotiations between the EIA party and the UCD government, one of these factions dissolved itself and its militants easily re-integrated into the society; the militants of the other faction either joined military ETA or gradually disappeared.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Werner-Müller Jan

The Hungarian Tragedy

in **Dissent**, Spring, 2011 , 5-10

A Nationalist Conservative revolution has triumphed in Budapest; its leaders are busy dismantling constitutionalism and the rule of law. How could this have happened? And can the Western Left do anything about it?

There was a time when Hungary seemed the best hope for a liberal postcommunism. The country had produced some of the leading dissidents of the region in the 1970s and 1980s (such as ex-Marxist philosopher János Kis); civil society had developed rapidly even before the official end of state socialism in 1989. After the revolt of 1956 (which the Soviet Union brutally suppressed), the Hungarian government had slowly liberalized, introducing “goulash communism” and inverting the old totalitarian maxim to read: “who is not against us, is with us.” To be sure, state socialism was discredited—but not ideals of social justice. The transition from state socialism was not only gradual—it was to a significant degree initiated by the old regime. Even the old...

Section D) Federalism as a political idea

Subsection 2. Nationalism

Elena Kolocharova

The Sociological Dimension of Political Identity

in **Sociological Research** , Vol. 50, n°3 , 39-55

Research data suggest that at the present stage Russians' political identity is not based on any commitment to specific political principles, values, goals, or programs, but on an undifferentiated sense of belonging to a state political whole, or on a personified sympathy for the single figure of the political leader as representative of Russia as a whole. Likewise, citizenship is seen as a passive role, with decisions being left to national leaders.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Franzén Johan

The problem of Iraqi nationalism

in **National Identities**, vol. 13, n. 3, September , 217-234

This article analyses the development of a tenuous Iraqi national identity since the creation of the Iraqi state in 1920. Informed by the ideas of Anthony D. Smith, Benedict Anderson and Eric Hobsbawm, it argues that various political



actors in Iraq have sought to reshape historical memory and thus forge a national identity. Despite many setbacks and a long series of authoritarian regimes seeking to appropriate Iraqiness for their own political purposes, and recently the threat from Kurdish irredentism, this article nevertheless contends that an Iraqi cultural 'ethnicity' has been created over the past nine decades.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Dinçşahin Şakir, Goodwin Stephen R.

Towards an encompassing perspective on nationalisms: the case of Jews in Turkey during the Second World War, 1939–45

in *Nations and Nationalism*, Volume 17, Issue 4, October 2011 , 843–862

ABSTRACT. This article focuses on the plight of the Jews in Turkey during the Second World War, with the intention of analysing specific historical events through the lenses of leading theories of nationalism. First we review recent developments in historiography that contribute the framework for understanding both the hermeneutical possibilities and limitations when addressing historical texts. Then we employ three theories of nationalism – the ethno-symbolist, instrumentalist and social constructivist – as a means of analysing and interpreting the historical events of the Jewish predicament vis-à-vis the Republic of Turkey. We conclude by suggesting what impact our findings may have on the narratives from this time period, and the way in which we can understand narratives today.

Section D) Federalism as a political idea

Subsection 2. Nationalism

Eastman Scott

'America Has Escaped from our Hands': Rethinking Empire, Identity and Independence during the Trienio Liberal in Spain, 1820-1823

in *European History Quarterly*, Volume 41, n. 3, July, 2011 , 428-443

Abstract

Spanish nationalists lauded the Constitution of 1812, which erased the boundaries of colony and metropole. By the early 1820s, however, separatists narrated 300 years of American history as a Biblical tale of enslavement, with nations ultimately freed from captivity by the heroism and martyrdom of liberators such as Hidalgo. Contrary to the idea that an apathetic metropolis turned away from its empire, this article recovers a vibrant public sphere in which debates raged over independence, nationality and the possibilities of constitutional monarchy. As Spain and Mexico shared a liberal political culture, it is clear that national identities diverged only inasmuch as nationalists insisted upon distinctive cultural and historical roots and the definitive separation of the 'two Spains'.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations



Moos Carlo

Cattaneo, il federalismo e la Svizzera

in *Nuova Antologia*, n. 2258, aprile-giugno

No abstract available

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Young Christopher J.

Connecting the President and the People: Washington's Neutrality, Genet's Challenge, and Hamilton's Fight for Public Support

in *Journal of the Early Republic*, Volume 31, Number 3, Fall , 435-466

As the French Revolution intensified with the execution of King Louis XVI in 1793, so did the American public's interest in foreign affairs. Since President George Washington seized the initiative in foreign affairs (rather than Congress, as was expected by many at the time), the executive became the focal point of the developing relationship between the American public and the newly established federal government. The events centered on the Washington administration and the French Minister, Edmond Genet, placed the office of president of the United States squarely at the intersection of foreign affairs and popular politics. By focusing on the political activity that swirled around President George Washington's controversial proclamation of neutrality, this essay examines how Federalists, especially the administration's own Alexander Hamilton, tried to shape the public's understanding of the proclamation. When Washington thrust his administration into the burgeoning foreign crisis, the president put himself and the executive office at the center of the public debate. By looking at newspaper essays, community resolutions, presidential replies, and the Gideon Henfield trial and verdict, this essay argues that the Washington administration experienced the power of public opinion as an advantageous political force as well as an obstacle to its policy of neutrality. Washington's proclamation of neutrality, which injected executive authority into the realm of foreign affairs at a time when the American public was intensely interested in foreign events, contributed to the developing relationship between the American people and the newly established executive office.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Su Hungdah

Jean Monnet's Grand Design for Europe and its Criticism

in *Journal of European Integration History*, vol. 15, n. 2 , 29-46

Honoured as 'Father of Europe' and 'First European Citizen', Jean Monnet was a man of action and never intended to be a theorist. But he ultimately constituted a complete design for Europe, which aimed not only at building a unified Europe, but also establishing a permanent alliance and partnership between the US and a unified Europe in world politics. Furthermore, Monnet presented a picture of a world of blocs managed by a concert of powers, where the US and unified Europe constituted a predominant holy alliance. With the objective of analysing Monnet's grand design for Europe, the article first explains in detail the Frenchman's motivations before presenting his tripartite plans – composed of a European Federation, a US-Europe alliance and a world concert of three powers. The paper then presents a critical review of Monnet's design before drawing some conclusions.



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Weisbein Julien

La Fédération française des maisons de l'Europe (1960-2000) La trajectoire d'un militantisme européen de terrain

in *Politique européenne* , n. 34, 2, 2011 , 37-62

Depuis sa création en 1961, la Fédération française des maisons de l'Europe (FFME) se fixe pour objectif d'informer les populations sur la construction européenne avant tout dans leur environnement proche, la ville, et entend ainsi décliner le processus d'intégration au prisme des espaces locaux. Elle occupe aujourd'hui une place importante au sein de la configuration formée autour de l'information européenne. L'analyse de la trajectoire de cette organisation montre néanmoins que cet objectif de mise en proximité de l'Europe a pu fluctuer, en raison de dynamiques internes (liées au réseau des Maisons de l'Europe) mais aussi d'interactions externes, tant nationales (avec les autres groupes militants de promotion de l'Europe comme le Mouvement européen ou bien l'Union pour une Europe fédérale) qu'internationale (avec la Fédération internationale des maisons de l'Europe ou bien avec les institutions communautaires). Mais surtout, l'intégration de la FFME au sein de la configuration des pouvoirs qui se tissent autour de Bruxelles correspond à l'abandon d'une attitude militante politisée autour du schème fédéraliste au profit d'un alignement sur une lecture neutre du processus d'intégration communautaire.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Landry Charrier

Romain Rolland, les relations franco-allemandes et la Suisse (1914-1919)

in *Les Cahiers Irice*, n°8 , 91-109

Sous l'impulsion de nouvelles générations d'historiens « naturellement et réellement bi-nationaux », l'histoire des relations franco-allemandes et de l'idée d'Europe unie a connu ces dernières années un renouvellement profond, surtout favorable à la période courant de la fin de la Grande Guerre à l'arrivée des nazis au pouvoir . Même si des perspectives de réflexions...

PLAN:

Romain Rolland, pivot des échanges franco-allemands au sein du microcosme suisse

Trois petites revues internationales « patronnées » par Romain Rolland

Romain Rolland en dialogue avec l'« Autre Allemagne »

Éléments de conclusion

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Misiani Simone

Salvemini, Sturzo, Dorso e il pensiero meridionalista nella storia del federalismo

in *Rivista giuridica del mezzogiorno*, numero 1-2, marzo-giugno , 147-160



Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Zinman Donald A.

The Heir Apparent Presidency of James Madison

in *Presidential Studies Quarterly*, Volume 41, Issue 4, December , 712-726

The heir apparent presidency helps us to better understand how political time moves. Skowronek stresses the place of regime builders, midlife regime presidents and late regime affiliates. Heir apparent presidents immediately succeeded presidents of their respective parties who had built the foundations for a new political regime. As a successor to Thomas Jefferson, James Madison served as the heir apparent to the Jeffersonian political order. Madison's presidency exemplifies the leadership dilemma of the heir apparent president.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Scuccimarra Luca

Una Costituzione per l'Europa. Saint-Simon e la reorganisation de la société européenne

in *Historia constitucional*, n. 12 , 1-20

Dopo un prolungato oblio, il saggio *De la réorganisation de la société européenne*, pubblicato nell'ottobre del 1814 da Henry de Saint-Simon e da Augustin Thierry è tornato di recente al centro del dibattito come momento fondativo di una moderna filosofia dell'integrazione europea. A dispetto della sua relativa brevità e del carattere asistemico dell'argomentazione, tale opera possiede però una più generale rilevanza teorica, che la collega strettamente alla genesi e all'evoluzione della peculiare concezione della società e della politica caratteristica della riflessione di Saint-Simon. Obiettivo dell'articolo è appunto quello di approfondire il complessivo impianto concettuale del saggio, soffermandosi in particolare sulla elaborazione di quella innovativa «teco-utopia planetaria» destinata ad imporsi come l'autentico marchio caratterizzante della concezione saint-simoniana dei rapporti internazionali.

Full text available at:

<http://www.historiaconstitucional.com/index.php/historiaconstitucional/article/view/294/252>

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Corsetti Rita

Verso un ordine universale. L'idea d'Europa in Karl Jaspers

in *Rivista di Studi Politici Internazionali*, Volume 78, n. 2, aprile-giugno , 169-181

The article analyses the idea of Europe elaborated by the German philosopher Karl Jaspers. During the Twenties and



the Thirties Jaspers criticized the supremacy of modern technology on society. After the Second World War he was interested in studying the development of European civilization and the foundation of a world order based on peace, freedom, democracy and mutual respect. With the partition of the world between US and Russia, during the Cold War Jaspers proposed to build a confederation of the West against Russian totalitarianism. Making a first step toward an universal order, Europe had the important role of giving the fundamental values to it.

Section D) Federalism as a political idea

Subsection 3. Federalist authors, personalities and organizations

Grosswald Curran Vivian

Édouard Laboulaye, le droit comparé et la démocratie américaine
in *Revue internationale de droit comparé*, n. 3

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Zantovsky Michael

1989 and 2011: Compare and Contrast
in *World Affairs*, Vol. 15, n. 4, July / August

<http://www.worldaffairsjournal.org/articles/2011-JulyAugust/Zantovsky.html>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

F- McConnell

A state within a state? Exploring relations between the Indian state and the Tibetan community and government-in-exile
in *Contemporary South Asia*, Volume 19, Issue 3 , 297-313

xiled Tibetans in India are an unusual marginalised community. With their own government structure operating within the sovereign state of India, albeit without legal recognition, they are both de facto refugees from the perspective of the Indian state and Tibetan 'citizens' in the eyes of the Tibetan government-in-exile (TGiE). Based on ethnographic fieldwork, this paper examines the complex, dynamic and at times contradictory three-way relationship between this population and the two 'governments' which strive to identify, document and rehabilitate them. After sketching out the context of relations between India and (exile) Tibet, these interactions are explored through two key sets of state-population relations: the identification of individuals as citizens and refugees, and the provision of welfare. Interweaving 'top-down' and 'bottom-up' perspectives on such state-citizen and state-state relations, this paper juxtaposes the rhetoric of both 'governments' with Tibetan citizens' micro-political interactions with these state structures and foregrounds the importance of scale for analyses of the state. The paper concludes by reflecting on how this case can offer a critical spotlight on broader understandings of the everyday state. It is argued that this case provides particularly valuable leverage in demonstrating the partial and processual nature of statehood and powerfully exposes the contingent practices which underlie the social construction of political power in so-called 'normal' states.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Christiano Thomas

An Instrumental Argument for a Human Right to Democracy

in *Philosophy and Public Affairs*, Volume 39, Issue 2, Spring 2011 , 142–176

The full text is free:

<http://onlinelibrary.wiley.com/doi/10.1111/j.1088-4963.2011.01204.x/full>

Despite its increasing importance in contemporary political philosophy and its central role in international human rights law, there has been significant resistance among political theorists and philosophers to the idea that there is a moral human right to democracy. In John Rawls's late political philosophy of international justice and in the views of many who are sympathetic to his position, the idea that there is a moral human right to democracy is vigorously rejected. Other major recent treatments of human rights have either rejected the human right to democracy or shied away from making arguments one way or the other. One key concern animating the opposition to a moral human right to democracy is that the assertion of such a right in international society conflicts with the rights of peoples to collective self-determination. Some peoples, it is asserted, reject democracy or the equality on which it is founded, and because of this rejection, the recognition of a human right to democracy imposes on them a set of norms alien to their political cultures. Another concern, articulated in popular writings, is that new democracies often violate the basic moral rights of citizens. This worry about a tyranny of the majority suggests a strong conflict between democracy and other basic rights...

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

McAdam Jane

An Intellectual History of Freedom of Movement in International Law: the Right to Leave as a Personal Liberty

in *Melbourne Journal of International Law*, Volume 12, Issue 1 (June 2011) , 1-30

The history of freedom of movement has been framed most commonly as a narrative about the rights of individuals to enter another country or, viewed the other way around, as a story of immigration restriction. Yet, recent research into the legal regulation of movement reveals that it is as much a history of emigration restriction — curtailment of the rights of nationals to leave their own country — as it is one of migration controls by other countries. The right to enter a country is only half the story; indeed, it does not even come into play if the antecedent right to leave one's country is not respected. This article examines the philosophical underpinnings of the right to freedom of movement in modern international human rights law. It provides the 'back story' to its inclusion in the first universal human rights instrument, the 1948 Universal Declaration of Human Rights, (and subsequently the 1966 International Covenant on Civil and Political Rights, which was being negotiated at the same time). Though the immediate impetus for the inclusion of the right was the Nazi regime's curtailment of free movement during World War II, it arose from a much longer intellectual lineage linked to the concept of 'liberty'. The present article traces its development as an idea from classical times through to its inclusion in the Universal Declaration of Human Rights to explore its changing character over time. It finds that while there is considerable formal support for the right to freedom of movement, including the right to leave one's country, there remain practical as well as legal impediments to its full realisation. This represents a continuum, rather than a break with past practice.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Prihandono Iman

Barriers to transnational human rights litigation against transnational corporations (TNCs): The need for cooperation between home and host countries

in *Journal of Law and Conflict Resolution*, vol. 3, n. 6, July, 89-103

ABSTRACT: Till date, the enforcement of international human rights law has been relied largely on judicial remedies at the national level. This is more specifically for corporate human rights violation cases where a remedy mechanism to hold transnational corporations (TNCs) directly liable at the international level is absent. Transnational litigation has been increasingly utilized by victims of corporate-related human rights violations in seeking remedies. However, human rights litigation against TNCs in foreign countries has not been a simple process for the victims. Therefore, a special legal framework is urgently needed to guarantee not only victims' right to access to a judicial mechanism but also their right to an effective remedy. This article proposed cooperation between home and host countries to authorize court jurisdiction in order to provide greater access to judicial remedy for victims of TNCs' human rights violations. It presented the possibility for this cooperation to materialize through bilateral investment treaties.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Karen Rasler, William R. Thompson

Borders, Rivalry, Democracy, and Conflict in the European Region, 1816-1994

in *Conflict Management and Peace Science*, Vol. 28, n°3, 280-305

Should peace be attributed mainly to democracy or to some intervening variable that influences both democracy and conflict? A second, perhaps related question is whether or to what extent democratization is driven by external drivers of threat. If regime type helps explain external conflict, does external conflict also help explain regime type? By examining the relationships among strategic rivalry, unstable boundaries, democracy, and interstate conflict in a regional context, we find that rivalry and unstable boundaries are alternative manifestations of external threat. Both have significant, if not identical effects on stimulating interstate conflict. Regime type does not appear to have an independent effect on interstate conflict when we take either rivalries or unstable boundaries into consideration. At the same time, we also find that external threat indicators negatively predict changes in democratization. In short, greater threat is associated with less democratization.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Colón-Ríos Joel I.

Carl Schmitt and Constituent Power in Latin American Courts: The Cases of Venezuela and Colombia

in *Constellations*, Vol. 18, Issue 3, September, 365-388

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-8675.2011.00643.x/abstract>



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Sambit Bhattacharyya, Jeffrey G. Williamson

Commodity Price Shocks And The Australian Economy Since Federation

in **Australian Economic History Review**, Volume 51, Issue 2 , 150-177

Australia has experienced frequent and large commodity export price shocks similar to commodity exporters in Asia, Africa, and Latin America, but this price volatility has had much more modest impact on economic performance. Why? This paper explores Australian terms of trade volatility since 1901. It identifies two major price shock episodes before the recent mining-led boom and bust. It assesses their relative magnitude, their impact on de-industrialisation and distribution during the booms, and the labour market and policy responses to the shocks. Australia has indeed responded differently to volatile commodity prices than have other commodity exporters.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Elias Norbert

Conflits de générations et célébrations nationales: analyse et perspectives

in **Cultures & Conflits**, n. 81-82, printemps/été , 23-47

Unpublished excerpts in French and translated from German (source: Elias N., Studien über die Deutschen. Machtkämpfe und Habitusentwicklung im 19. und 20. Jahrhundert, herausgegeben von Michael Schröter, Suhrkamp Verlag 1989/ 1992, pp. 318-348).

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Olsson Ola, Hansson Gustav

Country size and the rule of law: Resuscitating Montesquieu

in **European Economic Review**, Volume 55, Issue 5, June 2011 , 613-629

In this paper, we demonstrate that there is a robust negative relationship between the size of country territory and a measure of the rule of law for a large cross-section of countries. We outline a framework featuring two main reasons for this regularity; firstly that institutional quality often has the character of a local public good that is imperfectly spread across space from the core of the country to the hinterland, and secondly that a large territory usually is accompanied by valuable rents and a lack of openness that both tend to distort property rights institutions. Our empirical analysis further shows some evidence that whether the capital is centrally or peripherally located within the country matters for the average level of rule of law.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

A. Nizam



Critical elections and democratic consolidation: the 2008 parliamentary elections in Bangladesh
in *Contemporary South Asia*, Volume 19, Issue 2 , 137-152

This article explores the significance of the ninth parliamentary election, held in December 2008, for democratic consolidation in Bangladesh. Three factors have made the ninth election important: first, it was held after two years of military-backed civilian caretaker rule when the government had adopted several measures for electoral and political reforms; second, the main parties formed pre-election alliances to face each other, rather than contesting the election on an individual basis, as was the practice in the past; and third, the composition of the electorate changed significantly, with nearly one-third of the voters casting votes for the first time. The use of a foolproof electoral roll also made the election results credible. Unlike the past, no major case of election rigging has been reported to the Election Commission after the elections. Nor did those losing the elections reject the results outright. The government also initially adopted a policy of inclusion, creating some space for the opposition to be proactive, and the opposition reciprocated by attending the inaugural session of the ninth parliament and pledging to make the parliament effective. The article explores the significance of this change in attitude as well as different electoral reforms for democratic consolidation in the country.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Steven V. Miller, Douglas M. Gibler

Democracies, Territory, and Negotiated Compromises

in *Conflict Management and Peace Science* , Vol. 28, n°3 , 261-279

Multiple studies have confirmed that democracies are more likely than other regime types to resolve their militarized disputes through negotiation and compromise. We argue that these findings have not controlled for the types of disputes that are most likely to involve democracies. States have often resolved their most dangerous disputes, involving territorial issues with neighbors, prior to becoming democratic. Thus, the issues involving democracies are of less salience and are more easily negotiated with compromise. Using Militarized Interstate Dispute data from Correlates of War Project, 1816 to 2001, we confirm this explanation. The pacifying effect of regime type disappears once controls are added for proximity and issue type. We find that territorial issues among contiguous states are among the most difficult issues to resolve, and democracies are unlikely to be involved in these disputes. Our findings are an advancement of the territorial peace argument and present a first step in a re-examination of the broader empirical regularities associated with democratic peace theory.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Nili Shmuel

Democratic disengagement: toward Rousseauian global reform

in *International Theory*, Volume 3, Issue 03, November , 355-389

What are the moral costs of democratic trade with dictatorships, and what action these costs demand of our elected governments? This article develops as a Rousseauian answer the idea that democracies ought to boycott corrupt dictatorships and establish themselves collectively as an autarkic bloc, in order to reform not others but themselves. I articulate the basis for this democratic disengagement, first through a reconstruction of Rousseau's social contract, as



seeking to replace corrupt dependence with egalitarian interdependence between citizens. I then examine the potential for egalitarian interdependence between democracies that treat their citizens equally as collectively sovereign, contrasted with corrupting cooperation between democracies and dictatorships, which distorts democracies' values, specifically by making them complicit in despots' theft of their peoples' resources. Ending this corruption requires disengagement, elaborated here first against liberal objections and then against skeptic criticism.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Antonino Castaldo

Democratizzazione e sistemi partitici. Il caso della Repubblica federale tedesca (Democratization and Party Systems. The Case of the Federal Republic of Germany)

in *Mondo contemporaneo* , Fascicolo 1/2011

La nascita e la strutturazione dei sistemi partitici e, soprattutto, la loro importanza nei processi di democratizzazione sono da tempo oggetto di discussione nella letteratura internazionale. In questo saggio si analizza il processo di istituzionalizzazione del sistema partitico della Germania federale subito dopo la fine della seconda guerra mondiale. Sulla base di una serie di indicatori empirici tratti dalla letteratura, l'autore dimostra che questo sistema partitico appare pienamente strutturato a partire quantomeno dal 1957. Successivamente, si concentra l'attenzione su attori, fasi, strategie e motivazioni in grado di spiegare il processo di stabilizzazione del sistema partitico considerato. Infine, si valuta il peso che tale stabilizzazione ha avuto nel consolidamento democratico della Germania federale, giungendo a sostenere che il peso dei partiti e del sistema partitico è stato quanto mai consistente, alla luce della scarsa legittimazione di cui godevano le istituzioni democratiche tra la popolazione tedesca negli anni immediatamente successivi alla fine della seconda guerra mondiale.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Pinto Carmine

Democrazia e autoritarismo. Mazzini e la sua eredità

in *Ventesimo Secolo. Rivista di Studi sulle Transizioni*, Anno X, n. 25, giugno

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Müller Christian

Designing the model European—Liberal and republican concepts of citizenship in Europe in the 1860s: The Association Internationale pour le Progrès des Sciences Sociales

in *History of European Ideas*, Volume 37, Issue 2, Special Issue: 'Pact with the Devil: the Ethics, Politics and Economics of Anti-Machiavellian Machiavellism' , June , 223-231

The formation of citizenship as a concept to define the rights of participation in the formation processes of modern territorial states is well known. But the transnational dimensions of defining citizenship and how to combine national



legislations with enlightened universal and natural law rules in the mid-19th century is not very well known. The article aims to explore the transnational discourses on the political, economic and moral rights and duties of the citizen in the pan—European liberal Association Internationale pour le Progrès des Sciences Sociales. During the 1860s, its congresses should serve as a vast commission of enquiry and should eventually lead to a general definition of citizenship in Europe which could be implemented in national legislations. The article shows how the Association Internationale tried to deduce universal moral rules from national legislations and peculiarities by the means of moral or positive social science. In combining moral unity with national and regional diversities, the Association Internationale tried to give an elastic framework for a European civil society in which national subjects should become active citizens.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Branka Likic-Brboric

EU Enlargement, Migration, and Asymmetric Citizenship: Political Economy of Inequality and the Demise of the European Social Model?

in *Globalizations* , Volume 8, Issue 3 , 277-294

This article addresses European regionalism with a focus on the viability of social citizenship and transnational migrants' and labour rights. These issues are explored by addressing two interrelated formative moments: EU enlargement towards former communist countries and the EU migration regime. The main argument is that the impact of an employer-friendly asymmetric inclusion of the new member states (NMS) into the peripheral pattern of accumulation within the EU has created severe limitations on the enactment of EU social citizenship. While neoliberal restructuring in the NMS has generated a political economy of inequality, informalization of the economy, and precarization of labour, new mobility landscapes and the connective transformation of labour market regimes tend to undermine EU-wide citizenship rights. Moreover, the cumulative effect of the 'securitization' of EU migration regime and responses of the EU to the current financial crisis in terms of policies of economic austerity counters the promise of transnational labour and migrants' rights.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kennedy Ellen

Emergency Government Within the Bounds of the Constitution: An Introduction to Carl Schmitt, "The Dictatorship of the Reich president according to Article 48 R.V."

in *Constellations*, Vol. 18, Issue 3, September , 284-297

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-8675.2011.00647.x/abstract>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Rodin David

Ending War

in *Ethics and International Affairs*, vol. 25, n. 3 , 359-367



ABSTRACT: In "The Ethics of America's Afghan War," Richard W. Miller argues that reflecting on whether and how to end the war in Afghanistan exposes serious deficiencies in just war theory. I agree, though for different reasons than those canvassed by Professor Miller. Miller argues that by focusing on the traditional categories of just cause, proportionality, and necessity (or last resort), just war theory obscures the importance of broader geostrategic considerations that he believes are the most plausible—though ultimately for Miller insufficient—rationale for continuing with the strategy of large-scale counterinsurgency in Afghanistan. I doubt that geostrategic considerations can play the role in moral assessment that Miller believes they do. But the phenomena he is pointing to do illuminate important defects in traditional just war theory.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Mulligan Shane

Energy and human ecology: a critical security approach

in **Environmental Politics**, Volume 20, Issue 5, Special Issue: The politics of energy: Challenges for a sustainable future, September , 633-649

Energy security has long been an important aspect of state security, but has only rarely been thought of as an environmental issue. Yet given our dependence on fossil fuels, a finite natural resource, energy security is fundamentally an ecological issue. Many observers see the impending 'peak' in world oil production as a greater threat to political order than climate change or terrorism, yet few governments are openly discussing peak oil, and there is virtually no international governance mechanism to address the issue. Building on the insights of Critical Security Studies, a case is made for reading peak oil as an important security issue for both importing and exporting states. The probable consequences of peak oil are examined in terms of three parameters that constitute 'security' issues – threats to freedom, uncertainty for the future, and the possibility of death – and it is shown that peak oil constitutes a compelling security threat in these terms. This formula suggests a novel perspective on energy security, approaching it as a problem of human ecology rather than merely one of state security.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Wagner Andreas

Francisco de Vitoria and Alberico Gentili on the Legal Character of the Global Commonwealth

in **Oxford Journal of Legal Studies**, Volume 31 Issue 3 September , 565-582

In discussing the works of 16th-century theorists Francisco de Vitoria and Alberico Gentili, this article examines how two different conceptions of a global legal community affect the legal character of the international order and the obligatory force of international law. For Vitoria the legal bindingness of *ius gentium* necessarily presupposes an integrated character of the global commonwealth that leads him to ascribe legal personality to the global community as a whole. But then its legal status and its consequences have to be clarified. For Gentili on the other hand, sovereign states in their plurality are the pinnacle of the legal order(s). His model of a globally valid *ius gentium* then oscillates between being analogous to private law, depending on individual acceptance by states and being natural law, appearing in a certain sense as a form rather of morality than of law.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Offe Claus

From Migration in Geographic Space to Migration in Biographic Time: Views From Europe
in *Journal of Political Philosophy*, Vol. 19, Issue 3, September , 333-373

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-9760.2011.00394.x/abstract>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Cato Molly Scott

Home Economics: Planting the Seeds of a Research Agenda for the Bioregional Economy
in *Environmental Values*, Volume 20, Issue 4, November , 481-501

Green economists are clear in their support for localisation, but there is little definitional clarity around the concept of a local economy: how large it would be, or what principles might be used to divide the world into provisioning units. This paper proposes that the 'bioregion' might be a useful concept in designing more local systems of resource supply. The paper is a scoping exercise which starts to explore how the concept of a 'bioregion' might be useful within theoretical economics, outlines key aspects of a bioregional economy, and sketches ideas for a future research agenda.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Gibson Ian

Human Security: A Framework for Peace Constructs, Gendered Perspectives and Cosmopolitan Security
in *Peace, Conflict and Development*, Issue 17, August , 84-101

This paper seeks to detail the emerging security concept of human security and place it as both a framework for peace constructs and as a cosmopolitan formulation of security. While human security remains contested, it nevertheless contains possibilities for a more equitable reading of security particularly when seen in relation to the suggestions of the 1999 Hague Agenda for Peace. The Hague Agenda drew particular attention to the importance of human security and how it encompassed citizenship formulations that in turn emphasized the importance of citizen rights detailed in the 1948 Declaration of Human Rights. Furthermore, the Hague Agenda remains important because it acknowledges a gender perspective both in peace formulations and security formulations countering 'traditional' militarist notions, and as such underpins current peace education theory as proposed by actors such as Betty Reardon. Reardon has suggested in her work that a gender perspective would more firmly establish a cosmopolitan perspective. By conflating human security with a cosmopolitan perspective and employing the Hague Agenda as a working framework for peace this paper argues that this linkage would fully incorporate all actors of all areas in a quest for a peaceful future.

Full text available online: <http://www.peacestudiesjournal.org.uk/dl/Iss%2017%20Art%2027%20Final.pdf>.

Section D) Federalism as a political idea



Subsection 4. Various/Miscellaneous

Panizza Diego

Il 'De Armis Romanis' di Alberico Gentili: paradigmi imperiali, guerra e la 'moderna cosmopoli'

in **Filosofia Politica**, numero 2, agosto 2011 , 215-226

Abstract

The essay aims to discuss Alberico Gentili's thought concerning empire within the frame of his conception of International order. In reconstructing Gentili's thought on empire, the paper moves from *De Armis Romanis*, published in 1599, one year after *De Jure Belli*. The main interpretative assumption is to enlighten the connection between cosmopolitanism, just war and empire in the founding era of modern international theory. Gentili, Vitoria and Grozio have a central role among the great system-builder of that era and the imperial issue is one of the crucial chapter of their doctrines. It assumes a paradigmatic relevance not only historically, but also because of its meaningful resemblances with the contemporary debate on the new forms of the «cosmopolitan project» with its related interventionist wars.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Charle Christophe

Imperial Societies

in **Filosofia Politica**, numero 2, agosto 2011 , 265-278

Abstract

The Author suggests that the notion of «imperial society» allows to explain the global problem at stake in the crisis that begins in 1914 by giving a specific worldview to the separate groups composing each nation, distinct from both non-imperial societies and classical empires. After an explanation of the meaning of «imperial societies», of their origin and genesis and of the criteria that may be used to define their changing list, the Author argues that comparisons are productive to understand the inner dynamics of these societies engaged in a broader competition. This aspect is linked to the question of imperial wars: the competition between imperial societies leads to crisis, some benign, some dramatic, or even catastrophic ones, so that it may give new prospects for classical debates in contemporary scholarship about imperial wars.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Staton Jeffrey K., Moore Will H.

Judicial Power in Domestic and International Politics

in **International Organization**, vol. 65, issue 3 , 553-587

ABSTRACT: Although scholars have made considerable progress on a number of important research questions by relaxing assumptions commonly used to divide political science into subfields, rigid boundaries remain in some contexts. In this essay, we suggest that the assumption that international politics is characterized by anarchy whereas domestic politics is characterized by hierarchy continues to divide research on the conditions under which governments are constrained by courts, international or domestic. We contend that we will learn more about the process by which courts constrain governments, and do so more quickly, if we relax the assumption and recognize the substantial similarities between domestic and international research on this topic. We review four recent books that highlight contemporary



theories of the extent to which domestic and international law binds states, and discuss whether a rigid boundary between international and domestic scholarship can be sustained on either theoretical or empirical grounds.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Barra Massimo

La Croce Rossa tra soccorso e diplomazia umanitaria

in *Rivista di Studi Politici Internazionali*, Volume 78, n. 1, gennaio-marzo , 33-39

The International Red Cross and Red Crescent Movement is the largest humanitarian network of the world. Its three main components – International Committee of the Red Cross (Icrc), International Federation of Red Cross and Red Crescent Societies (Ifrc) and 186 Red Cross and Red Crescent Societies – are bound together by the seven Fundamental Principles which guarantee the continuity of the Movement by inspiring its humanitarian work. In this article, the Author, Chairman of the Standing Commission of the Red Cross and Red Crescent, outlines the Movement's activities in the world, first by pointing out the Red Cross concerns, with regard to the balance between humanitarian action on the one hand, and public denunciation on the other hand and then by focusing on the concept of humanitarian diplomacy. For long time perceived as incompatible, these terms indicate a policy, defined within the Movement, aimed at taking concrete action to persuade decision makers to act in the interest of vulnerable people. It includes the promotion of fundamental humanitarian principles, advocacy, negotiation with authorities and other humanitarian agencies. Citing, as examples of humanitarian diplomacy, some Red Cross stances in the field of drugs abuse and in connection with the Gaza closure, the Author underlines the manifest responsibility of the Movement to speak on behalf of the most vulnerable; he also clarifies that this responsibility does not affect the Fundamental Principle of neutrality because the Red Cross is always by the side of victims, fighting any threat to the human dignity. The Author comes back to the dilemma 'silence versus public denunciation' concluding that any Movement's strategy has always to set the concrete interest of the victims as a priority. It is a task far from easy and sometimes the Red Cross can fail: this should always be considered while dealing with human suffering.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Bertini Fabio

La protezione dell'infanzia in una prospettiva storica

in *Rivista di Studi Politici Internazionali*, Volume 78, n. 1, gennaio-marzo , 89-104

The history of children's rights is a painful story of pedagogical acquisitions and improvement of work laws. In the Nineteenth century the children's destinies are similar to those of women that became the protagonists of important battles for children. While pedagogues as Janus Korczak, Ellen Key and Anna Maria Montessori conceive a theory of education, liberty and responsibility, benefactresses such as Kate Courtney, Dorothy Buxton, Mary Sheepshanks, Eglantyne Jebb struggle for childhood's rights. The International Save the Children Union, The International Red Cross and other organisations work together for the International Declaration of the Rights of the Child, proclaimed in 1923. After the Second World War, this declaration is the fundamental basis on which the United Nations Organisation, in 1946, promotes the birth of Unicef, in the spirit of the San Francisco Charter. Then come the Declaration of the Rights of the Child in 1959, and the Convention on the Rights of the Child in 1989. Today however there is a vast world of injured and denied childhood, which is exposed to the same work conditions existent at the beginning of this historical path



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Cavallaro Maria Elena

La transizione spagnola: le origini di un processo di lungo periodo

in Spagna Contemporanea, Anno XIX, n. 38 , 189-200

This review analyses the main books on the Spanish transition to democracy published from the mid Eighties up to nowadays. It underlines the different approach between Spanish and foreign historiography and it focuses its attention on the books which describe the second francoism as the moment when the long run factors that allowed the success of the transition to democracy started to raise. Later it analyses some books dedicated to the role played by the main individual and collective characters (King Juan Carlos I and political parties), to show afterwards the opposite interpretations on the role played by the memory of the Civil war on the transition to democracy. Finally it tries to establish a relationship between the role played by the memory of the Civil War and the crumbling of the myth of transition and how the debate on this issue- raised at historiographical level -influenced the political and social sphere.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Jacob Antoine

La tres pragmatique cooperation nordique

in Politique internationale, n. 132 - Ete, 2011

La curiosité à l'égard des États nordiques ne faiblit pas. Le 28 janvier 2011, au Forum économique mondial de Davos, le « modèle nordique » était à l'honneur, présenté par les dirigeants politiques de ces pays (Danemark, Finlande, Islande, Norvège et Suède) et décortiqué par un parterre d'experts et de décideurs. « Je ne crois pas qu'il soit possible de copier ce modèle, mais on peut fort bien s'en inspirer », lança à l'occasion le premier ministre norvégien Jens Stoltenberg, résumant ainsi un sentiment généralement partagé. Deux semaines plus tôt, les premiers ministres des pays nordiques - et ceux des pays baltes - étaient invités à Londres par leur homologue britannique, David Cameron, pour échanger expériences et idées en vue de mieux affronter les défis actuels et à venir. Les Nordiques, expliqua l'hôte conservateur, « disposent de certaines des compagnies high-tech les plus innovantes, de certaines des approches les plus radicales en matière de services publics et de certaines des meilleures idées sur la façon d'améliorer le bien-être général et la qualité de vie » (1). Cette réunion à neuf - la première du genre - devrait être suivie d'une seconde l'an prochain en Suède.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Monateri Pier Giuseppe

La «primavera araba» e la potenza americana. Una valutazione retrospettiva

in Biblioteca della Libertà, Anno XLVI, n. 201, Maggio-Giugno

L'autore cerca di mostrare la vasta capacità di previsione e di governo degli avvenimenti che ha contraddistinto la leadership americana anche a fronte degli eventi dell'inizio del 2011, offrendo quindi una valutazione della «primavera



araba» congruente con la rideﬁnizione delle linee di intervento della politica estera degli Stati Uniti nel Medio Oriente.

http://www.centroeinaudi.it/images/stories/bdl_online/201online_monateri.pdf

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Uvalle Berrones Ricardo

**Las políticas públicas en el arquetipo de la gobernanza democrática
in Reforma y democracia (Venezuela), n. 50**

El artículo analiza la relevancia de las políticas públicas en la gobernanza democrática, en la cual los procesos del poder relacionan la sociedad, el Estado, los ciudadanos y el mercado de modo complejo hasta estructurar la dirección pública, cuyo objetivo es asegurar la funcionalidad de la vida asociada sobre la base de la atención y solución de los problemas públicos. Para este fin, los consensos sociales, políticos y económicos son fundamentales para que los cursos de acción del gobierno no sean fruto de posturas verticales que responden más a la visión faraónica del poder. Las sociedades contemporáneas, así como los movimientos ciudadanos que las caracterizan, son la tendencia que refleja cómo el ejercicio del poder tiene dimensiones públicas que dan vida a las relaciones horizontales que combinan actores, redes y estrategias que presionan para no quedar fuera de la toma de decisiones públicas y de la movilización de los recursos que nutren los programas encaminados a mejorar el desempeño de las actividades productivas, que tienen como eje la economía de mercado y la acción pública.

Se puntualiza que la intervención organizada de la sociedad civil en las agendas institucionales y en la adopción de las políticas ha transformado los modos a través de los cuales el poder genera resultados mediante la cooperación, la coordinación y la corresponsabilidad y, de esa manera, la dirección pública es el resultado de nuevas interacciones que sustentan a la vez la correlación de fuerzas en el espacio público, dado que éste es plural, diverso e interdependiente. En este sentido, los procesos de gobierno tienen que ser más abiertos y deliberativos para fortalecer el espíritu y el contenido de la democracia, entendida como el medio que permite solucionar de forma incluyente y pacífica los problemas colectivos.

El documento destaca que el valor de la democracia también depende de los arreglos institucionales que se formalizan, tomando en cuenta las demandas crecientes, los recursos escasos y los actores interesados de manera activa en los asuntos públicos, lo cual significa que no son monopolio de la autoridad constituida, sino que tienen amplitud cívica y social que se fortalece a medida que aumenta la participación de los ciudadanos en los procesos de las políticas públicas. En esa lógica, son reclamados por diversos públicos de la sociedad, con lo cual lo público de la sociedad y lo público del Estado han de construir puentes de comunicación y colaboración para que el diseño e implementación de las políticas públicas sea interactivo. Punto relevante en el trabajo es que las metas colectivas demandan que la articulación de intereses sea garantizada no con prácticas centralizadas, sino con un enfoque democratizador que permita que las políticas sean fruto de amplias deliberaciones y argumentos, que son consecuentes con un estilo de gobierno que responde a los ciudadanos, mediante el diseño de formas institucionales que estimulan la cooperación de las organizaciones de la sociedad en la gestión de asuntos comunes.

Section D) Federalism as a political idea



Subsection 4. Various/Miscellaneous

Delledonne Giacomo

Le procedure di bilancio tra equilibri delle forme di governo e ricerca della stabilità economica: una ricostruzione comparatistica delle esperienze francese e tedesca

in *Diritto pubblico comparato ed europeo*, n. 2 , 469-493

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Prunier Gérard

Le referendum Sud-Soudanais et son impact regional

in *Politique internationale*, n. 131 - Printemps, 2011

The referendum held in January offered the people of South Sudan the chance to shape their own future. They voted overwhelmingly (98.7%) to secede from the north and the capital, Khartoum. The official proclamation of independence is slated for July 9, 2011, when the six and a half year interim period enshrined in the 2005 Nairobi peace agreement expires. The Comprehensive Peace Agreement puts an end to the broad conflict which had broken out in May 1983 when the Sudan People's Liberation Movement (SPLM), led by Colonel John Garang, rebelled against the central government. Contrary to fears voiced in some quarters, the South's emancipation has not led to chaos in the region. While it has raised the likelihood of the Sahel region falling into lawlessness and reigniting the conflict between Ethiopia and Eritrea, this unrest is not new -nor is it caused by the civil war in Sudan. It would be unfair to blame South Sudan for tensions that existed before its independence and which are bound to continue afterwards.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Porter Eric

Legitimacy, Democracy and Rights: the Conservatism of Janet Albrechtsen

in *Australian Journal of Politics & History* , Volume 57, Issue 2, June , 245-261

In recent years, media columnists have been instrumental in redefining Australian conservatism. One of the most prominent is Janet Albrechtsen. Using her critique of a bill of rights, this article examines how this new Australian conservatism rejects or reverses core elements of traditional conservatism. Utilitarianism exchanges the transcendent for the social. Equality and democracy replace elitism. Elites were minorities, albeit ones with leadership virtue. Now minorities of any sort threaten equality and undermine democracy. These changes reflect broader changes in society itself. In this sense, conservatism has made peace with modernity, hostility to which originally prompted its birth. Now the enemy is internationalism or postmodernity, the two often interchangeable. Albrechtsen's hostility to a bill of rights matches her rejection of international law and institutions that threaten the nation-state and its guarantee of democracy and the rule of law.

Full text available online <http://onlinelibrary.wiley.com/doi/10.1111/j.1467-8497.2011.01594.x/pdf>

Section D) Federalism as a political idea



Subsection 4. Various/Miscellaneous

Jean-Michel Guieu

Les Allemands et la Société des nations (1914-1926)

in *Les Cahiers Irice*, n°8 , 61-90

PLAN:

Le temps de l'espoir (1914-1919)
Guerre mondiale et idée de paix durable
Essor de l'idée de Société des nations en 1917-1918
La Société des nations comme remède à la défaite
Le temps de l'hostilité (1919-1924)
Les désillusions de la Conférence de la paix
La défiance des Allemands à l'égard de la SDN
La Deutsche Liga et la question de l'adhésion
Le temps du rapprochement (1924-1926)
La détente européenne et la question de l'admission de l'Allemagne
Candidature allemande et crise de la SDN
L'entrée des Allemands à Genève

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Alexandre Dupeyrix

Les pacifistes dans le Reich wilhelmien (1890-1918) : ennemis de l'État ou patriotes ?

in *Les Cahiers Irice*, n°8 , 11-37

La plupart des travaux portant sur le mouvement pacifiste allemand ont été réalisés dans les années 1980. Cette conjonction n'est pas le fruit du hasard, mais tient au contexte politique international très particulier de l'époque : le regain de tensions entre les deux blocs qui ravive la menace nucléaire, la position géostratégique inconfortable de la République fédérale...

PLAN de l'ARTICLE:

- 1890-1914 : l'émergence du pacifisme organisé en Allemagne
- Le pacifisme, corps étranger dans la société wilhelmienne
- La dénonciation du militarisme : l'exemple de Ludwig Quidde
- La fidélité à la patrie, forte composante de la pensée pacifiste

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Pace Michelle

Liberal or social democracy? Aspect dawning in the EU's democracy promotion agenda in the Middle East

in *International Journal of Human Rights (The)*, Vol. 15, issue 6 , 801-812

This article questions how liberal democracy has come to symbolise an ideal, or a universal set of values ready to be exported elsewhere in the world.¹



A version of this article was published as 'Liberal or Social Democracy? Aspects of the EU's Democracy Promotion Agenda in the Middle East', © International Institute for Democracy and Electoral Assistance, 2009, at <http://www.idea.int/resources/analysis/upload/Pace-2.pdf>. View all notes

It critically assesses the European Union's (EU's) almost messianic mission to promote its successful project of liberal democracy, and the ways in which the EU seeks to teach others about its meaning while refusing to aspect learn about alternative forms of political organisation in different contexts. It discusses the implications of such a narrow framing of EU conceptions of liberal democracy, drawing on extensive fieldwork carried out in Palestine and Egypt in September 2007 and March 2008, respectively. The article argues for a new framing of political transformation in the Middle East. It concludes by employing Aletta Norval's notion of aversive democracy to highlight the need for recognition of crucial aspects of political change that stem from what is emerging in the Middle East.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Tan Kok-Chor

Luck, institutions, and global distributive justice: A defence of global luck egalitarianism

in *European Journal of Political Theory*, Vol. 10, n. 3, July , 394-421

Luck egalitarianism provides one powerful way of defending global egalitarianism. The basic luck egalitarian idea that persons ought not to be disadvantaged compared to others on account of his or her bad luck seems to extend naturally to the global arena, where random factors such as persons' place of birth and the natural distribution of the world's resources do affect differentially their life chances. Yet luck egalitarianism as an ideal, as well as its global application, has come under severe criticisms in recent debate. My aim in this article is to restore plausibility to the luck egalitarian idea, and to suggest how it could then provide a plausible grounding for global egalitarianism. To do this, I will propose a more modest but also more defensible conception of luck egalitarianism that can also strengthen the case for global distributive justice.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Olivier Agard

Max Scheler et l'idée de pacifisme

in *Les Cahiers Irice*, n°8 , 137-158

PLAN:

Le diagnostic culturel et la stratégie philosophique de Scheler

Implications culturelles et politiques

Les textes de guerre

Nouvelle stratégie philosophique, nouveau diagnostic culturel

Le démocratisme de raison

Le discours sur le militarisme

Éléments d'autocritique

L'espoir de paix et ses limites actuelles



La typologie des pacifismes

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Sorens Jason

Mineral production, territory, and ethnic rebellion: The role of rebel constituencies

in *Journal of Peace Research*, Volume 48, Number 5, September , 571-585

Several possible relationships between natural resources and civil conflict have been hypothesized and tested in the literature. The impact of resources on conflict should depend on the circumstances of the group that (potential) rebels see themselves as representing and depend upon for support. While 'lootable' resources such as alluvial diamonds have been shown to increase the likelihood of insurgency, among territorially concentrated ethnic groups looting by rebels recruiting from the group is counterproductive because it imposes negative externalities on the rebel constituency. However, local mineral abundance could encourage rebellion indirectly, by promoting the development of secessionist objectives, since autonomy or independence would allow the rebel constituency to enjoy a larger share of the benefits flowing from mineral revenues. On the other hand, mineral abundance could encourage the government to exercise greater surveillance and control over potentially restive minority populations. On balance, then, mineral abundance should affect ethnoregional conflict primarily by encouraging ethnic rebels to adopt limited, territorial-autonomy objectives as opposed to governmental objectives. This hypothesis is tested with a new, global dataset of substate mineral production. Local mineral resource abundance is indeed negatively associated with governmental conflict among ethnoregional groups and positively related to secessionist or territorial conflict. Moreover, it is the total value of mineral production that matters, not specific types of minerals such as oil or diamonds. The net effect of mineral abundance on the total risk of intrastate conflict onset among ethnoregions is essentially zero.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Chih-Mei Luo

Modelling the Diversity of EU Members' Paths to European Integration and Policy Implications for Taiwan–China Relations

in *Journal of Contemporary European Studies* , vol. 19, n. 2, june , 273-291

ABSTRACT: This paper investigates the diverse approaches of EU members' integration with the EU through modelling, and assesses the applicability of each model to Taiwan-China relations. Building upon two variables: 'the association with national identity and reorientation or not', and 'being the leading or founding member or not' four EU members' integrative models stand out. The German model is proved to be the most integrationist, followed by the Finnish and the French models. The UK model appears to be the least committed. Due to sovereignty controversies, the visionary German and French models are not applicable to Taiwan–China integrations and the prospects are for the pragmatic Finnish model at best, and the UK model at worst. These modelling outcomes can then explain why the growing economic integration between the two sides has not produced spillover effects into the political arena. This paper therefore argues that it would be in China's interest to make Taiwan an equal leading player in Taiwan–China integrations, and to transform its 'one-China policy' from the current political and sovereignty contents to a cultural and value-laden concept. Among the theories being examined, (neo)realist-constructivism demonstrates more applicability than two mainstream integration theories - neofunctionalism and intergovernmentalism.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Arato Andrew

Multi-Track Constitutionalism Beyond Carl Schmitt

in *Constellations*, Vol. 18, Issue 3, September , 324-351

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-8675.2011.00641.x/abstract>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Robinson Lance W., Berkes Fikret

Multi-level participation for building adaptive capacity: Formal agency-community interactions in northern Kenya

in *Global Environmental Change*, Volume 21, Issue 4, October , 1185-1194

Multi-level, networked participation is a vital component in building social–ecological resilience and the capacity to adapt to environmental change. This paper outlines the ways in which multi-level participation contributes to adaptive capacity and, in so doing, takes a step toward articulating a theory of participation based on resilience thinking. We use a case study of Gabra pastoralist communities of northern Kenya to illustrate how multi-level participation may lead to increasing adaptive capacity, above and beyond existing pastoralist adaptations. The findings suggest that adaptive capacity is systemic—that is to say, it is a property of the social–ecological system, including especially the network of institutional linkages that characterizes that system, as much as it is a property of particular actors within the system. We argue that there are three key elements of meaningful multi-level participation: an institutional environment in which the various levels of institutions are linked, inclusivity in decision-making at these various levels, and deliberation. These three features can work together to create meaningful multi-level participation, to facilitate the co-production of knowledge and to build adaptive capacity.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Perepechko Alexander S., ZumBrunnen Craig , Kolossov Vladimir A.

Organization and institutionalization of Russia's political parties in 1905—1917 and 1993—2007: Similarities and differences from two occidental periods

in *Party Politics*, Volume 17, Number 5, September , 581-609

In this article, we use logit models to examine the role of the major characteristics of a political party's organization, (1) legitimation, (2) penetration/diffusion, (3) charisma, (4) ideology and (5) centralization/decentralization, in the institutionalization of parties in both pre-Soviet and post-Soviet Russian national parliamentary elections. The article begins by situating this research in the context of the theoretical and empirical literature on party origins, organizational development and institutionalization, in general, and party formation theories in post-communist countries, specifically. The impact of organizational features on electoral success or failure is analysed for 24 parties. The models correctly predicted both the successful and failed parties in the 2007 Russian Duma election and offer reasons for the apparent



floating party system in Russia.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Norton Anne

Pentecost: Democratic Sovereignty in Carl Schmitt

in *Constellations*, Vol. 18, Issue 3, September , 389-402

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-8675.2011.00653.x/abstract>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Lee Daniel

Popular Liberty, Princely Government, and the Roman Law in Hugo Grotius's De Jure Belli ac Pacis

in *Journal of the History of Ideas*, Volume 72, Number 3, July , 371-392

The article investigates Grotius's use of the Roman law to articulate a concept of popular liberty. Using categories derived from the Roman law of persons, Grotius develops a concept of popular liberty that requires both the absence of dependence, as well as active rights of self-government. However, as Grotius explains, a free people may transfer some of those rights to an intermediary, such as a prince, without also compromising their liberty. One surprising result from this analysis is the view that, in special circumstances, a people may remain free even while under the government of a prince.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

McCormick John P.

Post-Enlightenment sources of political authority: Biblical atheism, political theology and the Schmitt–Strauss exchange

in *History of European Ideas*, Volume 37, Issue 2, Special Issue: 'Pact with the Devil: the Ethics, Politics and Economics of Anti-Machiavellian Machiavellism', June , 175-180

This essay reevaluates the Weimar writings of Carl Schmitt and Leo Strauss, specifically, their intellectual efforts to replace the political authority of Kantian liberalism with, respectively, a 'political theology' and 'Biblical atheism' derived from the thought of early-modern state theorists like Hobbes and Spinoza. Schmitt and Strauss each insisted that post-Kantian Enlightenment rationality was unraveling into a way of thinking that violently rejected 'form' of any kind, fixated myopically on material things and lacked any conception of the external constraints that invariably condition the possibilities of philosophy, morality and politics. They considered Kantian reason and liberal politics to pose serious threats to 'genuine' expressions of rationality and as dangerous obfuscations of the necessity of political order—of the brute fact that human beings stand in need of 'being ruled,' as such.

Section D) Federalism as a political idea



Subsection 4. Various/Miscellaneous

Weston Ullrich

**Preventing 'peace': The British Government and the Second World Peace Congress
in *Cold War History*, Vol. 11, n°3, 341-362**

The Cold War demonstrated that perception was critical in the decision making of states as it underpinned the reasoning behind many of the decisions made during the Cold War. This paper examines the British Government's response to the Second World Peace Congress. The response was influenced by the understanding of Communist ideology related to the peace movement, the possible effect of the Congress on other NATO members, and the legal limits on the response to the Congress. These factors combined to create a reaction that was based on the Government's perception of this episode as part of a greater Communist ideologically motivated security threat, not only to Britain, but to the West in general.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Gerber Albrecht

Protestantism and Social Liberalism in Imperial Germany: Gustav Adolf Deissmann (1866–1937) and Friedrich Naumann (1860–1919)

in *Australian Journal of Politics & History*, Volume 57, Issue 2, June, 174-187

Adolf Deissmann was an internationally prominent German theologian, celebrated primarily for his groundbreaking contributions in the widely divergent fields of post-classical Greek philology, lexicography, the archaeological excavations of Ephesus, international conciliation and leading role in the nascent ecumenical movement. Less known — yet of considerable consequence — is his involvement with social liberal politics, especially his friendship with, and staunch backing of, Friedrich Naumann, a onetime Protestant pastor turned liberal career politician, pioneer of European integration and, ultimately, the first president of the German Democratic Party. This paper investigates to what degree these two men were intellectually indebted to each other in their mutual search to find a way forward to reconcile Germany's sharply divided class-society through Protestant-based social politics — and that in an era deeply troubled with seemingly insoluble conflicts over the form of the future German Reich.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

de Boyer des Roches Jérôme, Solis Rosales Ricardo

R.G. Hawtrey on the national and international lender of last resort

in *European Journal of the History of Economic Thought*, Volume 18, Issue 2, 2011, pages 175-202

This paper traces R.G. Hawtrey's main contributions to the theory of the lender of last resort (LLR), both national and international (ILLR). This theory is a continuation of one of the traditions of the classical period, started by Henry Thornton, which differs in important points from that of Walter Bagehot. In their treatment of the classical concepts the authors partly depart from the interpretation of Thomas M. Humphrey, who considers that Thornton and Bagehot have basically the same approach about LLR. Hawtrey renewed Thornton's views and extended the concepts to new problems, including the ILLR. Hawtrey built a model of LLR in a dynamic macroeconomic model that includes the Cambridge market for cash balance and introduces the bases of a theory of ILLR, describing the sequence of twin crisis,



exchange and banking crisis, thus explaining the difficulties for an ILLR to act on the currency market without taking the risks involved, in a situation completely different to the one faced on the money market by the national LLR.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Seung-Whan Choi

Re-Evaluating Capitalist and Democratic Peace Models

in International Studies Quarterly, vol. 55, issue 3, september , 625-646

ABSTRACT: After replicating Oneal and Russett's (International Studies Quarterly, 41, 1997, 267; Journal of Peace Research, 36, 1999, 423) democratic peace model, Gartzke's (American Journal of Political Science, 51, 2007, 180) study contends that "capitalism, and not democracy, leads to peace. Additional research is needed to corroborate, extend, and even refute the findings reported here." In response to this open invitation, this study re-evaluates Gartzke's capitalist peace model along with Oneal and Russett's democratic peace model. This study identifies that while the capitalist peace model suffers from model misspecification, observation omission, and sample selection bias, the democratic peace model commits measurement error. After correcting these four problems, this study uncovers that while capitalism does not emerge as a cause mitigating militarized disputes or wars in a consistent manner, democracy does.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Manley-Casimir Kirsten

Reconciliation, Indigenous Rights and Offshore Oil and Gas Development in the Canadian Arctic

in Review of European Community & International Environmental Law, Volume 20, Issue 1, April , 29-38

In this article, the author addresses the potential impacts of Arctic offshore oil and gas development on Indigenous communities who reside in northern Canada. She argues that the potential environmental, social and cultural harms of such development may disproportionately affect such Indigenous communities. Relying on Canadian jurisprudence, she suggests that the principle of reconciliation may help mitigate the negative impacts of the development of Arctic offshore oil and gas resources. A fulsome conception of reconciliation supports meaningful consultation, efforts to substantially address Indigenous concerns, and ongoing collaborative negotiations in the context of offshore oil and gas development in the Arctic.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Cross Hannah M.

Rents, rights, rejections and resistance: West African migrants, the EU's migration regime and militarisation in Mauritania

in International Journal of Human Rights (The), Vol. 15, issue 6 , 827-846

European Union (EU) migration policy prescribes dialogue and cooperation with the transit countries south of the Mediterranean, embodied in the Barcelona Process from 1995 onwards. This dialogue inflexibly favours the prevention



of unwanted migration, which frequently arises as a result of political and economic crisis. Furthermore, the War on Terror has provided the conditions for a militarised 'buffer zone'. At a time when several Mediterranean and Middle Eastern countries are renegotiating their state regimes and external relations, this article examines the development of a securitised migration regime. It argues that rentier politics, which underpin international exploitation of Mauritania's mineral resources and the management of its borders, have contributed to the governance of migration. This undermines the holistic aims of EU policy. As a result, Mauritania engages in a dual role: first as receiver of 'returned' migrants from Europe; and secondly as 'returner' of sub-Saharan migrants who may attempt to proceed to Europe. This strains established but precarious patterns of West African trade and labour migration, but also offers opportunities in migrant communities to overcome the hazards of attempting to enter the EU. This article examines the dynamics of West African migration and migrants' resistance to the EU's border and labour policies.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Yang Jiang

**Rethinking the Beijing Consensus: how China responds to crises
in Pacific Review (The)** , Volume 24, Issue 3 , 337-356

This paper discusses the role of the Beijing Consensus type of foreign and economic policymaking in China's development since the Asian financial crisis and in its response to the global crisis, and argues that it has been a double-edged sword, as reflected in several aspects. First, the lesson that China learned from the Asian financial crisis was not the importance of liberalisation but prudence or conservativeness, which despite serving as a shield this time sustains problems in the long term. Second, an obsession with foreign reserves accumulation and the pursuit of political influence have for a long time overshadowed the increasing dependence on the US market, putting China in a dilemma now in both development and diplomatic strategies. Third, centralised decision-making may be faster than democratic processes, but it may also go against the principle of 'scientific decision' as proposed by the Chinese leadership. A prominent feature of China's responses to the crisis is a bias towards state-owned enterprises and the public sector, which exacerbates the existing problems of monopoly, over-capacity, inequality, the regulators being 'captured' by industrial interests and protectionism. Given limited economic resources, domestic political contentions and the questionable credibility of the China Model, it would be difficult for China to practice 'responsible great power' diplomacy or assume leadership in the region or globally.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Sen Amartya

Rights, Laws and Language

in Oxford Journal of Legal Studies, Volume 31 Issue 3 September , 437-453

Words have meanings, often more than one. Many words also have evocative power and communicative reach. It is important to look beyond the legal route in making human rights more effective, and to endorse but proceed beyond human rights being seen as motivation only for legislation (the particular connection on which Herbert Hart commented). Within the legal route itself there is the important issue of interpretation of law that can stretch beyond the domain of fresh legislation. In assessing the 'originalist' disciplines of legal interpretation, the article discusses the distinction between interpreting the original text in terms of changing linguistic conventions (on which some commentators have



focused) and taking note of public reasoning today in the light of the original 'constitutional motivation'.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Cristi Renato

Schmitt on Constituent Power and the Monarchical Principle

in *Constellations*, Vol. 18, Issue 3, September , 352-364

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Gordon Joy

Smart Sanctions Revisited

in *Ethics and International Affairs*, vol. 25, n. 3 , 315-335

ABSTRACT: Targeted sanctions—often referred to as “smart sanctions”—began in large measure as a response to the UN Security Council sanctions imposed on Iraq in 1990 and 1991, after its invasion of Kuwait. By 1991 it was clear that the sanctions on Iraq, initially welcomed by antiwar activists as a peaceful alternative to military action, were different from any sanctions seen before. Combined with the destruction from the bombing campaign of the Gulf War, they were devastating to the Iraq economy and infrastructure, resulting in widespread malnutrition, epidemics of water-borne diseases, and the collapse of every system necessary to ensure human well-being in a modern society. As the sanctions seemed to have no end in sight, there was considerable “sanctions fatigue” within the United Nations, as well as a growing body of literature that questioned whether sanctions were effective at obtaining compliance by the target state, even when there was considerable impact on its economy.

In the wake of these concerns, there were efforts in many venues to design sanctions that would not have the humanitarian impact of broad trade sanctions, and that would also be more effective by putting direct pressure on individual national policy-makers. These targeted sanctions included arms embargoes, financial sanctions on the assets of individuals and companies, travel restrictions on the leaders of a sanctioned state, and trade sanctions on particular goods. Many viewed targeted sanctions as an especially promising tool for foreign policy and international governance, and many still see targeted sanctions as a natural and obvious solution to a broad array of difficult situations. But there are considerable difficulties with each type of targeted sanction, with regard to implementation, humanitarian impact, and, in some cases, due process rights. Some of these difficulties may be resolved as these measures continue to be refined. Others are rooted in fundamental conflicts between competing interests or intractable logistical challenges.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Christoforou Asimina

Social Capital Across European Countries: Individual and Aggregate Determinants of Group Membership

in *American Journal of Economics and Sociology*, Volume 70, Issue 3, July 2011 , 699-728



Social capital refers to norms and networks of reciprocity, trust, and cooperation that facilitate coordinated action for a mutual benefit. Theoretical and empirical studies have documented the positive contribution of social capital in social welfare and development. This study empirically explores the determinants of social capital, in the form of group membership, across European countries. Data is derived from the European Community Household Panel, which covers a large sample of individuals from a set of European countries. Binary logistic regression models are applied to regress an index of individuals' group membership on a set of individual characteristics (income, education, gender, age, marital status, employment), as well as aggregate characteristics of countries (GDP per capita, income inequality, social trust, trust in public institutions, corruption, unemployment, and violation of political and civil rights). Results provide evidence of the impact of both individual and aggregate factors on group membership. These factors constitute a possible means to rebuilding patterns of social capital, especially in Southern European countries, where special-interest groups and patron-client relations prevail over generalized norms and networks of reciprocity, trust, and cooperation that promote wider social welfare and development objectives.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Luciani Massimo

Sovranità

in *ItalianiEuropei*, n. 7

No abstract available

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Jazeel Tariq

Spatializing Difference beyond Cosmopolitanism: Rethinking Planetary Futures

in *Theory, Culture & Society*, Volume 28, n. 5, September, 75-97

This paper develops a critical engagement with 'cosmopolitanism' and specifically the geographical imaginations it implicates. It does so in order to work through some of the geographical closures in the new cosmopolitanism literature and, further, to suggest alternative — more uncertain and speculative — spatial imaginations for modes of living together with radical alterity. The paper is written in the context of the wealth of recent literature that has sought to recuperate cosmopolitanism as a progressive political philosophy and imagination. Part of the paper's intervention, however, is to suggest that mechanisms and political imaginations for living together might in fact gain much by stepping out from cosmopolitanism's conceptual shadow. First, the paper argues that implicated within much of the new cosmopolitan literature is a planetary consciousness that has a long historical antecedence in western thought. The paper stresses the problematic textures of the planetary geographical imaginations embedded within avowedly cosmopolitan discourse, arguing that the 'cosmos' of cosmopolitanism is no geographically innocent signifier. It is in fact tethered to an imperial Apollonian gaze that cannot help but rekindle ancient Greek notions of formal order and beauty, Pythagorean beliefs in a universe of harmony, and their realization in western liberalism and particularly US Cold War imperialism. Second, drawing upon postcolonial re-readings of the planet and critical geographical mobilizations of place, the paper suggests alternative, less certain, and less avowedly 'cosmopolitan' imaginations that have the capacity to engage difference in non-assimilatory terms. Cumulatively, the paper is an attempt to answer one simple question: what difference does it make to think geographically about cosmopolitanism?



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Carrard François

Sport and politics on the international scene

in *Rivista di Studi Politici Internazionali*, Volume 78, n. 1, gennaio-marzo , 25-32

The relation between sports and politics depends upon the political regimes of the countries concerned. Many governments, in particular authoritarian ones and dictatorships, have been tempted to exercise a tight control over sports or even to monopolize it for their own political benefits. Sport organizations, on their side, are very careful about maintaining the largest possible sport's autonomy. The Olympic and sports movement has also been able to offer constructive and positive contributions to the solution of political problems in recent years. In particular, a diplomatic solution, which is still in force today, has been found thanks to the International Olympic Committee (Ioc) for the simultaneous attendance, at the Olympic Games and other major events in the world, of delegations from both the People's Republic of China (Prc) and Chinese Taipei. This solution still serves as a model for other situations. In another area, in 1991, the sports community has paved the way to the lifting of the sanctions which had been imposed upon South Africa as a consequence of apartheid. The sports community could open the path thanks to its impressive worldwide network. In a totally different context, the sport community has found an appropriate way to protect the athletes against the effects of sanctions which had been imposed in 1992 on former Yugoslavia by the Security Council of the United Nations. The examples mentioned in the article, which are all drawn from practical situations, may serve as evidence as to the useful possible contribution of sport towards the solution of political problems.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Kate Nash

States of Human Rights

in *Sociologica* , n°1/2011

Sociologists have barely begun to address the paradox that states are both violators and guarantors of human rights. This is necessary if we are to contribute to understanding how human rights may be institutionalized in practice. There is a need to go beyond the discussion in which cosmopolitan theorists have engaged concerning international human rights law and its effects on states sovereignty, to shift the focus to state autonomy. It is only insofar as states are autonomous that state actors can comply with the international human rights agreements to which they have signed up (in the face of resistance from others who will be disadvantaged by this compliance). And it is also state autonomy that is at stake when officials act in defiance of international human rights norms. Using Charles Tilly's ideal-type of "stateness" and neo-Marxist theory concerning the basis for the relative autonomy of states, the article explores variations in state formation that are relevant to the institutionalization of human rights.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous



Colas Alejandro

Taking sides: cosmopolitanism, internationalism and 'complex solidarity' in the work of Fred Halliday
in *International Affairs* , vol. 87, issue 5, september , 1051-1065

ABSTRACT: Fred Halliday's life and work were intimately associated with the theory and practice of internationalism. In his later writings, the notion of 'complex solidarity' emerges as a key component of Halliday's worldview. This article explores the conceptual interconnections between different historical expressions of internationalism, cosmopolitanism and solidarity. It considers the intricate relationship between these categories and their place in our understanding of international affairs, emphasizing the divergence between liberal and revolutionary conceptions of internationalism and cosmopolitanism. The article discusses diverse understandings of 'solidarity' in International Relations, arguing that beyond the cosmopolitan and communitarian approaches, there exist other 'Grotian' and 'republican' ideas of solidarity. Halliday drew on these to present his own defence of universal human rights and solidarity, arguably developing a distinctive brand of republican internationalism. The latter part of the article gives content to 'complex solidarity' by suggesting it is built on three inter-related components: a methodological internationalism, an egalitarian reciprocity and a critique of global capitalism. Overall, these guiding features of complex solidarity deliver a unique rendition of internationalism which reflect Halliday's eclectic combination of radical liberalism with a residual historical materialism.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Bernstein Richard J.

The Aporias of Carl Schmitt

in *Constellations*, Vol. 18, Issue 3, September , 403-430

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-8675.2011.00651.x/abstract>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Gruber Simon

The Apostles to the Slavs versus the Velvet Revolution. The Use of History in the Struggle for Democracy in Slovakia during the 1990s

in *Journal of European Integration History*, vol. 15, n. 2 , 149-164

In the confrontation between an authoritarian and a liberal-democratic understanding of politics, which was formative for Slovakia in the 1990s, divergent interpretations of history played an important role at the level of discourse. Political language was characterized by efforts to portray the past in such a way that certain values were placed in the foreground while others were marginalized. This may also be explained by the divergent views of what made Slovakia a „European” state. Did Slovak history reflect values such as sovereignty, unity, national culture or instead rule of law, cosmopolitan attitudes, and civil society? The fiction and denial of tradition within the framework of parliamentary debates and public celebrations were intended to justify these concepts and their proponents respectively dispute their legitimacy. The attempts to instrumentalize politically Saints Cyril and Methodius and the „Velvet Revolution” of 1989 are perfect illustrations of this approach. The elections of 1998 almost amounted to a vote on a „return to the values of 1989”.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Challand Benoit

The Counter-Power of Civil Society and the Emergence of a New Political Imaginary in the Arab World
in **Constellations**, Vol. 18, Issue 3, September , 271-283

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-8675.2011.00650.x/abstract>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Schmitt Carl

The Dictatorship of the Reich president according to Art 48 of the Reich constitution
in **Constellations**, Vol. 18, Issue 3, September , 299-323

<http://onlinelibrary.wiley.com/doi/10.1111/j.1467-8675.2011.00649.x/abstract>

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Pattison James

The Ethics of Humanitarian Intervention in Libya
in **Ethics and International Affairs**, vol. 25, n. 3 , 271-277

ABSTRACT: Wars and interventions bring to the fore certain ethical issues. For instance, NATO's intervention in Kosovo in 1999 raised questions about the moral import of UN Security Council authorization (given that the Council did not authorize the action), and the means employed by interveners (given NATO's use of cluster bombs and its targeting of dual-use facilities). In what follows, I consider the moral permissibility of the NATO-led intervention in Libya and suggest that this particular intervention highlights three issues for the ethics of humanitarian intervention in general. The first issue is whether standard accounts of the ethics of humanitarian intervention, which draw heavily on just war theory, can capture the prospect of mission creep. The second issue is whether epistemic difficulties in assessing the intervention's likely long-term success mean that we should reject consequentialist approaches to humanitarian intervention. The third issue concerns selectivity. I outline an often overlooked way that selectivity can be problematic for humanitarian intervention.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Brunstetter Daniel, Braun Megan

The Implications of Drones on the Just War Tradition
in **Ethics and International Affairs**, vol. 25, n. 3 , 337-358



ABSTRACT: Increasingly, the United States has come to rely on the use of drones to counter the threat posed by terrorists. Drones have arguably enjoyed significant successes in denying terrorists safe haven while limiting civilian casualties and protecting U.S. soldiers, but their use has raised ethical concerns. The aim of this article is to explore some of the ethical issues raised by the use of drones using the just war tradition as a foundation. We argue that drones offer the capacity to extend the threshold of last resort for large-scale wars by allowing a leader to act more proportionately on just cause. However, they may be seen as a level of force short of war to which the principle of last resort does not apply; and their increased usage may ultimately raise jus in bello concerns. While drones are technically capable of improving adherence to jus in bello principles of discrimination and proportionality, concerns regarding transparency and the potentially indiscriminate nature of drone strikes, especially those conducted by the Central Intelligence Agency (CIA), as opposed to the military, may undermine the probability of success in combating terrorism.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Tulkens Françoise

The Paradoxical Relationship between Criminal Law and Human Rights
in *Journal of International Criminal Justice*, Volume 9, Issue 3, July , 577-595

Christine Van den Wyngaert, currently a judge at the International Criminal Court, is widely credited with the eloquent reference to an opposition between the 'shield' function and the 'sword' function of human rights in the application of criminal law. In short, human rights have both a defensive and an offensive role, a role of both neutralizing and triggering the application of criminal law. If this is indeed a paradox and not just a contradiction, an attempt must be made not to resolve it but to come to terms with it, while being aware of the complexity of the ensuing consequences, and to clarify it in the light of the requisite balance between its component parts. In this contribution, we will examine the way in which the case law of the European Court of Human Rights, in its function of applying and interpreting the rights and freedoms guaranteed by the European Convention on Human Rights, in turn confers on them a role of protecting from and giving rise to criminal law enforcement.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Long Austin

The Quiet Americans? CIA, NSA, and Counterinsurgency
in *Journal of Cold War Studies*, Volume 13, Issue 3, Summer 2011 , 149-184

Abstract

The contribution of the U.S. intelligence community (IC) to counterinsurgency operations past and present has gone largely underappreciated, in part because of the pervasive secrecy surrounding most of the IC's activities. A review of two recently declassified histories of Central Intelligence Agency (CIA) and National Security Agency (NSA) involvement in Vietnam in the 1960s provides insight into the historical contributions of these agencies to counterinsurgency efforts. This analysis provides a context for understanding available evidence relating to the two agencies' contributions to current counterinsurgency operations in Afghanistan and Iraq. The review concludes with intelligence policy recommendations.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

McGarry Aidan

The Roma Voice in the European Union: Between National Belonging and Transnational Identity
in **Social Movement Studies**, Volume 10, Issue 3, 2011 , 283-297

Abstract

This article examines the response of Roma activists to the Italian Roma crisis in 2007 and 2008. The Roma community has become targets of discriminatory policies in Italy, such as forced evictions and ethnic profiling by the authorities, which construct Roma as distinct from the Italian nation. Roma activists increasingly circumvent national political structures and instead regard the European Union (EU) as an ally in redressing discriminatory policies in member states. In the absence of a kin state to lobby and advocate on their behalf, Roma activists, working in the transnational political context, articulate their voice and demands to the institutions of the EU. In doing so, they construct a transnational identity which on the one hand reifies Roma to a homogeneous group, whilst on the other hand contributes to the idea that Roma are not a constitutive component of the dominant nation. This article uses the Italian Roma crisis as a particular episode in which transnational Roma activists responded to a nationally based crisis and explores the impact of this on issues of national belonging.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Hopkins A. G.

The United States, 1783–1861: Britain's Honorary Dominion?
in **Britain and the World**, Volume 4, Issue 2: (September) , 232-246

This essay reinterprets the evolution of the United States between 1783 and 1861 from the perspective of imperial history. The established literature on this period focuses on the national story, and particularly on the struggle to achieve liberty and democracy. Historians of empire, however, routinely distinguish between formal and effective independence and evaluate the often halting progress of ex-colonial states in achieving a substantive transfer of power. Considered from this angle, the dominant themes of the period were the search for viability and development rather than for liberty and democracy. The article illustrates this proposition by re-evaluating the political, economic, and cultural themes that are central to the history of the period. The argument in each case is that the United States remained dependent on Great Britain to an extent that greatly limited her effective independence. The standard controversies of domestic political history, notably the battle between Hamiltonian and Jeffersonian visions of the state, are recast as differing strategies for achieving real and permanent independence. Strategies for achieving economic development made practical politics of competing arguments for protection and free trade, but failed to release the economy from its dependence on the British market and British capital. Attempts to create an independent national identity were compromised by the continuing influence of British culture and by the related notion of Anglo-Saxonism, on which prevailing policies of assimilation relied. In all these respects, the United States was an unexceptional ex-colonial state, and indeed closely followed the trajectory of other colonies of white settlement that were classified as dominions within the British Empire. The United States, however, was a dependent state that failed in 1861, and its struggle for



independence had to be renewed after the Civil War.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Grosjean Pauline

The Weight of History on European Cultural Integration: A Gravity Approach

in American Economic Review, Vol. 101, No. 3, May 2011 , 504–08.

The cultural gravity model proposed in this paper uses micro-level survey data of 21,000 households to estimate the contribution to cultural heterogeneity of a long history of division between the Ottoman, Habsburg, Russian or Prussian Empires since the year 1300 in 21 European countries. By exploiting the variation in the duration of integration of localities in different empires, this paper sheds light on the influence of political integration on cultural integration and on the rate of cultural change. History matters and cultural values change very slowly: long lasting effects on social trust comes after 400 years of common imperial rule.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Pitsoulis Athanassios

The egalitarian battlefield: Reflections on the origins of majority rule in archaic Greece

in European Journal of Political Economy, Volume 27, Issue 1, March 2011 , Pages 87-103

We explore the emergence of formal institutions of majority rule in archaic Greece from a historical and conflict-theoretic perspective. Referring to ancient and modern sources we first conclude that institutions of majority rule entered Greek collective decision-making in the seventh century BC. We argue that this development must be seen in connection with the local economic growth pattern and the adoption of a highly idiosyncratic form of warfare, which enabled Greek city-states to mobilize a greater number of citizens for war. Military participation of citizens depends on parameters of warfare and economic parameters. We show that the reduction of the average costs of fighting, coupled with an increased decisiveness of conflict, may result in an increased military participation rate. The integration of elements of majority rule in the constitution of the city-states was the political consequence of this development.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Frank Stephanie

The general will beyond Rousseau: Sieyès' theological arguments for the sovereignty of the Revolutionary National Assembly

in History of European Ideas, Volume 37, Issue 3, Special Issue 'Histories of Analytic Political Philosophy', September , 337-343

Cultural history's recent treatments of Sieyès' political theory have understood his political writings in their convergences with and divergences from Rousseau's political theory. By sketching a thoroughgoing analogy between the ecclesiological arguments in Malebranche's *Entretiens sur la Métaphysique et sur la Religion* (1688) and the arguments that Sieyès offers on the floor of the National Assembly concerning the nature of representation, I suggest that we should recontextualize Sieyès' speeches vis-à-vis the broader discourse of the 'general will,' which was theological at its



root. That is, the arguments Sieyès offers for the sovereignty of the National Assembly, separately and in combination, appear to have been shaped by a malebranchiste ecclesiology that grew out of the particular context of the Jansenist challenge to the Church. This argument has ramifications not just for our understanding of Sieyès and revolutionary political theory but also for what have been called the “religious origins of the French Revolution.”

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Elliott Michael A

The institutional expansion of human rights, 1863–2003: A comprehensive dataset of international instruments in *Journal of Peace Research*, Volume 48, Number 4, July , 537-546

This article summarizes the results of a recently completed, comprehensive coding of 779 human rights instruments from 1863 to 2003. As such, it offers an extensive portrayal of how, and to what degree, this powerful doctrine has been formally institutionalized over time. Following a brief overview of the data collection process, selected results from this study are presented that highlight how many human rights instruments have been drafted, what kind of violations have been most prominent, the number of rights that have been specified over time, and the ultimate aspirations that are linked to the realization of human rights. Next, potential applications of this dataset are discussed regarding both human rights and peace research scholarship. Specifically, the results shed new light on the historical development of human rights by highlighting key periods of instrument growth in the late 19th century, the interwar years, and the post-World War II period. In addition, the data can effectively augment recent quantitative studies that measure the effect of treaty ratification on internal state violence by helping to generate more extensive ratification information, develop better measures of state compliance, and construct new measures that assess how human rights principles get translated into national practice and potentially mitigate state violence over time.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Holland Ben

The moral person of the state: Emer de Vattel and the foundations of international legal order in *History of European Ideas*, Volume 37, Issue 4, December , 438-445

Emer de Vattel was the first writer systematically to combine three arguments in a single work, namely: that states have a fundamental duty of self-interestedness; that they nonetheless have reason to see themselves as inhabiting a kind of society; and that this society is held together by positive agreements between its members on rules that shall regulate their interactions. This article explores how Vattel arrived at his vision of international order. It points to the significance of his understanding of the state as being a ‘moral person’. This was a description of the state introduced by Samuel von Pufendorf, who argued that the state was a moral person because it possessed the moral faculties of intellect and will. This helped to ground a constitutionalist theory of the state, for intellect and will, being represented by separate institutions of the state, in effect balanced each other. But the notion of the state as a moral person was later taken up in a rival intellectual tradition that allotted no independence to the will. This was the philosophical tradition to which Vattel belonged. In this altered context, the notion of moral personality was transformed. I argue that this was critical to the formulation of Vattel's theory.



Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Reiner Toby

The sources of communitarianism on the American left: Pluralism, republicanism, and participatory democracy in History of European Ideas, Volume 37, Issue 3, Special Issue 'Histories of Analytic Political Philosophy', September , 293-303

This article considers the nature of communitarian thought in late twentieth century Anglo-American political philosophy. It argues that communitarianism arose out of a critique of modernist theories of justice such as that of John Rawls shared by a group of writers committed to idealist principles that emphasised narrative approaches to the study of political thought, the importance of historical context, and popular participation in political life. It then focuses on one particular American strand of communitarian thought, exemplified by the work of Michael Walzer and Michael Sandel, which draws on a tradition of radical democracy and, in so doing, helps both to create and to transform a new American republicanism. An important connection between Walzer and Sandel is that they share the view that egalitarian politics must draw on shared traditions of social criticism rather than on the abstract individualism that they associate with Rawls. A key difference is that Walzer's vision of American life is pluralist and enthusiastic about difference, whereas Sandel's is republican and concerned above all with fostering civic virtue and identification with the state and political community.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Spaargaren Gert

Theories of practices: Agency, technology, and culture: Exploring the relevance of practice theories for the governance of sustainable consumption practices in the new world-order in Global Environmental Change, Volume 21, Issue 3, Special Issue: 'Symposium on Social Theory and the Environment in the New World (dis)Order', August , 813-822

Within the environmental social sciences, theories of practices are used by an increasing number of authors to analyze the greening of consumption in the new, global order of reflexive modernity. The use of practices as key methodological units for research and governance is suggested as a way to avoid the pitfalls of the individualist and systemic paradigms that dominated the field of sustainable consumption studies for some decades. With the help of practice theory, environmental governance can be renewed in three particular ways: First, the role and responsibilities (not) to be assigned to individual citizen-consumers in environmental change can be specified. Secondly, objects, technologies and infrastructures can be recognized for their crucial contribution to climate governance without lapsing into technological determinism. Third, the cultural framing of sustainability can be enriched by looking into the forms of excitement generated in shared practices of sustainable consumption. We conclude by discussing the need to investigate the globalization of practices from a post-national perspective in both science and policy.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Khader Bichara

Tunisie et Libye: paradigme et contre-paradigme d'une révolution heureuse in Rivista di Studi Politici Internazionali, Volume 78, n. 2, aprile-giugno , 199-224



In this year 2011 the political landscape of the Arab world was revolutionised and along the Southern shore of the Mediterranean authoritarian regimes have come to a deep crisis. The Author examines the cases of Tunisia and Libya. In Tunisia the Jasmine revolution was successful thanks to a society relatively modernised and to an army ready to fraternise. On the contrary in Libya, where the society is split in regional and tribal factions and the army behaves accordingly, a tentative insurgency has brought about to a civil war. Hence the Author is in doubt on the nature of the 'Libyan democratic insurgency', while he is optimistic for the future of the Tunisian regime change.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Allegra Marco, Napolitano Paolo

Two States or Not Two States? Leadership and Peace Making in the Israeli–Palestinian Conflict in Mediterranean Politics, Volume 16, issue 2, July , 261-278

The debate around the viability of the so-called 'Two-State Solution' and the perspective of an alternative 'One-State Solution' began to attract renewed the attention after the collapse of the Oslo process. We suggest that instead of debating the viability of rival constitutional schemes, a more fruitful approach to the issue of peace making in Israel/Palestine should focus on the structural elements of the picture more than on future possible outcomes of the diplomatic process. This article focuses on the role of the two leaderships by analysing their historical background, discourses and policies in order to understand to what extent the debate on the TSS/OSS dichotomy reveals the hidden logic of the alternatives. Our aim is to describe the 'primordial soup' that enables discussion and decisions with respect to the different scenarios addressed by the debate. We conclude that the TSS/OSS alternative hardly identifies meaningful coalitions for peace making and the attainment of either of the two solutions seems to be unlikely without a dramatic change the very identity of Palestinian and Israeli leadership; the rhetoric about the 'missed opportunities' of negotiation contributes instead to obscure the resilience of the status quo.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Bawer Bruce

Un decennio scadente e disonesto

in Ventunesimo Secolo. Rivista di Studi sulle Transizioni, Anno X, n. 25, giugno

The author depicts September 11 attack as one of those great event revealing how persistent the conflict between the free world and totalitarianism still is. Unfortunately, in the last decade Western cultural elites have not learnt the lesson arising from the Thirties: they are in fact appeasing Jihadism the way they did with Hitler. Moreover, Western elites are still promoting the idea of multicultural society as the reasonable ground for the spread of freedom and tolerance. Nevertheless, criticisms towards Islam have been banned whereas the media insistently publicize ideas such as "moderate Islam". According to Bawer, very few people seem to understand that Islamic communities in the West could become enclaves for a new generation of terrorists.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Vadlamannati Krishna Chaitanya



Why Indian men rebel? Explaining armed rebellion in the northeastern states of India, 1970–2007

in *Journal of Peace Research*, Volume 48, Number 5, September , 605-619

Armed conflicts have been a permanent feature of the northeastern region since Indian independence. Surprisingly, relentless conflicts in this remote region of India have received little attention in the literature. Although some studies on conflicts in India have made important contributions to understanding and analyzing the causes of conflicts in general, none of them has paid specific attention to the ongoing conflicts in the northeastern region of India. Relative deprivation and persistent economic and political discrimination are often identified as the major causes for armed rebellion in this region. I provide a first quantitative test of this argument, exploring whether deprivation and continual economic and political discrimination explain the probability of armed conflict incidence across nine northeastern states of India during the period 1970–2007. The main findings from probit estimations show that poverty (relative to the rest of the country) and economic and political discrimination explain conflict outbreaks, after controlling for income, population pressures, state capacity, ethnic affiliations, forest area, peace years, neighboring conflict incidence, and distance to New Delhi. The study also reports considerable support for the baseline results when controlling for potential reverse feedback effects using the generalized method of moments. These results are robust to alternative estimation techniques and sample size.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Thomaß Barbara

WikiLeaks and the question of responsibility within a global democracy

in *European View* , vol. 10, n. 1, June , 17-23

Making sensitive or even secret information public was hitherto the domain of investigative journalism. WikiLeaks has made it possible for whistle-blowers to shed light on anything they think the general public should know about. This has given birth to a new breed of journalism. The new way of bringing sensitive information to the public is much less responsible in many respects, even though it can by some measures fulfil the norm of fairness. Who are the affected parties and what are the pros and cons? These are the questions this article seeks to answer by comparing WikiLeaks with classic journalism.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Keedus Liisi

'Human and nothing but human': How Schmittian is Hannah Arendt's critique of human rights and international law?

in *History of European Ideas*, Volume 37, Issue 2, Special Issue: 'Pact with the Devil: the Ethics, Politics and Economics of Anti-Machiavellian Machiavellism' , June , 190-196

Recently legal theorists have pointed out that whereas members of their profession often assume that post-war scholarship had broken with the past completely, political theorists have paid far more attention to questions of influences and continuities in their discipline. This also holds regarding the legacy of Carl Schmitt whose case both as a jurist and political writer is particularly pressing not only for intellectual historians, but also for discussants across a broad



range of fields in law and political science. It is in this context that my paper examines Hannah Arendt's immediate critique of the Declaration of Universal Human Rights in 1948. I will juxtapose Schmitt's and Arendt's critiques, arguing that these display more than superficial parallels and yet conflict in their basic contentions. I also hope to show that discussing Arendt's critique in conjunction with Schmitt's allows us to pose some more general questions about the relevance and meaning of intellectual backgrounds and influences.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

van Gelderen Martin

'Iustitiam non includo': Carl Schmitt, Hugo Grotius and the *Ius Publicum Europaeum*

in History of European Ideas, Volume 37, Issue 2, Special Issue: 'Pact with the Devil: the Ethics, Politics and Economics of Anti-Machiavellian Machiavellism', June , 154-159

Through a discussion of Hugo Grotius' conception of just war, this essay shows that within his critique of liberalism, Schmitt clashed with the very intellectual tradition he claimed to represent. Both historically and philosophically Schmitt's concept of the *Ius Publicum Europaeum* was a mirage. Indeed, his concept of the political was a rejection of the moral and civil philosophy that sees politics as the world of active citizens and commonwealths arguing with each other about fundamental questions of justice and equity.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Booth Annie L., Skelton Norm W.

"You spoil everything!" Indigenous peoples and the consequences of industrial development in British Columbia

in Environment and Planning C: Government and Policy, Volume 29, Issue 4, August , 685-702

This article discusses the perspectives of two First Nations of Canada, northeastern British Columbia's West Moberly First Nations, Halfway River First Nation, and Treaty 8 Tribal Council, regarding the impacts of industrial resource extraction in lands critical to their traditional cultures and subsistence activities. This collaborative project interviewed First Nation government officials and staff as well as community members and Elders, which created a complex picture of physical impacts of industrial development as well as psychological and cultural concerns. In addition, we briefly explore the impacts of First Nations being required to constantly participate in consultative processes, such as environmental assessment, designed to predict potential impacts. We conclude that recognizing and meaningfully addressing all types of impacts that First Nations experience is critical, both for ensuring environmental justice for indigenous peoples and for recognizing that some land and resources must remain for indigenous peoples to continue to practice their traditional culture. We note, as well, that if there is no room amidst industrial resource extraction activities for indigenous peoples, there is also no room for other environmentally critical values such as healthy ecosystems.

Section D) Federalism as a political idea

Subsection 4. Various/Miscellaneous

Caffarena Anna

«Primavera araba» e transizioni democratiche: considerazioni attorno all'immagine della «quarta ondata»



in **Biblioteca della Libertà**, Anno XLVI, n. 201, Maggio-Giugno

Le rivolte che, all'inizio del 2011, hanno provocato la caduta dei governanti di Tunisia ed Egitto e le sollevazioni di varia intensità che da allora attraversano tanti paesi del Medio Oriente e del Nordafrica sono state rese attraverso l'evocativa immagine della «primavera araba».

Benché la complessità della situazione suggerisse un atteggiamento di grande cautela da parte degli osservatori, soltanto una quindicina di giorni dopo la deposizione di Ben Alì (14 gennaio) e prima ancora che Piazza Tahrir avesse la meglio sul trentennale regime di Mubarak (11 febbraio), autorevoli commentatori hanno avanzato l'idea che tali sommovimenti potessero costituire il motore di una «quarta ondata di democratizzazioni». Il saggio si interroga sulle ragioni di un simile azzardo e trova una risposta nella funzione strategica di questa narrativa che, a un'analisi soltanto un poco più attenta, rivela tante valenze quanti sono i pubblici ai quali è destinata.

http://www.centroeinaudi.it/images/stories/bdl_online/201online_caffarena.pdf