

***Dragan Bataveljić, LL.D.\****

## **FEDERALISM AS A FORM STATE ORGANIZATION — YES OR NO?**

### ***Summary***

*Concluding the aforementioned we can state that in the German, Swiss and American model federalism combines the identity in external relations and the unity in diversity in internal affairs, while at the same time affirming regional identities, an expanded role of towns and the protection of regional cultures. In federal states, like for example Switzerland or Germany, a cooperative federalism and different levels exist, as well as in the system of the European Union. The "interstate" relations between the Member States of a federal state have nothing to do with the international processes of an alliance in the course of its establishment, so that within the scope of the European Union, the accentuation is on these "interstate" relations, indicating a unanimous decision of the governments. This actually means a return to the classical intergovernmental organization, however, an equalization of federalism with an "interstate federalism" shatters the whole system. Namely, the fact that a federal union comprises some interstate elements does not mean that it can be equated with an "interstate federalism", because Wolfgang Wessels applied the concept of "cooperative federalism", for example of the German or Swiss one, to the European Union.*

*Therefore, and considering the fact that the European Union is a completely new form of organization which up to now has not been known in the comparative constitutional practice, the same also requires a completely new form of federal alliance, regardless of the fact that the aforementioned resemblances and conformities of certain functions of the European Union and the functions of particular, most developed Member States exist, even in respect of the founders of the big European family. Definitely, there exists a high risk that existing models or some of them, respectively, impose upon the new reality, so that an all-embracing European consultation with experts and interest groups is taking place, as D. Sidjanski ascertains, "in search for a new European federalism".*

**Key words:** *federalism, federation, federal state, confederation, union, European Union, European federalism, globalization, subsidiarity, supranational.*

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\* Full-time professor, Faculty of law, University of Kragujevac