

1. Record Nr.	UNINA9910337823203321
Titolo	Claims for Secession and Federalism : A Comparative Study with a Special Focus on Spain // edited by Alberto López-Basaguren, Leire Escajedo San-Epifanio
Pubbl/distr/stampa	Cham : , : Springer International Publishing : , : Imprint : Springer, , 2019
ISBN	3-319-59707-8
Edizione	[1st ed. 2019.]
Descrizione fisica	VIII, 588 p. ; ; 24 cm
Disciplina	341
Soggetti	International law Comparative politics Private international law Conflict of laws Law—Europe Democracy Regional economics Spatial economics Sources and Subjects of International Law, International Organizations Comparative Politics Private International Law, International & Foreign Law, Comparative Law European Law Regional/Spatial Science
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	Part I Claims for Secession in Western Democracies. A Comparative Overview.-Secession and Federalism in the United States: Tools for Managing Regional Conflict in a Pluralist Society.-Legality, Legitimacy, Decisionism and Federalism: An Analysis of the Supreme Court of Canada's Reasoning in Reference re Secession of Quebec,1998.-Competing Claims for Federalism in Complex Political Settings. A Canadian Exploration -- Is the Québec Secession Movement Dead? Perspectives After Canada's 2015 Federal Election -- Provincial

Integration Through the Senate: Trudeau's (Not Quite) New Era -- 'Scotland in the United Kingdom: An Enduring Settlement'? -- The Future of the United Kingdom's Territorial Constitution: Can the Union Survive? -- Fiscal Federalism and Fiscal Responsibility: The Case of Scotland -- The Scottish Independence Referendum: Lessons Learned for the Future -- The End of Belgium As We Know It: From Consociational Democracy to Partitocratic Deadlock? -- Secessionist Claims in a Federal System: The Belgian Case -- The Relations Between Denmark, Greenland and the Faroe Islands. A Model with Future to Challenge Secessionism? -- The Italian Regional State: A Counter-Reformation After the Failure of the 2001 Constitutional Reform? -- Part II Referendums and Constitutional Clauses on Secession.- Constitutionalizing Secession in Order to Harmonize Constitutionality and Democracy in Territorial Decentralized States Like Spain -- Territorial Referendums from a Constitutionalist Perspective: Functions, Justifications and Legal Design.-The Sovereign State and the Right to Secede. Historical Examples and Theoretical Reasons Concerning the Benefits of Political Regulation.-Federative Tools: A New Perspective for Secession.-Reasons for and Limits of the Referendum as a Mechanism to Declare the Secession of Part of a State -- The Myth of Ontological Foundations and the Secession Clause as Federal Answers to National Claims of External Self-Determination -- Part III Claims for Secession and Federalism in Spain.-Claims for Secession in Catalonia. Rule of Law, Democratic Principle and Federal Alternative.-Secession and Federalism. The Spanish Case.-Constitution and Referendum on Secession in Catalonia.-Federalism and Democratic Quality: The Contribution of Territorial Pluralism to Constitutional Democracy.- Political Pluralism and Independence in Catalonia: Lessons Learned from Federalism.-Federal Reform of Spain vs Secession in Catalonia. Could Constitutional Reform Provide a Response to the Demands Upon Which the Justification for Secession Are Based?.-Which Federalism for Spain?.-Constitutional Reform Within the Context of the Debate on the Independence of Catalonia.-The Constitutional Answer to the Crisis of the Model of Territorial Organization.-Constitutional Reform and Federalism in Spain. A Modest Proposal.-Constitutional Reform and Global Market Federalism.-Territorial Secession and Federal Loyalty in the 1978 Spanish Constitution.-State Integration and Disintegration Within the European Union. Regarding the Purported Secession of Catalonia and Its Hypothetical Membership of the EU.-The Catalan Independence Movement in the Political and Constitutional Debate in the European Union.

Sommario/riassunto

This volume, incorporating the work of scholars from various parts of the globe, taps the wisdom of the Westphalian (and post-Westphalian) world on the use of federalism and secession as tools for managing regional conflicts. The debate has rarely been more important than it is right now, especially in light of recent events in Catalonia, Scotland, Québec and the Sudan - all unique political contexts raising similar questions about how best to balance competing claims for autonomy, interdependence, political voice, and exit. Exploring how various nations have encountered comparable conflicts, some more and some less successfully, the book broadens the perspectives of scholars, government officials, and citizens struggling to resolve sovereignty conflicts with a full appreciation of the underlying principles they represent.
