

1. Record Nr.	UNINA9910557731703321
Titolo	New challenges to the separation of powers : dividing power // edited by Antonia Baraggia, Cristina Fasone, Luca Pietro Vanoni
Pubbl/distr/stampa	Cheltenham, England ; ; Northampton, Massachusetts : , : Edward Elgar Publishing, , [2020] Â©2020
ISBN	1-78897-527-8
Descrizione fisica	1 online resource (272 pages)
Disciplina	320.404
Soggetti	Separation of powers Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Contents: 1 Introduction / Vincenzo Zeno-Zencovich -- PART I THE THEORETICAL CHALLENGES TO THE CLASSICAL SEPARATION OF POWERS DOCTRINE -- 2 Introduction to Part I / Andrea Pin -- 3 Revitalising the social foundations of the separation of powers? / Eoin Carolan -- 4 Direct democracy and the separation of powers / Zoltan Pozsar-Szentmiklosy -- 5 New challenges to the separation of powers: the role of constitutional courts / Luca Pietro Vanoni -- 6 The rise of conditionality within the global administrative space: a challenge for the separation of powers / Antonia Baraggia -- PART II TRANSFORMATIONS OF THE SEPARATION OF POWERS IN NATIONAL CONTEXT -- 7 Introduction to Part II / Francesco Clementi -- 8 The separation of powers in new constitutions / Francois Venter -- 9 Unpacking the separation of powers / Jiri Baros, Pavel Dufek and David Kosar -- 10 The transformation of political parties and the guardians of the Constitution: the evolution of the power structure in the Italian system / Stefania Leone and Irene Pellizzone -- PART III THE SEPARATION OF POWERS UNDER PRESSURE -- 11 Introduction to Part III / Arianna Vedaschi -- 12 "The symbolic jurisprudence": Theorizing constitutional (re)capture, testing the limits of separation of powers and reimagining the judicial review / Tomasz Tadeusz Koncewicz -- 13 EU "strict conditionality" from the perspective of the separation of

powers / Ioannis A. Tassopoulos -- 14 North Africa and the Middle East after the Arab uprisings: a new separation of powers? / Francesco Biagi -- 15 Conclusion / Miryam Iacometti -- Index.

---

Sommario/riassunto

"This insightful book guides readers through the transformation of, and theoretical challenges posed by, the separation of powers in national contexts. Building on the notion that the traditional tripartite structure of the separation of powers has undergone a significant process of fragmentation and expansion, this book identifies and illustrates the most pressing and intriguing aspects of the separation of powers in contemporary constitutional systems. Chapters explore the social foundations of the doctrine of the separation of powers, its relationship to direct democracy, the role of constitutional courts and the rise of the administrative state. Expert contributors analyse power structures and the separation of powers across new constitutions in central Europe, examining the transformations of political parties and testing the limits of the doctrine alongside a reimagining of the judicial review process. This timely book concludes with a historical perspective on the doctrine and a case study considering a possible new separation of powers in North Africa and the Middle East. This unique book will be of interest to students and academics of comparative constitutional law, as well as constitutional and political theorists, lawyers and judges"--

---