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Titolo	Politicized justice in emerging democracies : a study of courts in Russia and Ukraine // Maria Popova [[electronic resource]]
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Descrizione fisica	1 online resource (xii, 197 pages) : digital, PDF file(s)
Collana	Comparative constitutional law and policy
Disciplina	347.47/012
Soggetti	Judicial independence - Ukraine Judicial independence - Russia (Federation)
Lingua di pubblicazione	Inglese
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Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	What is judicial independence? -- Judges and politicians : theories about the origins of judicial independence -- What can a focused comparison of Russia and Ukraine tell us about the origins of independent courts -- The role of Ukrainian and Russian courts in the provision of free and fair elections : judicial independence from politicians during the 2002 RADA and the 2003 Duma campaign -- The role of Ukrainian and Russian courts in the provision of press freedom : judicial independence in defamation lawsuits, 1998-2003 -- Politicians' capacity to pressure the courts -- Politicians' willingness to pressure the courts, 1998-2004 and beyond.
Sommario/riassunto	Why are independent courts rarely found in emerging democracies? This book moves beyond familiar obstacles, such as an inhospitable

legal legacy and formal institutions that expose judges to political pressure. It proposes a strategic pressure theory, which claims that in emerging democracies, political competition eggs on rather than restrains power-hungry politicians. Incumbents who are losing their grip on power try to use the courts to hang on, which leads to the politicization of justice. The analysis uses four original datasets, containing 1,000 decisions by Russian and Ukrainian lower courts from 1998 to 2004. The main finding is that justice is politicized in both countries, but in the more competitive regime (Ukraine) incumbents leaned more forcefully on the courts and obtained more favorable rulings.

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