You are looking at 1-10 of 10 items for: **keywords: federalism**

### The American Illness

**F. H. Buckley (ed.)**

Published in print: 2013  
Published Online: October 2013  
ISBN: 9780300175219  
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Item type: book

This book brings together twenty-plus contributors from the fields of law, economics, and international relations to look at whether the U.S. legal system is contributing to the country’s long postwar decline. The book provides a comprehensive overview of the interactions between economics and the law in such areas as corruption, business regulation, and federalism. It explains how the U.S. legal system works differently to those in most countries, with contradictory and hard-to-understand business regulations, tort laws that vary from state to state, and surprising judicial interpretations of clearly written contracts. This imposes far heavier litigation costs on American companies and hampers economic growth.

### The New State

**Joan C. Tonn**

in **Mary P. Follett: Creating Democracy, Transforming Management**

Published in print: 2003  
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Item type: chapter

In her book The New State, published in 1918, Mary P. Follett claims that representative government has failed “because it was not a method by which men could govern themselves.” Hailed as “an American classic of participatory democracy” by Benjamin R. Barber, Kekst Professor of Civil Society at the University of Maryland, the book describes democracy as “a genuine union of true individuals” that had never existed in America. According to Follett, a mythological democracy should be replaced with the actual workings of democracy through the principle of association. She argues that democracy must be created through an integrative group process, that interpenetration rather than imitation is
the heart of the social process, and that social progress depends on the continual integrating of difference. Follett also tackles other issues such as socialism, new forms of association in American society, pluralism, sovereignty, and federalism.

**Soviet Federalism and the Breakup of the USSR**

Robert Daniels

in *The Rise and Fall of Communism in Russia*

Published in print: 2007 Published Online: October 2013


Item type: chapter

When the Communist Party of the Soviet Union collapsed and the Union itself was dissolved in 1991, many interpreted both events as the triumph of democracy and national self-determination. In reality, the disintegration of the Soviet Union was a failure of federalism. Ethnic minorities, the original reason why a nominally federal structure was adopted in the first place, presented a significant challenge in realizing Soviet federalism. The minorities viewed democracy as the opportunity to escape from Russian rule. The nationality question was always a hindrance to democratic reform in the Russian Empire. The totally centralized dictatorship of the Communist Party was the reason why the federal structure of the USSR, enshrined in the Stalin Constitution of 1936, was an utter failure. Nevertheless, the reforms of perestroika provided an impetus to the dummy federalism of the USSR. With the surge of minority nationalism after the electoral reforms of 1989, the federalism question turned into one of confederation at best.

**Failed Negotiations**

Jerzy Borzęcki

in *The Soviet-Polish Peace of 1921 and the Creation of Interwar Europe*

Published in print: 2008 Published Online: October 2013


Item type: chapter

This chapter discusses the failed negotiations between the Poles and Soviets, covering the Polish offensives of 1919; Polish federalism; and the diplomatic missions of Iulian Markhlevskii.
Definitive Peace Negotiations: Difficulties

Jerzy Borzęcki

in The Soviet-Polish Peace of 1921 and the Creation of Interwar Europe

Published in print: 2008 Published Online: October 2013
Item type: chapter

This chapter discusses the following events: the final defeat of Poland's Ukrainian and Belarusian allies; the failure of federalism in Central Lithuania; the recess in negotiations and new delegations; accusations of ill will exchanged by the Poles and Soviets; how Ioffe shored up Dąbski's position; Soviet opposition to international involvement in the Wilno issue; stalemate in the commissions; and Ioffe's frustration with Moscow.

The Power Game in Russia, 1990–1993

Thomas F. Remington


Published in print: 2001 Published Online: October 2013
Item type: chapter

This chapter examines the power play in Russian politics involving Boris Yeltsin and the other RSFSR leaders over the organization of legislative and executive power in the Russian Republic, Russia and the union, and parliament within Russia itself during 1990–1993. It revisits the evolution of constitutional arrangements in this period using the congresses as landmarks and looks at the Supreme Soviet's passage of hundreds of laws as well as its preparation of texts of some of the constitutional amendments to be considered by the congress. It first discusses Soviet federalism and how political mobilization of the electorate influenced the 1990 elections. It then explores the democrats' early tactical victories, the creation of the presidency, the struggle for supremacy between the president and the parliament, Yeltsin's use of emergency powers to fight the deepening crisis in the country, and the referendum of 1993 to decide who should rule between the president and the parliament.
Framing a New Constitution
Thomas F. Remington


Published in print: 2001 Published Online: October 2013
Publisher: Yale University Press
Item type: chapter

Instead of adopting a new, fully consistent constitution, Russian leaders introduced amendments to the USSR constitution in 1989–1991 and to that of the Russian Soviet Federated Socialist Republic (RSFSR) in 1990–1993. Boris Yeltsin's conflict with parliament over the proper balance of legislative and executive power proved to be a hindrance to the realization of a new constitution. Another obstacle was the dispute between the central government and Russian regions. A new constitution required a decision on how to give federalism real institutional form. This chapter examines the issues involved in the framing of a new constitution in Russia by looking at the struggle over economic reforms and the legislative-executive relations to center-regional power. It discusses Yeltsin's use of a large national constitutional assembly as a forum for drafting a new constitution and considers his extraconstitutional decrees which put into effect the 1993 constitution and the electoral law applied to the Duma elections.

Epilogue
Jerzy Borzęcki

in The Soviet-Polish Peace of 1921 and the Creation of Interwar Europe

Published in print: 2008 Published Online: October 2013
Publisher: Yale University Press
Item type: chapter

This epilogue presents some final thoughts about the Soviet-Polish peace treaty, which marked the end of a two-year military and diplomatic conflict, with each side getting what it wanted. The Poles obtained what they viewed as Polish ethnic territory in the Borderlands, together with a strategic defensive line. The Soviets secured their power over most of the Ukrainian and Belarusian ethnic territories, which were to be held on their own terms in the absence of any further pressure from Polish federalism.
The Justification of Constitutional Review
Víctor Ferreres Comella

in Constitutional Courts and Democratic Values: A European Perspective

Published in print: 2009 Published Online: October 2013
Item type: chapter

This chapter shows how easy it is to defend the institution of judicial review of legislation when it operates within the field of federalism. In politically decentralized polities, the laws enacted by the state legislative assemblies often clash with the laws of the federation. Since it is not reasonable to permit each level of government to decide the limits of its own authority, the intervention of an external institution like the judiciary seems justified. Constitutional review acquires “the utmost importance” in federal states, according to Hans Kelsen. Indeed, as in America, judicial review in many European nations emerged as a technical solution to the legislative collisions that decentralized political systems inevitably generate. In more modern times, however, judicial review came to play a key role in the domain of fundamental rights.

Maintaining Cohesion
George C. Edwards III

in Why the Electoral College Is Bad for America: Third Edition

Published in print: 2019 Published Online: January 2020
Item type: chapter

This chapter considers another set of justifications about the electoral college—this time based on maintaining the harmony and cohesion of the Republic. Instead of emphasizing what the electoral college does for the country, advocates call attention to alleged harm that alternative methods of presidential selection, especially direct election, would cause the nation. To begin, defenders of the electoral college charge that direct election of the president would encourage electoral fraud and vote recounts, sow national disharmony, and deny the president a mandate for governing. Most supporters of the electoral college also maintain that it is an essential bulwark of federalism and that electing the president directly would undermine the entire federal system. The chapter thus examines these charges and explores whether the electoral college actually has the benefits its advocates claim for it.