

The constitutional position of the second chamber of parliament in federal states

Summary

Bicameralism (bicameralism) is one of the main areas of interest for federalism scholars. Researches are particularly concerned with the second chamber, which are considered as an indispensable element of federalism, constituting important state institutions. The main task of the second chamber of parliament is to protect the particular interests of the parts that create the federation. These entities, regardless of their size, usually constitute an equal representation of all the constituent parts or a representation that depends on the population of a region¹.

The research problem, which is the subject of this dissertation, is the constitutional position of the second chamber of parliament in the states covered by the scope of scientific analysis. It was made on the example of three, recognized as representative federations: The United States of America, the Federal Republic of Germany and the Russian Federation.

The dissertation consists of an introduction, five substantive chapters, a conclusion, and a bibliography.

The first chapter presents the concept of bicameralism, i.e. bicameralism of parliament and the classification of the second chamber. It also discusses the issues of representativeness and specifics of the election of members of the second chamber of parliament. The conditions related to the above issues in each of the analyzed countries are discussed in detail. The last part of chapter number one contains the characteristics of the structure and internal organization of the second chamber.

The second chapter presents the genesis and historical development of the institution of the second chamber of parliament. The process of formation of the second chamber over the centuries in the three analyzed federations is

¹ A. Jackiewicz, *Konstytucyjne funkcje izb pierwszych parlamentów federalnych a zasada federalizmu w państwach europejskich*, Białystok 2019, p. 10; J. Jaskiernia, *Wprowadzenie do systemu państw federalnych*, [in:] *Problemy rozwoju federalizmu we współczesnym świecie*, red. J. Jaskiernia, Kielce 2009, p. 30-32.

characterized. It also presents the elements that have influenced the specificity of the organization and functioning of the second chamber in the analyzed countries.

The third chapter presents issues concerning the implementation of the legislative function by the second chamber of parliament. The starting point is the analysis of this function of parliament. Opinions of the representatives of doctrine of constitutional law concerning the subject matter under examination were also presented. The notion of the right of legislative initiative and detailed characteristics of stages of legislative proceedings were presented. The last part of the chapter presents the forms of participation of the second chamber of the parliament in the legislative process in each of the analyzed countries.

The fourth chapter presents the applicable norms on the participation of the second chamber of parliament in the performance of the control function. The concept and general characteristics of this function are presented. Various definitions of this term, created by the representatives of the doctrine of constitutional law, have been recalled. The issues of parliamentary control as an element of the broad decision-making process of the parliament have been brought closer. The final part of this chapter contains the characteristics of the forms of realization of the control function. The means of this control in the analyzed countries are presented.

In the last, fifth chapter, the concept and general characteristics of the creative function of the second chamber of parliament are presented. The opinions of the representatives of the doctrine of constitutional law concerning the analyzed matter have been presented. The issues concerning the realization of the creative function in analyzed federations have been discussed in detail.

The conclusion is a summary of the analysis carried out in the dissertation on the constitutional position of the second chamber of parliament in the United States of America, the Federal Republic of Germany and the Russian Federation.