



EUROPEAN JUDICIAL SYSTEMS AS A CHALLENGE FOR DEMOCRACY

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Elżbieta Kuźmiewska, Dariusz Kłóza,
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Leo P. Chall



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European Judicial Systems as a Challenge for Democracy Elżbieta Kuzelewska, Dariusz Kloza, Izabela Krasnicka, Franciszek Strzyczkowski, 2015 The role of the European judiciary in the process of European integration cannot be overestimated European integration after the second world war is usually analyzed from the perspective of political decisions However in the public debate we very often forget how much we owe to the Court of Justice of the European Union and the European Court of Human Rights

Meandering in Transition Ostap Kushnir, Oleksandr Pankiev, 2021-08-19 This edited collection addresses the dynamics of the post Communist transition in Central Eastern Europe Its contributors present a detailed analysis of the events unfolding during the last three decades in the region focusing in particular on identity building processes and reforms in Belarus Bulgaria Czechia Estonia Hungary Latvia Lithuania Moldova Poland Romania Slovakia and Ukraine The contributors outline reasons why some of these states accomplished a decisive break with the Communist past and became members of European and transatlantic structures while some opted for pseudo transition and fostered hybrid political regimes jeopardizing their genuine integration with the West A group of states which decided to preserve their Communist legacy is also explained The collection describes and scrutinizes the formation of geopolitical affiliations and the evolution of discourses of belonging It also traces the fluctuating dynamics of national decision making and institution building as many of the post Communist states reconsider and re elaborate their initial ideas and visions of Europe today Finally the collection brings to light the rapidly changing perceptions of the region by the major global actors the European Union People s Republic of China Russian Federation and others

Understanding European Union Institutions Alex Warleigh, 2002-09-09 Understanding the institutions of the European Union is vital to understanding how it functions This book provides students with a user friendly introduction to the main institutions and explains their different roles in the functioning and development of the European Union Key features introduces and explains the functions of all the main institutions dividing them into those that have a policy making role those that oversee and regulate and those that operate in an advisory capacity provides students with an overview of the history of the European Union and the development of its institutions and considers their continuing importance to the success of the European Union clearly written by experienced and knowledgeable teachers of the subject presented in a student friendly format providing boxed concepts and summaries guides to further reading figures and flowcharts and a glossary of terms

Republican Europe Anna Kocharov, 2017-06-01 Constitutional orders constitute political communities and international orders deriving from them by managing conflicts that threaten peace This book explores how a European political community can be advanced through EU constitutional law The constitutional role of the Union is to ensure peace by addressing two types of conflict The first are static conflicts of interests between the national polities in the EU These are avoided by ensuring reciprocal non interference between Member States in the Union through deregulation in Union law The second are dynamic conflicts of

ideas about positive liberty held by the peoples of Europe These can be resolved through regulation in a European political space Here EU law enables a continuous process of re negotiating a shared European idea of positive liberty that can be accepted as its own by each national polity in the EU These solutions to the two types of conflicts correspond to the liberal and republican models for Europe The claim of this book is that the constitutional design of Europe presents both liberal and republican features Taking an innovative approach which draws on arguments from substantive law constitutional theory case law analysis insights from psychology and philosophy it identifies how best to strengthen the Union through constitutional law

Rule of Law in Crisis Martin Belov, 2022-12-30 This book addresses the current crisis that threatens the rule of law and has led to the need for its adjustment as normative concept legal principle and pragmatic guideline for the behaviour of political players Rule of law is a pillar of the constitutional orders and a key principle of national international and EU law Yet rule of law is subject to pressure for change in the face of emergency crisis and transition This book explores how constitutional crisis emergency constitutionalism and constitutional polycrisis assert pressures for the transformation of rule of law and thus produce a state of flux It examines the rule of law from the viewpoint of constitutional imaginaries memory politics and identity politics It critically assesses the responses given by the EU and its member states to the current crisis The work also provides an analysis of the most important challenges to rule of law stemming from the performance of constitutional courts including the risks of judicial activism politicization of the courts and judicialization of politics The book will be an invaluable resource for researchers academics and policy makers working in the areas of Constitutional Law and Political Science

German Unity and European Integration Dieter Blumenwitz, 1991

The Jurisprudence of Constitutional Conflict in the European Union Ana Bobić, 2022-05-12 A comparative and comprehensive account of the jurisprudence of constitutional conflict between the Court of Justice and national courts with the power of constitutional review This monograph addresses the incidences of and reasons for constitutional clashes in the application and enforcement of EU law It aims to determine how the principle of primacy of EU law works in reality and whether the jurisprudence of the courts under analysis supports this concept To this end the book explores the three areas of constitutional conflict ultra vires review identity review and fundamental rights review The book substantiates the descriptive and strengthens the normative contributions of the theory of constitutional pluralism in relation to the web of relations in the European judicial space By examining the influence that the jurisprudence of constitutional conflict has on the balance of powers between the Court of Justice and constitutional courts the volume develops the judicial triangle as an analytical tool that depicts the consequences for the horizontal constitutional courts vis vis the Court of Justice and vertical judicial relationships Court of Justice vis vis ordinary national courts constitutional courts vis vis ordinary national courts By offering a thorough compilation of the jurisprudence of constitutional conflict in the EU The Jurisprudence of Constitutional Conflict in the European Union improves our understanding of the principle of primacy of EU law and its limits as well as reinforces the theory of

constitutional pluralism in explaining and guiding judicial power relations and interactions in the EU Current Politics and Economics of Europe ,2000 European Access ,2001 Temple Law Review ,2006 *Transformation Through European Integration* Melanie H. Ram,2002 **Review of International Studies** ,1981 **The Future of the European Judicial System in a Comparative Perspective** Patricia Stöbener,Julia Mall,Ingolf Pernice,Juliane Kokott,Cheryl Saunders,2006 The future of the European judicial system and the constitutional role of the European courts were the topics of the 6th Colloquium of the European Constitutional Law Network ECLN which took place in Berlin in November 2005 It was jointly organized by the ECLN and the International Association of Constitutional Law IACL This book reflects the topics of the colloquium where judges from the European Courts and the highest national courts and experts on European and Constitutional Law from all over the world exchanged experiences and developed concepts for future EU judicial architecture Subjects like the composition of the courts election procedures for the judges and their relationship to the ordinary judiciary are compared and the role of the ECJ in the European Judicial System is discussed **Sociological Abstracts** Leo P. Chall,2004 CSA Sociological Abstracts abstracts and indexes the international literature in sociology and related disciplines in the social and behavioral sciences The database provides abstracts of journal articles and citations to book reviews drawn from over 1 800 serials publications and also provides abstracts of books book chapters dissertations and conference papers Díospóireachtaí Párlaiminte Ireland. Oireachtas. Dáil,1978 New Challenges to the German Basic Law International Association of Constitutional Law. World Congress,1991 On Different Legal Cultures, Premodern and Modern States, and the Transition to the Rule of Law in Western and Eastern Europe Werner Krawietz,Csaba Varga,2002 **The New Walford** Ray Lester,2005 Covers 15 broad subject groupings social sciences generic psychology sociology social work politics government law finance accountancy industries business education sport media information and tools for information professionals *Peace Research Abstracts Journal* ,2006 **Comparative Constitutional Review** Michael Louis Corrado,2005

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