

1. Record Nr.	UNINA9910169191303321
Titolo	Courts in Federal Countries : Federalists or Unitarists? // edited by Nicholas Aroney and John Kincaid
Pubbl/distr/stampa	University of Toronto Press, 2017 Toronto : , : University of Toronto Press, , 2017 ©2017
ISBN	1-4875-1148-5 1-4875-2289-4 1-4875-1147-7 1-4875-1466-2
Descrizione fisica	1 online resource (583 pages) : illustrations; digital file(s)
Disciplina	347/.035
Soggetti	Federal government Constitutional courts Case studies.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	"In March 2012, the Forum of Federations, in collaboration with the Secretariat aux affaires intergouvernementales canadiennes, Government of Quebec, held an international conference entitled "Courts and judicial systems in Federal countries"...in Montreal".-- Pages xi-xii.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Introduction : courts in federal countries / Nicholas Aroney and John Kincaid -- The High Court of Australia : textual unitarism vs structural federalism / Nicholas Aroney -- The Constitutional Court of Belgium : safeguard of the autonomy of the communities and regions / Patrick Peeters and Jens Mosselmans -- The Supreme Federal Court of Brazil : protecting democracy and centralized power / Gilberto Marcos Antonio Rodrigues, Marco Antonio Garcia Lopes Lorencini, and Augusto Zimmermann -- The Supreme Court of Canada : the concept of cooperative federalism and its effect on the balance of power / Eugenie Brouillet -- The Supreme Court of Ethiopia : federalism's bystander / Gedion T. Hessebon and Abduletif K. Idris -- The Federal Constitutional Court of Germany : guardian of unitarism and federalism / Arthur Benz

-- The Supreme Court of India : the rise of judicial power and the protection of federalism / Manish Tewari and Rekha Saxena -- The Supreme Court of Mexico : reconfiguring federalism through constitutional adjudication and amendment after single-party rule / Jose Antonio Caballero Juarez -- The Supreme Court of Nigeria : an embattled judiciary more centralist than federalist / Rotimi T. Suberu -- The Constitutional Court of South Africa : reinforcing an hourglass system of multilevel government / Nico Steytler -- The Constitutional Court of Spain : from system balancer to polarizing centralist / Elisenda Casanas Adam -- The Federal Supreme Court of Switzerland : judicial balancing of federalism without judicial review / Andreas Lienhard, Daniel Kettiger, Jacques Buhler, Lorraine Merillat, and Daniela Winkler -- The Supreme Court of the United States : promoting centralization more than state autonomy / Ilya Somin -- Comparative observations and conclusions / Nicholas Aroney and John Kincaid.

---

Sommario/riassunto

"Courts are key players in the dynamics of federal countries since their rulings have a direct impact on the ability of governments to centralize and decentralize power. Courts in Federal Countries examines the role high courts play in thirteen countries, including Australia, Brazil, Canada, Germany, India, Nigeria, Spain, and the United States. The volume's contributors analyse the centralizing or decentralizing forces at play following a court's ruling on issues such as individual rights, economic affairs, social issues, and other matters. The thirteen substantive chapters have been written to facilitate comparability between the countries. Each chapter outlines a country's federal system, explains the constitutional and institutional status of the court system, and discusses the high court's jurisprudence in light of these features. Courts in Federal Countries offers insightful explanations of judicial behaviour in the world's leading federations."--

---