



Executive Decree Authority



Edited by
John M. Carey and Matthew Soberg Shugart

Executive Decree Authority

Timothy J. Colton, Stephen Holmes



Executive Decree Authority:

Executive Decree Authority John M. Carey, Matthew Soberg Shugart, 1998-05-13 When presidents or prime ministers make law by decree are we witnessing the usurpation of legislative authority The increased frequency of policy making by decree in older democracies as well as in the newer regimes of Latin America and the post communist world has generated concern that legislatures are being marginalized and thus that democratic institutions are not functioning Professors Carey and Shugart suggest which elements of constitutional design should and should not foster reliance on decree authority Individual chapters then bring the experiences of Argentina Brazil France Italy Peru Russia the United States and Venezuela to bear on the theory The book combines broadly comparative analysis with intensive case studies to provide a more thorough understanding of the scope of executive authority across countries

Checking Presidential Power Valeria Palanza, 2019-01-17 Provides the first comparative look into executive decree authority It explains why presidents issue decrees and why checks and balances sometimes fail

Regimes and Democracy in Latin America, 2007-05-10 This volume focuses on democracy in Latin America and both assesses the state of current knowledge on the topic and identifies new research frontiers in the study of Latin American politics It provides an overview of research agendas and strategies used in the literature over the past four decades It tackles a series of central questions What is democracy Is democracy an absolute value Are current conceptualizations of democracy adequate How and why does democracy work or fail in Latin America and spells out the implications of answers to these questions for current research agendas It distinguishes between qualitative and quantitative approaches to the conceptualization and measurement of democracy and presents a dataset on political regimes and democracy that illustrates how the differences between these two standard approaches might be overcome Finally it evaluates the strengths and weaknesses of conventional methods used to generate and test explanations of the causes and consequences of democracy and proposes alternative ways to advance ongoing substantive debates given the current state of theory and data The contributors are scholars from the United States and Latin America who are experts on Latin America and who have established reputations as theorists and methodologists The volume will be of interest to readers seeking to understand debates about democracy in developing societies and to grasp the concepts theories and methods that are currently being developed to study Latin American politics

Liberal Democracy and the Social Acceleration of Time William E. Scheuerman, 2020-06-09 A fine contribution to the literature on the problems of modern liberal democracy Choice The pace of American society has quickened exponentially since the Founding Fathers first mapped the constitution Information travels at the speed of light so does money We can hop from one side of the country to the other in a matter of hours contact our elected officials instantaneously and share our views with thousands of people at the touch of a button Both academia and the popular media have grappled with the consequences of this acceleration on every aspect of contemporary life Most pressing however may be its impact on political life In *Liberal Democracy and the Social*

Acceleration of Time William Scheuerman offers a sophisticated assessment of the implications of social and technological celerity in the operation of liberal democracies Specifically he asks what is acceleration s main impact on the traditional liberal democratic model of the separation of powers According to Scheuerman high speed has created an imbalance The executive branch was intended to react with dispatch by contrast legislatures and the courts were designed to be more deliberate and thoughtful While this system of checks and balances was effective in the age of horse and buggy Scheuerman argues that the very features that were these institutions strengths may now be a liability Throughout this book Scheuerman offers a constructive critique which articulates ways in which liberal democracy might be recalibrated in accordance with the tempo of modern society *Executive Dominance in Times of Crisis* Camila Almeida Porfiro,2025-06-04 In recent times there has been a growing dominance of executives centered on the figure of a central leader while parliaments which should be the focus of political power are being marginalized This development reflects a historical process that has only worsened with the COVID 19 emergency This book argues that the frequent use of unilateral acts by the executive exacerbated in times of emergency can lead to a process of serious democratic erosion It holds that the unlimited expansion of unilateral action is incompatible with the principle of separation of powers and the basic elements of a constitutional democracy The judicial and legislative branches especially in times of crisis must exercise firm control over executive acts It puts forward the case that they should limit abuses and risks to democracy based on parameters that are attentive to democratic principles institutional capacities and the protection of fundamental rights In this scenario the book offers a contemporary analysis of executive dominance in Brazil Italy and Germany particularly in the context of the COVID 19 pandemic It engages with traditional literature on the subject while providing a novel perspective particularly in relation to the Global South The book will be of interest to academics and researchers working in the areas of constitutional law and politics administrative law and international and comparative law

Democratization and the Judiciary Siri Gloppen,Roberto Gargarella,Elin Skaar,2004 Introduction the accountability function of courts in new democracies Siri Gloppen Roberto Gargarella and Elin Skaar Judicial review in developed democracies Martin Shapiro How some reflections on the United States experience may inform African efforts to build court systems and the rule of law Jennifer Widner The constitutional court and control of presidential extraordinary powers in Colombia Rodrigo Uprimny The politics of judicial review in Chile in the era of domestic transition 1990 2002 Javier A Couso Legitimizing transformation political resource allocation in the South African constitutional court Theunis Roux The accountability function of courts in Tanzania and Zambia Siri Gloppen Renegotiating law and order judicial reform and citizen responses in post war Guatemala Rachel Sieder Economic reform and judicial governance in Brazil balancing independence with accountability Carlos Santiso In search of a democratic justice what courts should not do Argentina 1983 2002 Roberto Gargarella Lessons learned and the way forward Irwin P Stotzky

Research and Development on Genetic Resources Evanson Chege Kamau,Gerd Winter,Peter-Tobias Stoll,2015-06-05 National

implementation of the Convention on Biological Diversity CBD provisions has yielded enough challenges for providers and users of genetic resources and associated traditional knowledge alike The Nagoya Protocol brings novel ideas for resolving the challenges plaguing the Access and Benefit Sharing ABS process in general and non commercial research in particular This is one of the first books to address research cooperation and facilitated access for non commercial biodiversity research It uniquely offers concrete and practicable solutions based on experiences of researchers and administrative officials with ABS and on the interpretation of the Nagoya Protocol on how free and lively taxonomic research can be ensured while at the same time observing obligations of obtaining prior informed consent and sharing of benefits This book will be useful to students of International Environmental Law International Biodiversity Law Intellectual Property Law Climate Law and Law of Indigenous Populations With foreword from Executive Secretary CBD Braulio Ferreira de Souza Dias The Rule of Law and the Separation of Powers Richard Bellamy, 2017-07-05 The rule of law is frequently invoked in political debate yet rarely defined with any precision Some employ it as a synonym for democracy others for the subordination of the legislature to a written constitution and its judicial guardians It has been seen as obedience to the duly recognised government a form of governing through formal and general rule like laws and the rule of principle Given this diversity of view it is perhaps unsurprising that certain scholars have regarded the concept as no more than a self congratulatory rhetorical device This collection of eighteen key essays from jurists political theorists and public law political scientists aims to explore the role law plays in the political system The introduction evaluates their arguments The first eleven essays identify the standard features associated with the rule of law These are held to derive less from any characteristics of law per se than from a style of legislating and judging that gives equal consideration to all citizens The next seven essays then explore how different ways of separating and dispersing power contribute to this democratic style of rule by forcing politicians and judges alike to treat people as equals and regard none as above the law **Between Presidential Power and Legislative Veto** Andreas Hahn, 2010 Reform success and reform delay are subject to a variety of explanations In general high decisiveness leads to reform propensity while its absence or high resoluteness to policy gridlock The Brazilian reform experience is contradicting both aspects are present factors leading to decisiveness as well as those inducing gridlock and reform delay Leaving the static point of view and accounting for a dynamic development this apparent contradiction gets resolved in fact the executive gained growing leeway during the 1990s providing it with the means to achieve a higher degree of decisiveness of the political system by simultaneously guaranteeing resoluteness It is however greatly mistaken to consider this development as a blank cheque to universal encompassing reforming in all areas Despite growing executive dominance and growing policy consensus some particular reforms were a success while others did not surpass its initial stages This is finally due to path dependency and explicit policy specificities triggering different institutional constraints and veto points which even strong Presidents cannot override *Presidential Legislation in India* Shubhankar Dam, 2014 This book is a study of the president

of India's authority to enact legislation or ordinances at the national level without involving parliament **Democratic**

Latin America Craig Arceneaux, 2015-10-30 Drawing on new approaches in comparative politics Democratic Latin America focuses on analyzing political institutions as a way to assess broader trends in the region's politics including the rise of democracy The text looks at the major institutions executive legislature judiciary military and more in 18 democratic countries to not only provide an expansive view of politics in Latin America but to also facilitate cross national comparison Democratic Latin America uniquely surveys the what of the region's politics as well as the why and how to help students critically consider Latin America's future *Presidential Decree Authority* Matthew Soberg Shugart, 1994 **Urban**

Narratives: Exploring Identity, Heritage, and Sustainable Development in Cities Mohd Fairuz Shahidan, Gasim Hayder Ahmed Salih, Alessio Cardaci, Israa Hanafi Mahmoud, 2024-03-19 This book engages readers in an enlightening exploration of cities identities sustainability and urban development Delving into the intricate interplay between art architecture and the urban landscape it offers a compelling analysis of the factors that shape cities and their distinct personalities The volume uncovers captivating stories of cities as they navigate the delicate balance between heritage conservation and modernity It highlights innovative strategies employed to preserve historical sites while adapting to the demands of a rapidly changing world Full of insightful discussions on the impact of cultural lifestyles the fusion of architectural styles and the challenges and triumphs of sustainable urban development it draws upon a diverse range of perspectives and research inviting architects urban planners and scholars to delve into the intricate nuances of cities identities in the process With its informative and engaging narrative this book provides a fresh perspective on cities identities and offers practical insights into shaping vibrant livable urban landscapes Monocratic Government Fortunato Musella, 2022-02-21 Personalisation is the most relevant political phenomenon of our time After the decline of structural and ideological foundations of Western democracies a radical shift from collective to individual actors and institutions has occurred in several political systems On the one hand political leaders have gained centrality on the democratic scene as a consequence of both a more direct sometimes plebiscitary relationship with citizens and a more direct control of the executive administration On the other hand a process of fragmentation occurs at the mass level where electoral volatility has strongly increased and the spread of social media enables each citizen to express their convictions in the self referential autonomy of the digital networks Monocratic Government The Impact of Personalisation on Democratic Regimes analyses the consequences of personalisation of political leaders on democratic government by asking whether it is possible to keep together demos and kratos in a post particratic context It explores topics such as governmental decrees Trump governance and includes an analysis of the coronavirus outbreak Offering comparative insights and exploring how political leaders govern in the United States France Germany Italy and Hungary this volume brings into focus the study of political personalisation in relation to some of the key trends and crises in modern politics **The European Crisis and the**

Transformation of Transnational Governance Christian Joerges, Carola Glinski, 2014-11-13 The debate on law governance and constitutionalism beyond the state is confronted with new challenges In the EU confidence in democratic transnational governance has been shaken by the authoritarian and unsocial practices of crisis management The ambition of this book which builds upon many years of close co operation between its contributors is to promote a viable interdisciplinary alternative to these developments Conflicts law constitutionalism is a concept of transnational governance which derives democratic legitimacy from the supranational control of the external impact of national decision making on the one hand and the co operative responses to problem interdependencies on the other The first section of the book contrasts Europe s new modes of economic governance and crisis management with the conditionality of international investments and reflects upon the communalities and differences between emergency Europe and global exceptionalism Subsequent sections substantiate the problematique of executive and technocratic rule explore conflict constellations of prime importance in the fields of environmental and labour law and discuss the impact and limits of liberalisation strategies Throughout the book European and transnational developments are compared and evaluated

Consequential Courts Diana Kapiszewski, Gordon Silverstein, Robert A. Kagan, 2013-04-08 In the early twenty first century courts have become versatile actors in the governance of many constitutional democracies and judges play a variety of roles in politics and policy making Assembling papers penned by academic specialists on high courts around the world and presented during a year long Andrew W Mellon Foundation John E Sawyer Seminar at the University of California Berkeley this volume maps the roles in governance that courts are undertaking and the ways they have come to matter in the political life of their nations It offers empirically rich accounts of dramatic judicial actions in the Americas Europe the Middle East and Asia exploring the political conditions and judicial strategies that have fostered those assertions of power and evaluating when and how courts performance of new roles has been politically consequential By focusing on the content and consequences of judicial power the book advances a new agenda for the comparative study of courts

The State After Communism Timothy J. Colton, Stephen Holmes, 2006 The Soviet dictatorship was a strong state committed to dominating and transforming society in the name of a utopian ideology When the communist regime crumbled and the post Soviet countries committed to democracy most observers took for granted that their state structures would be effective agents of the popular will Russia s experience demonstrates that this assumption was overly optimistic This book based on a major collaborative research project with American and Russian scholars shows that state capacity strength and coherence were highly problematic after communism which had major consequences for particular functions of government and for the entire process of regime change Eleven respected contributors examine governance in post Soviet Russia in comparative context investigating the roots characteristics and consequences of the crisis as a whole and its manifestations in the specific realms of tax collection statistics federalism social policy regulation of the banks currency exchange energy policy and parliamentary oversight of the bureaucracy

Migration and Asylum Law and Policy in the European Union Imelda Higgins, Kay Hailbronner, 2004-06-17 An international survey covering the migration and asylum laws of 15 EU member states

Democratic Accountability in Latin America Scott Mainwaring, Christopher Welna, 2003-07-31 This volume on democratic accountability addresses one of the burning issues on the agenda of policy makers and citizens in contemporary Latin America how democratic leaders in Latin America can improve accountability while simultaneously promoting governmental effectiveness Written by well known scholars from both Latin America and the United States the volume enhances understanding of these key themes which are central to the future of democracy in Latin America This volume on democratic accountability addresses one of the burning issues on the agenda of policy makers and citizens in contemporary Latin America In much of Latin America disenchantment and cynicism have set in regarding the quality of elected governments raising the prospect of a new round of democratic erosion and breakdowns One of the important emerging challenges for improving the quality of democracy revolves around how to build more effective mechanisms of accountability A widespread perception prevails in much of the region that government officials are not sufficiently subject to routinized controls by oversight agencies Corruption lack of oversight impunity of state actors and improper use of public resources are major problems in most countries of the region Dealing with these issues is paramount to restoring and deepening democratic legitimacy The fundamental question in this volume is how democratic leaders in Latin America can improve accountability while simultaneously promoting governmental effectiveness These issues have acquired urgency in contemporary Latin America because of heightened public concern about corruption and improper governmental actions on the one hand yet on the other uncertainty about the potential tradeoff between tightened accountability of officials and effective policy results The volume enhances understanding of three key issues First it enriches understanding of the state of non electoral forms of democratic accountability in contemporary Latin America What are some of the major shortcoming in democratic accountability How can they be addressed What are some major innovations in the efforts to enhance democratic accountability A second contribution of the volume is conceptual Accountability is a key concept in the social sciences yet its meaning varies widely from one author to the next The authors in this volume especially in the first four chapters explicitly debate how best to define and delimit the concept Finally the volume also furthers understanding of the interactions between various mechanism and institutions of accountability Many of the authors address how electoral accountability the accountability of elected officials to the voters interact with the forms of accountability in which state agencies oversee and sanction public officials The volume provides extensive treatment of this important but hitherto under explored interaction

Informal Coalitions and Policymaking in Latin America Andrés Mejía Acosta, 2009-09-11 This book examines how presidents achieve market oriented reforms in a contentious political environment offering a systematic way of thinking about how informal institutions interact with formal ones to affect policy behavior by both a president and legislator

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