

# Bibliography

## Part I

- Acunha, FJG and Benvindo, JZ, "Democratic Decay in Brazil and the New Global Populism", INT'L ASS'N CONST. L. BLOG (6 June 2017), <https://blog-iaclaidc.org/test-3/2018/5/26/democratic-decay-in-brazil-and-the-new-global-populism>.
- Bozóki, A and Hegedűs, D, "An Externally Constrained Hybrid Regime: Hungary in the European Union", *Democratization* 25 (1173) (2018).
- Daly, TG, "Diagnosing Democratic Decay", Conference paper, Comparative Constitutional Law Round-table, Gilbert and Tobin Centre for Public Law, UNSW Law School (7 August 2017), [www.academia.edu/34052302/Diagnosing\\_Democratic\\_Decay](http://www.academia.edu/34052302/Diagnosing_Democratic_Decay).
- Daly, TG, "Democratic Decay: Conceptualising an Emerging Research Field" (2019), <https://link.springer.com/article/10.1007/s40803-019-00086-2>.
- Drinóczi, T and Bień-Kacała, A (eds), *Rule of Law, Common Values and Illiberal Constitutionalism. Poland and Hungary within the European Union* (Routledge, 2020).
- Eichhorn, J, Kupsch, V, and Mohr, LMM, "How European Publics and Policy Actors Value an Open Society: Key Insight Across Countries" (Open Society European Policy Institute 2019), [http://voicesonvalues.dpart.org/images/finalreports/OSI-019-18-Key-Insights\\_v5.pdf](http://voicesonvalues.dpart.org/images/finalreports/OSI-019-18-Key-Insights_v5.pdf).
- Frantz, E and Kendall-Taylor, A, "The Evolution of Autocracy: Why Authoritarianism is Becoming More Formidable" *Survival: Global Politics and Strategy* 59 (2017) 57.
- Fülöp, É, Csertő, I, Ilg, B, Szabó, Z, Slugoski, B, and László, J, "Emotional Elaboration of Collective Traumas in Historical Narratives" (2014) [http://real.mtak.hu/20201/3/emotional\\_elaboration\\_of\\_collective\\_traumas.pdf](http://real.mtak.hu/20201/3/emotional_elaboration_of_collective_traumas.pdf).
- Ginsburg, T and Huq, AZ, *How to Save Constitutional Democracy?* (University of Chicago Press, 2018).
- Granat, M and Granat, K, *The Constitution of Poland: A Contextual Analysis* (Hart Publishing, 2019) 32–33.
- Hajdu, T, "A magyar identitás szabadságharcos – interjú Szabó Zsolttal, az ELTE Szociálpszichológia tanszékének adjunktusával", *Mindset Pszichologia* (18 November 2017), <http://mindset.co.hu/a-magyar-identitas-szabadsagharcos-interju-szabo-zsolttal-az-elte-szocialpszichologia-tanszekenek-adjunktusaval/>.
- Hanley, S, "Understanding the Illiberal Turn: Democratic Backsliding in the Czech Republic", [www.tandfonline.com/doi/full/10.1080/21599165.2018.1493457](http://www.tandfonline.com/doi/full/10.1080/21599165.2018.1493457).
- Humphrey, T, "Democracy and the Rule of Law: Founding Liberal Democracy in Post-Communist Europe", *Colum. J. E. Eur. L.* 2 (2008) 94, 124.
- Huq, AZ and Ginsburg, T, "How to Lose a Constitutional Democracy" *UCLA Law Review* 65 (2018) 95.



- Jacobsohn, GJ and Roznai, Y *Constitutional Revolution* (Yale University Press, 2020).
- Kurunmäki, J and Marjanen, J “Isms, Ideologies and Setting the Agenda for Public Debate”, *Journal of Political Ideologies* 23(3) (2018) 256–282.
- László, J, “Narratív pszichológia”, *Pszichológia* 28 (2008), [http://real.mtak.hu/2385/1/49413\\_ZJ1.pdf](http://real.mtak.hu/2385/1/49413_ZJ1.pdf).
- Lijphart, A, *Patterns of Democracy – Government Forms and Performance in Thirty-Six Countries* (Yale University Press, 2012) 192.
- Lührmann A and Lindberg SI, “A Third Wave of Autocratization is Here: What is New about It?” *Democratization* 7 (2019) 1099.
- Müller, J-W, *What is Populism?* (University of Pennsylvania Press, 2016) 16.
- Murray, M, “Narrative Psychology and Narrative Analysis” in P.M. Camic, J.E. Rhodes, and L. Yardley (eds), *Qualitative Research in Psychology: Expanding Perspectives in Methodology and Design* (2003), 95–112. American Psychological Association. <https://doi.org/10.1037/10595-006>.
- Pinheiro, VM, Ilarraz, M, and Mestriner, MT, “The Impacts of the COVID-19 Crisis on the Brazilian Legal System – A Report on the Functioning of the Branches of the Government and on the Legal Scrutiny of Their Activities”, *The Theory and Practice of Legislation*, 8:1–2, 193–212.
- Popp-Baier, U, “Narrative Psychology”, in ALC Runehov and L Oviedo (eds), *Encyclopedia of Sciences and Religions* (Springer, 2013).
- Sadłoń, W, “Differentiation, Polarization and Religious Change in Poland at the Turn of 20th and 21st century”, *Przegląd Religioznawczy – The Religious Studies Review* 4(262) (2016) 33–35.
- Sadurski, W, “How Democracy Dies (in Poland): A Case Study of Anti-Constitutional Populist Backsliding”, *Sydney Law School Legal Studies Research Paper No 18/01* (2018) 4–8.
- Sadurski, W, *Poland’s Constitutional Breakdown* (Oxford University Press, 2019) 3–5.
- Sadurski, W, “Constitutional Democracy in the Time of Elected Authoritarians”, *International Journal of Constitutional Law* 2(331) (2020) 324–333.
- Schwartz, SH and Bardi, A, “Influences of Adaptation to Communist Rule On Value Priorities in Eastern Europe”, *Political Psychology* 2 (1997) 407–408.
- Tushnet, M, “The Possibility of Illiberal Constitutionalism?”, *Florida Law Review*, 69 (2017) 1367–1384.
- Versteeg, M and Ginsburg, T, “Measuring the Rule of Law: A Comparison of Indicators”, *Law and Social Inquiry* 1 (2017) 101.
- Walker, G, “The Idea of Nonliberal Constitutionalism”, *Ethnicity and Group Rights* 39 (1997).

## Part II

- Alviar, H and Frankenberg, G (eds), *Authoritarian Constitutionalism* (Edward Elgar, 2019).
- Bellamy, R, “Constitutionalism”, [www.britannica.com/topic/constitutionalism](http://www.britannica.com/topic/constitutionalism).
- Bernatt, M and Ziólkowski, M, “Statutory Anti-Constitutionalism”, *Wash. Int’l L.J.* 28 (487) (2019) 505–516.
- Blokker, P, *New Democracies in Crisis?* (Routledge, 2015).
- Blokker, P, “Populist Constitutionalism”, *VerfBlog* (4 May 2017), <https://verfassungsblog.de/populist-constitutionalism/>.
- Blokker, P, “Populist Constitutionalism, Popular Engagement, and Constitutional Resistance”, <https://reconnect-europe.eu/blog/blokker-populist-constitutionalism/>, 7 February 2019.
- Bogaards, M, “De-democratization in Hungary: Diffusely Defective Democracy”, *Democratization* 8 (2018) 1491.



- Bozóki, A and Hegedűs, D, "An Externally Constrained Hybrid Regime: Hungary in the European Union", *Democratization* 25(1173) (2018) 1175.
- Brownlee, J, "Authoritarianism after 1989", *Harvard International Review*, 4(2010).
- Bugarić, B, "A Crisis of Constitutional Democracy in Post-Communist Europe: 'Lands In-Between' Democracy and Authoritarianism", *Int'l J. Const. L.* 13(219) (2015).
- Buzogány, A and Varga, M, "The Ideational Foundations of the Illiberal Backlash in Central and Eastern Europe: The Case of Hungary", *Review of International Political Economy* 25(6) (2018) 811–828.
- Castillo-Ortiz, Paolo, "The Illiberal Abuse of Constitutional Courts in Europe", *European Constitutional Law Review* 15(1) (2019) 48–72.
- Chan, C, "Thirty Years from Tiananmen: China, Hong Kong, and the Ongoing Experiment to Preserve Liberal Values in an Authoritarian State", *International Journal of Constitutional Law* 17(2) (2019) 443.
- Cheung, A, "'For My Enemies, the Law': Abusive Legalism", *Candidacy paper, JSD Program, NYU School of Law*, 15 January 2018.
- Corrales, J, "The Authoritarian Resurgence: Autocratic Legalism in Venezuela", *Journal of Democracy* 26 (2015) 38–43.
- Csaba, L, "Unorthodoxy in Hungary: An Illiberal Success Story?", *Post Communist economies*, DOI: 10.1080/14631377.2019.1641949.
- Csaky, ZS, *Nations in Transition: Dropping the Democratic Façade* (Freedom House, 2020), <https://freedomhouse.org/report/nations-transit/2020/dropping-democratic-facade#Facade>.
- Csink, L, "Rule of Law in Hungary. What Can Law and Politics Do?" in T Drinóczi and A Bień-Kacała (eds), *Rule of Law, Common Values and Illiberal Constitutionalism. Poland and Hungary within the European Union* (Routledge, 2021).
- Diamond, L, "Facing Up to the Democratic Recession", *J. Democracy* 26(142) (2015).
- Dixon, R and Landau, D *Abusive Constitutional Borrowing: Legal Globalization and the Subversion of Liberal Democracy* (Oxford University Press, 2021).
- Drinóczi, T, "Constitutional Politics in Contemporary Hungary", *Vienna Journal on International Constitutional Law* 1 (2016) 63–98.
- Elster, J, "Constitutionalism in Eastern Europe: An Introduction", *The University of Chicago Law Review* 58(2) (1991) 447–482.
- Fabry, A, *The Political Economy of Hungary: From State Capitalism to Authoritarian Neoliberalism* (Springer, 2019).
- Farinacci-Fernós, JM, "Post-Liberal Constitutionalism", *Tulsa L. Rev.* 54(1) (2018).
- Fraenkel, E, *The Dual State: A Contribution to the Theory of Dictatorship* (Oxford University Press, 1941) 3–7.
- Frankenberg, G, "Authoritarian Constitutionalism: Coming to Terms with Modernity's Nightmares" in H Alviar and G Frankenberg (eds), *Authoritarian Constitutionalism* (Edward Elgar, 2019) 18–24, 36.
- Frantz, E and Kendall-Taylor, A, "The Evolution of Autocracy: Why Authoritarianism is Becoming More Formidable?", *Survival: Global Politics and Strategy* 59 (2017) 57.
- Frohen, BP, "Is Constitutionalism Liberal?", *Campbell L. Rev.* 33(529) (2011).
- Gardbaum, S, "The Case for the New Commonwealth Model of Constitutionalism", *German L.J.* 14(2229) (2013).
- Ginsburg, T and Huq, AZ, *How to Save Constitutional Democracy?* (University of Chicago Press, 2018).
- Gyulai, A, "Reality Free of Ideology. Viktor Orbán's Realism and Illiberalism", <https://ecpr.eu/Events/Event/PaperDetails/41864>.



- Halmai, G, "Populism, Authoritarianism, and Constitutionalism", *German Law Journal* 20 (2019).
- Halmai, G, "The Making of 'Illiberal Constitutionalism' with or without a New Constitution: The Case of Hungary and Poland", in D Landau and H Lerner (eds), *Comparative Constitution Making* (Edward Elgar, 2019).
- Halmai, G, "Illiberalism in East-Central Europe", *EUI Department of Law Research Paper No. 2019/05*.
- Henkin, L, "Constitutionalism, Democracy and Foreign Affairs", *Indiana Law Journal* 4 (1992) 885, 886.
- Howse, R, "Populism and its Enemies", *Workshop on Public Law and the New Populism*, Jean Monnet Center, NYU Law School, 15–16 September 2017.
- Ip, EC, *Hybrid Constitutionalism: The Politics of Constitutional Review in the Chinese Special Administrative Region* (Cambridge University Press, 2019).
- Keane, J, *New Despotism* (Harvard University Press, 2020).
- Kochenov, D and Jakab, A (eds), *The Enforcement of EU Law and Values* (Oxford University Press, 2017).
- Körösényi, A, Illés, G, and Gyulai, A, *The Orbán Regime: Plebiscitary Leader Democracy in the Making* (Routledge, 2020).
- Landau, D, "Abusive Constitutionalism", *U.C. Davis L. Rev.* 47(189) (2013).
- Landau, D, "Populist Constitutions", *The University of Chicago Law Review* 85 (2018) 521.
- Law, DS, "Alternatives to Liberal Constitutional Democracy", *Md. L. Rev.* 77(223) (2017).
- Levitsky, S and Way, LA, "The Rise of Competitive Authoritarianism", *Journal of Democracy* 2 (2002).
- Levitsky, S and Way, LA, "The Myth of Democratic Recession", *Democracy* 26(45) (2015) 48.
- Ludwikowski, R, "Supreme Law or Basic Law? The Decline of the Concept of Constitutional Supremacy", *Cardozo Journal of International & Comparative Law* 9 (2001) 253–296.
- Lührmann, A and Lindberg, SI, "A Third Wave of Autocratization is Here: What is New About It?" *Democratization* 7 (2019) 1097, 1098.
- Magyar, B, *Post-Communist Mafia State: The Case of Hungary* (CEU Press, 2016).
- Merkel, W, Puhle, H-J, Croissant, A, and Thierry, P, *Defekte Demokratie: Band 1; Merkel et al., Defekte Demokratie: Band 2* (Verlag, 2006)
- Mészáros, G, "Carl Schmitt in Hungary: Constitutional Crisis in the Shadow of Covid-19", MTA LWP 2020/17, <https://jog.tk.mta.hu/mtalwp/carl-schmitt-in-hungary-constitutional-crisis-in-the-shadow-of-covid-19>.
- Mudde, C and Rovira Kaltwasser, C, *Populism: A Very Short Introduction* (Oxford University Press, 2017) 34.
- Müller, J-W, "Populism and Constitutionalism" in C Rovira Kaltwasser, P Taggart, P Ochoa Espejo, and P Ostiguy (eds), *The Oxford Handbook on Populism* (Oxford University Press, 2017).
- Müller, J-W, "The Problem with 'Illiberal Democracy'", *Soc. Eur.* (27 January 2016), [www.socialeurope.eu/the-problem-with-illiberal-democracy](http://www.socialeurope.eu/the-problem-with-illiberal-democracy).
- Müller, J-W, *What is Populism?* (University of Pennsylvania Press, 2016) 3.
- Norris, P, "Is Western Democracy Backsliding? Diagnosing the Risk", 28(2) *Journal of Democracy* (2017) 14–15.
- Norris, P, "Measuring Populism Worldwide", *Harvard Kennedy School, Faculty Research Working Paper Series RWP 20–002*, 2.



- Nusserger, A, "The European Court of Human Rights and the Rule of Law – A Tale of Hopes and Disillusions" in M Zubrik (ed), *Human Rights in Contemporary World. Essays in Honor of Professor Leszek Garlicki* (Wydawnictwo Sejmowe, 2017).
- Pinelli, C, "Illiberal Regimes in the Perspective of Comparative Constitutionalism", *Revista di diritti comparati* 1 (2017), 5, 6.
- Puddington, A, "Breaking Down Democracy: Global Strategies, and Methods of Modern Authoritarians", [https://freedomhouse.org/sites/default/files/June2017\\_FH\\_Report\\_Breaking\\_Down\\_Democracy.pdf](https://freedomhouse.org/sites/default/files/June2017_FH_Report_Breaking_Down_Democracy.pdf), June 2017.
- Ruprik, J, "The Specter Haunting Europe: Surging Illiberalism in the East", *J. Democracy* 27(77) (2016) 137.
- Sadurski, W, "How Democracy Dies (in Poland): A Case Study of Anti-Constitutional Populist Backsliding", *Sydney Law School Legal Studies Research Paper No 18/01* (2018).
- Sadurski, W, *Poland's Constitutional Breakdown* (Oxford University Press, 2019) 25, 243.
- Sanecka-Tyczyńska, J, "Prawa i Sprawiedliwości krytyka Konstytucji Rzeczypospolitej Polaskiej z 1997 r." ["Law and Justice Criticism of the Constitution of the Republic of Poland of 1997"], 4 (147) *Przegląd Sejmowy* (2018) 83–88.
- Scheppele, KL, "Autocratic Legalism", *U. Chi. L. Rev.* 85(545) (2018).
- Sheiring, G, [www.tni.org/en/article/hungarys-regime-is-proof-that-capitalism-can-be-deeply-authoritarian](http://www.tni.org/en/article/hungarys-regime-is-proof-that-capitalism-can-be-deeply-authoritarian).
- Somer, M, "Understanding Turkey's Democratic Breakdown: Old vs. New and Indigenous vs. Global Authoritarianism", *Southeast European and Black Sea Studies* (2016).
- Son, BN, *Confucian Constitutionalism in East Asia* (Routledge, 2016) 174.
- Stopler, G, "Semi-liberal Constitutionalism" 8 *Global Constitutionalism* (2019), 94–122.
- Stubbs, P and Lendvai-Bainton, N, "Authoritarian Neoliberalism, Radical Conservatism and Social Policy Within the European Union: Croatia, Hungary and Poland" 51(2) *Development and Change* (2019) 554.
- Thio, L-A, "Constitutionalism in Illiberal Polities" in *Oxford Handbook of Comparative Constitutional Law*, Online Publication Date: Nov 2012, doi:10.1093/oxfordhb/9780199578610.013.0001.
- Tóth GA, "Authoritarianism" in R Grote, F Lachenmann, and R Wolfrum (eds), *Max Planck Encyclopedia of Comparative Constitutional Law* (Oxford Constitutional Law; online resource, 2017).
- Tóth, GA, "Illiberal Rule of Law? Changing Features of Hungarian Constitutionalism" in M Adams, A Meuwese, and EH Ballin (eds), *Constitutionalism and the Rule of Law* (Cambridge University Press, 2017).
- Tushnet, M, "Authoritarian Constitutionalism", *Cornell Law Review* 100 (2015).
- Tushnet, M, "The Possibility of Illiberal Constitutionalism", *Fla L. Rev.* 69 (2017).
- Tushnet, M and Bugarcic, B, "Populism and Constitutionalism: An Essay on Definitions and Their Implications" (21 April 2020), <http://nrs.harvard.edu/urn-3:HUL.InstRepos:42660123>.
- Walker, G, "The Idea of Nonliberal Constitutionalism", *Ethnicity and Group Rights* 39 (1997).
- Waluchow, W, "Constitutionalism" in EN Zalta (ed), *The Stanford Encyclopedia of Philosophy* (Spring 2018 Edition), <https://plato.stanford.edu/archives/spr2018/entries/constitutionalism/>.
- Zajadło, J, "Podwójne państwo", <http://konstytucyjny.pl/jerzy-zajadlo-podwojne-państwo/> (20.10.2020).
- Zakaria, F, "The Rise of Illiberal Democracy", *Foreign Affairs* 6 (1997) 22.
- Zakaria, F, *The Future of Freedom: Illiberal Democracy at Home and Abroad* (W. W. Norton and Company, 2007).



Zgut, E, "Authoritarian Regime Durability. The Bread and Butter of Hungarian and Polish Backsliding during COVID-19", <https://visegradinsight.eu/authoritarian-regime-durability-hungary-poland/>.

### Part III

Ady, E, "Ismeretlen Korvin-kódex margójára" ["Side-note to the Unknown Korvin-Codex"] *Figyelő* (1905).

Augustyniak, P, *Homo Polacus. Eseje o polskiej duszy* [*Homo Polacus. Essays about Polish soul*] (Znak, Kraków 2015).

Bar-Tal, D, Chernyak-Hai, L, Schori, N, and Gundar, A, "A Sense of Self-perceived Collective Victimhood in Intractable Conflicts", 91 (874) *International Review of the Red Cross* (2009) 237.

Bauman, Z, *Etyka ponowoczesna* [*The Late Modern Ethics*] (Wydawnictwo Aletheia, Warszawa, 2012).

Bibó, I, Válogatott tanulmányok I–IV, Második kötet: *Eltorzult magyar alkat, zsákutcás magyar történelem* [Selected papers I–IV, 2nd vol: Distorted Hungarian character, Hungarian history with a dead end] (1948), <http://mek.oszk.hu/02000/02043/html/350.html>.

Bień-Kacała, A and Tarnowska, A, "Power of Authority: A Few Words About the Chief of State One Hundred Years Ago and the Present", 6(46) *Przeгляд Prawa Konstytucyjnego* (2018) 125–135.

Bień-Kacała, A, "Informal Constitutional Change: The Case of Poland" 6(40) *Przeгляд Prawa Konstytucyjnego* (2017), 199–218.

Bień-Kacała, A, "Równość czy hierarchiczność? Kilka słów o wartościach w państwie, prawie i społeczeństwie" ("Equality or Hierarchy? A Few Words About Values in the State, Law and Society"), *Gdańskie Studia Prawnicze* XL(2018) 17–30.

Bień-Kacała, A, "Polexit is Coming or is it Already Here? Comments on the Judicial Independence Decisions of the Polish Constitutional Tribunal", *Int'l J. Const. L. Blog*, 28 April 2020, at [www.iconnectblog.com/2020/04/polexit-is-coming-or-is-it-already-here-comments-on-the-judicial-independence-decisions-of-the-polish-constitutional-tribunal](http://www.iconnectblog.com/2020/04/polexit-is-coming-or-is-it-already-here-comments-on-the-judicial-independence-decisions-of-the-polish-constitutional-tribunal).

Bień-Kacała, A, Tarnowska, A, and Włoch, W, "The Nation, Delegation, and Constitutional Change in Poland", *Hungarian Journal of Legal Studies* 4 (2018) 355–377.

Bień-Kacała, A, Tarnowska, A, and Włoch, W, "Nation – Delegation – Constitution: Reconsidering Role of Religion in Polish Identity Development", *Bratislava Law Review* 1 (2019) 6–25.

Bilewicz, M, *Być gorszymi* [*To Be Worse*] (Uniwersytet Warszawski, 2008) 43–47.

Bilewicz, M, *Między idealizacją a hiperkrytycyzmem. Polska niepamięć historyczna i jej źródła* [*Between Idealization and Hypercriticism: Poland Historical Oblivion and its Sources*] (Instytut Studiów Zaawansowanych, Warszawa, Seria ANALIZY) September 2018, 1–8.

Bíró-Nagy, A, "Illiberal Democracy in Hungary: The Social Background and Practical Steps of Building an Illiberal state", [www.cidob.org/en/articulos/monografias/illiberals/illiberal\\_democracy\\_in\\_hungary\\_the\\_social\\_background\\_and\\_practical\\_steps\\_of\\_building\\_a\\_n\\_illiberal\\_state](http://www.cidob.org/en/articulos/monografias/illiberals/illiberal_democracy_in_hungary_the_social_background_and_practical_steps_of_building_a_n_illiberal_state) (2017) 35.

Boyd, D and Salusinszky, I (eds), *Re-reading Frye* (University of Toronto Press, 1999).

Cichočka, A and Cislak, A, "Nationalism as Collective Narcissism" *ScienceDirect Current Opinion in Behavioral Sciences* 34 (2020) 69–74.

Cieger, A, "Alkotmányosság és nemzeti identitás – a magyar történelem kontextusában. Vázlat" ["Constitutionalism and National Identity – In the Context of Hungarian History. Draft"], [http://atelier.org.hu/upload/category/mta\\_elte\\_atelier/kotoerok1.3\\_cieger\\_andras.pdf](http://atelier.org.hu/upload/category/mta_elte_atelier/kotoerok1.3_cieger_andras.pdf).



- Csordás, G, "A Farewell to Central Europe" (July 2016), [www.literaturhauseuropa.eu/en/observatory/blog/a-farewell-to-central-europe](http://www.literaturhauseuropa.eu/en/observatory/blog/a-farewell-to-central-europe).
- Diamond, L, "Facing Up to the Democratic Recession", *Journal of Democracy* 1 (2015) 149.
- Doliński, D and Grzyb, T, *Postuszni do bólu: O uległości wobec autorytetu w 50 lat po eksperymencie Milgrama [Painfully Obedient: On the Submission to Authority 50 Years After Milgram's Experiment]* (Smak Słowa, 2017).
- Drezner, DW, "The Angry Populist as Foreign Policy Leader: Real Change or Just Hot Air", *Fletcher F. World Aff.* 41 (2017) 23.
- Drinóczi, T, "Concept of Quality in Legislation – Revisited: Matter of Perspective and a General Overview", *Statute Law Review* 3 (2015).
- Drinóczi, T, "Hungarian Constitutional Court: The Limits of EU Law in the Hungarian Legal System" 1 *Vienna Journal on International Constitutional Law* (2017) 139–151.
- Drinóczi, T, "Constitutional Identity in Europe: The Identity of the Constitution. A Regional Approach", *German Law Journal* 21(2) (2020) 105–130.
- Drinóczi, T and Bień-Kacała, A, "Extra-legal Particularities and Illiberal Constitutionalism: The Case of Hungary and Poland", *Hungarian Journal of Legal Studies* 4 (2018) 338–354.
- Drogosz, M (ed), *Jak Polacy przegrywają, jak Polacy wygrywają [How the Poles Lose, How the Poles Win]* (Gdańskie Wydawnictwo Psychologiczne, 2005).
- Feischmidt, M and Majtényi, B, *The Rise of Populist Nationalism: Social Resentment and Capturing the Court in Hungary* (Central European University Press, 2019).
- Forgas, JP and Lantos, D, "Understanding Populism: Collective Narcissism and the Collapse of Democracy in Hungary", [www.sydney-symposium.unsw.edu.au/2019/chapters/ForgasSSSP2019%20.pdf](http://www.sydney-symposium.unsw.edu.au/2019/chapters/ForgasSSSP2019%20.pdf), 28.
- Fukuyama, F, "The Rise of Populist Nationalism", [www.credit-suisse.com/about-us/news/en/articles/news-and-expertise/francis-fukuyama-the-rise-of-populist-nationalism-201801.html](http://www.credit-suisse.com/about-us/news/en/articles/news-and-expertise/francis-fukuyama-the-rise-of-populist-nationalism-201801.html) (2018).
- Fülöp, É, Péley, B and László, J, "A történelmi pályához kötött érzelmek magyar történelmi regényekben" ["History-related Emotions in Hungarian Historical Novels"], [http://real.mtak.hu/2385/1/49413\\_ZJ1.pdf](http://real.mtak.hu/2385/1/49413_ZJ1.pdf), 56–77.
- Fülöp, É, Csertő, I, Ilg, B, Szabó, Zs, Slugoski, B, and László, J, The Psychology of Narratives in JP Forgas, O Vincze, and J Laszlo (eds), *Social Cognition and Communication* (Psychology Press, 2014).
- Fülöp, É, Csertő, I, Ilg, B, Szabó, Zs, Slugoski, B, and László, J, "Emotional Elaboration of Collective Traumas in Historical Narratives", [http://real.mtak.hu/20201/3/emotional\\_elaboration\\_of\\_collective\\_traumas.pdf](http://real.mtak.hu/20201/3/emotional_elaboration_of_collective_traumas.pdf).
- Gliszczyńska-Grabias, A and Śledzińska-Simon, A, "Victimhood of the Nation as a Legally Protected Value in Transitional States – Poland as a Case Study", <https://ssrn.com/abstract=3120407>, 5.
- Golec de Zavala, A, Dyduch-Hazar, K, and Lantos, D, "Collective Narcissism: Political Consequences of Investing Self-Worth in the Ingroup's Image", 40(1) *Advances in Political Psychology* (2019) 46.
- Granat, M and Granat, K, *The Constitution of Poland: A Contextual Analysis* (Hart Publishing, 2019) 13–14.
- Gross, JT, *Neighbors: The Destruction of the Jewish Community in Jedwabne, Poland* (Princeton University Press, 2001).
- Gross, JT, *Fear: Anti-Semitism in Poland After Auschwitz* (Random House, 2006).
- Gross, JT, *Złote żniwa: Rzecz o tym, co się działo na obrzeżach zagłady Żydów (Golden Harvest: What was happening on the outskirts of the extermination of the Jews)* (Znak, 2011).



- Humphrey T, "Democracy and the rule of law: founding liberal democracy in post-Communist Europe", *Colum J. E Eur. L* 2(94) (2008) 116.
- Jacobsohn, G, *Constitutional Identity* (Harvard University Press, 2010).
- Koncewicz, TT, "Unconstitutional Capture and Constitutional Recapture: Of the Rule of Law, Separation of Powers and Judicial Promises", *Jean Monnet Ctr. for Int'l & Regional Econ. L. & Just., Working Paper 3/17*.
- Krastev, I and Holmes, S, "Explaining Eastern Europe: Imitation and its Discontents", *Journal of Democracy* 3 (2018) 118–122.
- Ladányi, J, *Önpusztító nemzeti habitus [Self-destructive National Habitus]* (L'Harmattan, 2015) 19–23.
- László, J, "Narratív pszichológia", *Pszichológia* 4 (2008), [http://real.mtak.hu/2385/1/49413\\_ZJ1.pdf](http://real.mtak.hu/2385/1/49413_ZJ1.pdf), 5.
- Lendvai, P, *The Hungarians: A Thousand Years of Victory in Defeat* (Princeton University Press, 2004).
- Leszczyński, A, *No dno po prostu jest Polska: Dlaczego Polacy tak bardzo nie lubią swojego kraju i innych Polaków [Poland Hits Rock Bottom: Why Poles Do Not Like Their Country and Other Poles]* (W.A.B., 2017) 255–264.
- Michalik, E and Santorski, J, *Polska na kozetce [Poland on the Couch]* (Książki Burda, 2016).
- Miklóssy, K and Nyssönen, H, "Defining the New Polity: Constitutional Memory in Hungary and Beyond", *Journal of Contemporary European Studies* (2018), 5–9.
- Miller-Idriss, C (2019) "The Global Dimensions of Populist Nationalism", *The International Spectator*, 54(2), 17–34, doi:10.1080/03932729.2019.1592870.
- Miłosz, Czesław, *Historia literatury polskiej [History of Polish Literature]* (Znak, 1993) 263–264.
- Müller, J-W, *What is Populism?* (University of Pennsylvania Press, 2016).
- Murray, M, "Narrative Psychology and Narrative Analysis" in PM Camic, JE Rhodes, and L Yardly (eds), *Qualitative Research in Psychology: Expanding Perspectives in Methodology and Design* (American Psychological Association, 2003) 110.
- Novak, B, "Setback for Orban as Opposition in Hungary Gains Ground in Elections", (14 October 2019) [www.nytimes.com/2019/10/14/world/europe/hungary-elections-orban.html](http://www.nytimes.com/2019/10/14/world/europe/hungary-elections-orban.html).
- Nyssönen, H and Metsälä, J, "Highlights of National History? Constitutional Memory and the Preambles of Post-Communist Constitutions", *European Politics and Society* 21(3) (2020), 323–340.
- Petőfi, S, "The Magyar Noble", <http://mek.oszk.hu/06500/06567/06567.htm#49>.
- Plattner, J, "Populism, Pluralism, and Liberal Democracy", *Journal of Democracy* 1(21) (2010) 88.
- Pogány, I, "The Crisis of Democracy in East Central Europe: The 'New Constitutionalism' in Hungary", *European Public Law* (2013) 341–367.
- Rajcsányi, G, "Viktor Orbán's Hungary: Orbanist Politics and Philosophy from a Hungarian Perspective", [www.kas.de/c/document\\_library/get\\_file?uuid=8e914238-5bca-e235-e176-f8d502f4a33f&groupId=288143](http://www.kas.de/c/document_library/get_file?uuid=8e914238-5bca-e235-e176-f8d502f4a33f&groupId=288143), 123.
- Rosenfeld, M, "Constitutional Identity" in M. Rosenfeld and A Sajó (eds) *The Oxford Handbook of Comparative Constitutional Law* (Oxford University Press, 2012) 756–776.
- Ruprik, J, "The Specter Haunting Europe: Surging Illiberalism in the East", *J. Democracy* 27(77) (2016) 84.
- Sajó, A, "Militant Democracy and Transition Towards Democracy" in A Sajó (ed) *Militant Democracy* (2004) 217, 218.



- Sajó, A, "Militant Democracy and Emotional Politics", *Constellations* 19 (2012) 563. Sajó, A, "The Constitution of Illiberal Democracy as a Theory About Society" *Polish Sociological Review* 4 (2018) 405–410.
- Schmidt, A, "Challenges of the Illiberal Democracy in Hungary. Some Aspects to the 2018 Elections", *Polski Przegląd Politologiczny* 6(2) (2018) 88.
- Schwartz, SH and Bardi, A, "Influences of Adaptation to Communist Rule on Value Priorities in Eastern Europe", *Political Psychology* 2 (1997) 407–408.
- Skąpska, G, "Law and Society in a Natural Laboratory: The Case of Poland in the Broader Context of East-Central Europe" in M Kaase, V Sparschuh, and A Wenninger (eds), *Three Social Science Disciplines in Central and Eastern Europe: Handbook on Economics, Political Science and Sociology (1989–2001)* (Social Science Information Centre/Collegium Budapest, 2002) 597.
- Spiró, G, "Két középkelet-európai mentalitás az államiság szempontjából" *Irodalmi és Társadalmi havi lap* 6(2000) (2007) 7.
- Stambulski, M, "Nostalgic Constitutional Identity", *Journal of the Polish Section of IR* 3 (2019) 104.
- Tarnowska, A, "The Sovereignty Issue in the Public Discussion in the Era of the Polish 3rd May Constitution (1788–1792)" in U Müßig (ed), *Reconsidering Constitutional Formation I, National Sovereignty, A Comparative Analysis of the Juridification by Constitution* (Springer International Publishing, 2016) 233.
- Toomey, M, "History, Nationalism, and Democracy: Myth and Narrative in Viktor Orbán's Illiberal Hungary", *New Perspectives* 26(1) (2018).
- Vincze, O and László, J, "A narratív perspektíva szerepe a történelemkönyvekben" ("The Role of Narratives in History Textbooks"), [http://real.mtak.hu/2385/1/49413\\_ZJ1.pdf](http://real.mtak.hu/2385/1/49413_ZJ1.pdf), 33.
- Waterbury, MA, "Populist Nationalism and the Challenges of Divided Nationhood: The Politics of Migration, Mobility, and Demography in Post 2010 Hungary", *East European Politics and Societies and Cultures* 34(4) (2020) 962–983. doi:doi:10.1177/0888325419897772.
- Weber, M, *The Protestant Ethic and the Spirit of Capitalism* (Routledge, 1930).
- Wojciechowski, Z, *Nacjokratyzm, czyli rządy sejmikowe* (Drukarnia Uniwersytetu Poznańskiego Poznań, 1936) 20–21.
- Wojciszke, B (ed), *Jacy są Polacy? Badania opinii społecznej jako źródło wiedzy psychologicznej* [*What Are Poles Like? Social Feedback Survey as a Source of Psychological Knowledge*] (Wydawnictwo Instytutu Psychologii PAN, 1995).
- Wrzesiński, W, *Charakter narodowy Polaków: Z rozważań historyka* [*National Character of Poles: From the Historian's Reflections*] (Wydawnictwo Uniwersytetu Wrocławskiego, 2004).
- Zajenkowska, A (ed), *Polska na kozetce: Siła obywatelskiej refleksyjności* [*Poland on the Couch: The Power of Civic Reflexivity*] (Smak Słowa, 2016).
- Zamoyski, A, *The Polish Way: A Thousand-Year History of the Poles and Their Culture* (Hippocrene Books, 2012).
- Zászkaliczky, M, "Eszmetörténeti szempontok a történeti alkotmányosság közép- és kora újkori magyarországi történetéhez" ["Some Considerations on the Hungarian Mediaeval and Modern History of the Historical Constitutionalism, from the Perspective of History of Ideas"] *Közjogi Szemle* 3 (2015) 14–25.

#### Part IV

- Adams, M, Meuwese, A, and Ballin, EH (eds), *Constitutionalism and the Rule of Law* (Cambridge University Press, 2017).



- Beatty, DM, "The Forms and Limits of Constitutional Interpretation", *The American Journal of Comparative Law*, 49 (2001).
- Bień-Kacała, A, "Informal Constitutional Change", *Przegląd Prawa Konstytucyjnego* 6(40) (2017) 199–218.
- Bogdandy von, A, MacGegor, EF, Antoniazzi, MM, Piovesan, F, and Soley, X (eds), *Transformative Constitutionalism in Latin America: The Emergence of a New Ius Commune* (Oxford University Press, 2017).
- Bozóki, A and Hegedűs, D, "An Externally Constrained Hybrid Regime: Hungary in the European Union", *Democratization* 25(7) (2018).
- Broberg, M, "Preliminary References as a Means for Enforcing EU Law" in Kochenov and Jakab (eds), 111.
- Closa, C and Kochenov, D (eds), *Reinforcing the Rule of Law Oversight in the European Union* (Cambridge University Press, 2016).
- Corrales, J, "The Authoritarian Resurgence: Autocratic Legalism in Venezuela", *Journal of Democracy* 26 (2015) 38.
- Daly, TG, "Diagnosing Democratic Decay", [www.academia.edu/34052302/Diagnosing\\_Democratic\\_Decay](http://www.academia.edu/34052302/Diagnosing_Democratic_Decay).
- Drinóczi, Tímea, "The Rule of Law: The Hungarian Perspective" in Drinóczi and Bień-Kacała (eds) 119–132.
- Drinóczi, T and Bień-Kacała, A, "COVID-19 in Hungary and Poland: Extraordinary Situation and Illiberal Constitutionalism" *The Theory and Practice of Legislation* 8(1–2) (2020) 171–192.
- Fallon, RM, Jr, "'The Rule of Law' as a Concept in Constitutional Discourse", *Columbia Law Review* 1 (1997) 7.
- Finck, DE, "Judicial Review: The United States Supreme Court Versus the German Constitutional Court", *Boston College International and Comparative Law Review* 20(1) (1997) 123–157.
- Fuller, L, *The Morality of Law* (Yale University Press 1969).
- Ginsburg, T, "Locking in Democracy: Constitutions, Commitment, and International Law", *New York University Journal of International Law & Politics* 38 (2006) 757.
- Gosalbo-Bono, R, "The Significance of the Rule of Law and its Implications for the European Union and the United States", *University of Pittsburgh Law Review* 72 (2010) 289.
- Groppi, T, "Constitutional Revision in Italy: A Marginal Instrument for Constitutional Change" in X Contiades (ed), *Engineering Constitutional Change* (Routledge, 2016) 218–220.
- Halmai, G, "Populism, Authoritarianism, and Constitutionalism", *German Law Journal* 20 (2019).
- Henderson, L, "Authoritarianism and the Rule of Law", *Indiana Law Journal* 66 (1991) 396.
- Hoffmann-Riem, W, "The Venice Commission of the Council of Europe – Standards and Impact", *European Journal of International Law* 2 (2014) 595. <https://europeanlawblog.eu/2019/12/02/the-independence-of-the-disciplinary-chamber-of-the-polish-supreme-court-or-how-to-forget-about-discipline/>.
- Jakab, A and Bodnár, E, "The Rule of Law, Democracy and Human Rights in Hungary: Tendencies from 1989 until 2019" in Drinóczi and Bień-Kacała (eds) 105–118.
- Jakab, A and Kochenov, D, "Introductory remarks" in Kochenov and Jakab (eds), 2–3.
- Kochenov, D, "The EU and the Rule of Law – Naïveté or a Grand Design?", *University of Groningen Faculty of Law Research Paper Series* 2018, 510.
- Kochenov, D and Jakab, A (eds), *The Enforcement of EU Law and Values* (Oxford University Press, 2017).



- Krieger, H, Nolte, G, and Zimmermann, A (eds), *The International Rule of Law: Rise or Decline?* (Oxford University Press, 2019).
- Krygier, M, "The Rule of Law: Pasts, Presents, and Two Possible Futures," *Annual Review of Law and Social Science* 12 (2016).
- Lenaertes, K, "New Horizons for the Rule of Law Within the EU", *German Law Journal* 21 (2020) 34.
- Levitsky, S and Way, LA, "The Myth of Democratic Recession", *Democracy* 26(45) (2015) 46–48.
- Lührmann, A and Lindberg, SI, "A Third Wave of Autocratization is Here: What is New About It?" *Democratization* 7 (2019) 1103–1104.
- Madeja, A, "The European Values and the Rule of Law" in T Drinóczi and A Bień-Kacała (eds), *Rule of Law, Common Values and Illiberal Constitutionalism. Poland and Hungary within the European Union* (Routledge, 2021) 45–76.
- May, C and Winchester, A (eds), *Handbook of the Rule of Law* (Edward Elgar, 2018).
- McDonald, L, "Positivism and the Formal Rule of Law: Questioning the Connection", *Australian Journal of Legal Philosophy* 26 (2001) 93.
- Menocal, AR, Fritz, V and Rakner, L, "Hybrid Regimes and the Challenge of Deepening and Sustaining Democracy in Developing Countries", *South African Journal of International Affairs* 1 (2008) 15–30.
- Moravcsik, A, "The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe", *International Organizations* 54 (2000) 243–244.
- Nusserger, A, "The European Court of Human Rights and the Rule of Law – A Tale of Hopes and Disillusions" in Marek Zubrik (ed), *Human Rights in Contemporary World. Essays in Honor of Professor Leszek Garlicki* (Wydawnictwo Sejmowe, 2017) 162–165.
- Palombella, G, "Beyond Legality – Before Democracy: Rule of Law in the EU Two Level System" in Closa and Kochenov (eds).
- Plattner, MF, "Populism, Pluralism, and Liberal Democracy", *J. Democracy* 21(1) (2010) 81–92.
- Puddington, A, "Breaking Down Democracy: Global Strategies, and Methods of Modern Authoritarians", [https://freedomhouse.org/sites/default/files/June2017\\_FH\\_Report\\_Breaking\\_Down\\_Democracy.pdf](https://freedomhouse.org/sites/default/files/June2017_FH_Report_Breaking_Down_Democracy.pdf), June 2017.
- Raz, J, "The Rule of Law and its Virtue", *Law Quarterly Review* 93 (1977).
- Raz, J, "The Rule of Law and its Virtue" in J Raz (ed), *The Authority of Law: Essays on Law and Morality* (Oxford University Press, 1979).
- Rosenfeld, M, "Legitimacy of Constitutional Democracy", *Southern California Law Review* 74 (2001) 1313, 1350.
- Sadurski, W, *Poland's Constitutional Breakdown* (Oxford University Press, 2019) 211–213.
- Scheppele, KL, "Autocratic Legalism", *The University of Chicago Law Review* 85 (2018).
- Sellers, M, "What is the Rule of Law and Why it is Important?" in JR Silkenat, JRE Hickey Jr, and PD Barenboim (eds), *The Legal Doctrines of the Rule of Law and the Legal State (Rechtsstaat)* (Springer, 2014) 3–6 (the Rule of Law has a Western European origin).
- Simonelli, MA, "Thickening Up Judicial Independence: The ECJ Ruling in Commission v. Poland (C-619/18)", <https://europeanlawblog.eu/2019/07/08/thickening-up-judicial-independence-the-ecj-ruling-in-commission-v-poland-c-619-18/>.
- Tamanaha, BZ, "The History of the Rule of Law", *Singapore Journal of Legal Studies* (2012) 233.
- Tóth, GA, "Illiberal Rule of Law? Changing Features of Hungarian Constitutionalism" in M Adams, A Meuwese, and EH Ballin. (eds), *Constitutionalism and the Rule of Law* (Cambridge University Press, 2017).



- Tushnet, M, "Authoritarian Constitutionalism", *Cornell Law Review* 100 (2015) 72.
- Varju, M, "A magyar jogrendszer és az Európai Unió joga: tíz év tapasztalata" ["The Hungarian Legal System and the Law of the European Union: Experiences of Ten Years"] in A Jakab and G Gajdushek (eds), *A magyar jogrendszer állapota* (MTA Társadalomtudományi Kutatóközpont, 2016) 143–171.
- Versteeg, M and Ginsburg, T, "Measuring the Rule of Law: A Comparison of Indicators", *Law and Social Inquiry* 1 (2017) 100.
- Waldron, J, "The Concept of the Rule of Law", *Georgia Law Review* 1 (2008) 59–60.
- Włoch, W, "'Where the Laws Do Not Govern, There is No Constitution': On the Relationship between the Rule of Law and Constitutionalism" in Drinóczi and Bień-Kacała (eds), n. 39, 77–101.
- Wróblewska, I, "The Rule of Law: The Polish Perspective" in Drinóczi and Bień-Kacała (eds), 133–150.
- Zanghellini, A, "The Foundations of the Rule of Law", *Yale Journal of Law & the Humanities* 2 (2016) 216.
- Zimmermann, A, "Understanding the Rule of Law: Conceptions and Perspective", [http://alrf.msk.ru/understanding\\_the\\_rule\\_of\\_law\\_conceptions\\_and\\_perspectives](http://alrf.msk.ru/understanding_the_rule_of_law_conceptions_and_perspectives).
- Zinonos, P, "The Independence of the Disciplinary Chamber of the Polish Supreme Court or How to Forget About Discipline", <https://europeanlawblog.eu/2019/12/02/the-independence-of-the-disciplinary-chamber-of-the-polish-supreme-court-or-how-to-forget-about-discipline/>.

## Part V

- Alberti, É, Czibik, A, Fazekas, M, Herczog, E, Ungár, K, Bálint, S, Tóth, W, and Johannes, IJ, "The Quality of Hungarian Legislation 2013–2014" (Budapest, 2015), [https://ec.europa.eu/hungary/sites/default/files/docs/body/legislation\\_eu\\_2014\\_report\\_150216\\_2100.pdf](https://ec.europa.eu/hungary/sites/default/files/docs/body/legislation_eu_2014_report_150216_2100.pdf).
- Alberti, É, Czibik, A, Fazekas, M, Herczog, E, Ungár, K, Bálint, S, Tóth, W, and Johannes, IJ, "Impact Assessments Public Consultation and Legislation in Hungary 2011–2014" (Budapest, 2015) [www.crcb.eu/wp-content/uploads/2015/07/legislation\\_2014\\_report\\_150630.pdf](http://www.crcb.eu/wp-content/uploads/2015/07/legislation_2014_report_150630.pdf), 83.
- Arato, L, "Homophobia is on the Rise in Hungary", [www.europeandatajournalism.eu/eng/News/Data-news/Homophobia-is-on-the-rise-in-Hungary](http://www.europeandatajournalism.eu/eng/News/Data-news/Homophobia-is-on-the-rise-in-Hungary) (30 October 2019); [https://index.hu/kulfold/eurologus/2019/09/24/egyre\\_tobb\\_magyart\\_zavarnak\\_a\\_melegk/](https://index.hu/kulfold/eurologus/2019/09/24/egyre_tobb_magyart_zavarnak_a_melegk/).
- Arnold, R and Cerny, L, "The Application of the Charter of Fundamental Rights of the EU by the German Federal Constitutional Court with References to the Other Federal Courts", *Acta Universitatis Carolinae – Iuridica* 4 (2018), [https://karolinum.cz/data/clanek/6407/Iurid\\_64\\_4\\_0065.pdf](https://karolinum.cz/data/clanek/6407/Iurid_64_4_0065.pdf), 65, 77.
- Bárd, K and Bárd, Pa, "Összhang vagy kollízió? Hol tart Magyarország 25 évvel az EJEE-hez való csatlakozás után a strasbourgi elvárásoknak való megfelelésben?" ["Harmony or Collision? Where is Hungary 25 Years After Joining the ECHR in Terms of Compliance to Expectations of Strasbourg?"], *Állam és Jogtudomány* 4 (2017) <https://jog.tk.mta.hu/uploads/files/2017-04-BardK-BardP.pdf>, 17–18.
- Bárd, P and Bárd, K, "The European Convention on Human Rights and the Hungarian Legal System", [http://real.mtak.hu/65944/1/Bard\\_Bard\\_Comparative\\_study\\_on\\_the\\_implementation\\_of\\_the\\_ECHR\\_at\\_the\\_national\\_level\\_ENG\\_149\\_168\\_u.pdf](http://real.mtak.hu/65944/1/Bard_Bard_Comparative_study_on_the_implementation_of_the_ECHR_at_the_national_level_ENG_149_168_u.pdf), 152.
- Bar-Siman-Tov, I, "Semiprocedural Judicial Review", *Legisprudence* 3 (2012).



- Bar-Siman-Tov, I, "Covid-19 meets politics: the novel coronavirus as a novel challenge for legislatures", *The Theory and Practice of Legislation* 8(1–2) (2020) 11–48 (free online access).
- Bernatt, M and Ziólkowski, M, "Statutory Anti-Constitutionalism", *Washington International Law Journal* 28 (2019) 499–501.
- Bień-Kacała, A, "Gloss to the Judgement of Constitutional Tribunal of 16 March 2017 (Kp 1/17)", *Przegląd Prawa Konstytucyjnego* 4 (2017) 255–262.
- Bień-Kacała, A, Tarnowska, A and Włoch, W, "The Nation, Delegation, and Constitutional Change in Poland", *Hungarian Journal of Legal Studies* 59(4) (2018) 355–377.
- Bień-Kacała, A, "Illiberal Democracy in Action: Polish Kind of Symbolic Legislation", *European Studies. The Review of European Law, Economics and Politics* 6 (2019) 268–278.
- Bíró-Nagy, A and Laki, G, *Orbán 10. Az elmúlt évtized a Magyar társadalom szemével*, (© Friedrich-Ebert-Stiftung – Policy Solutions, 2020), [https://www.policysolutions.hu/userfiles/Orban10\\_final.pdf](https://www.policysolutions.hu/userfiles/Orban10_final.pdf), 78.
- Bodnar, A, "Strasbourg Steps In", *VerfBlog*, 2020/7/07, <https://verfassungsblog.de/strasbourg-steps-in/>.
- Bozóki, A and Hegedűs, D, "An Externally Constrained Hybrid Regime: Hungary in the European Union", *Democratization* 25(7) (2018).
- Bucholc, M, "Fencing Off the Difference: On 'LGBT-Free Zones' in Poland", *VerfBlog*, 2020/8/26, <https://verfassungsblog.de/fencing-off-the-difference/>.
- Búrca, G de and Morijn, J, "Repression of Freedom of Expression in Poland: Renewing support for Wojciech Sadurski", *VerfBlog*, 2020/6/03, <https://verfassungsblog.de/repression-of-freedom-of-expression-in-poland-renewing-support-for-wojciech-sadurski/>.
- Búrca, G de, Morijn, J, and Steinbeis, M, "Stand with Wojciech Sadurski: his freedom of expression is (y)ours", *VerfBlog*, 2019/11/18, <https://verfassungsblog.de/stand-with-wojciech-sadurski-his-freedom-of-expression-is-yours/>.
- Csaky, Z., *Nations in Transition: Dropping the Democratic Façade* (Freedom House, 2020), <https://freedomhouse.org/report/nations-transit/2020/dropping-democratic-facade#Façade>, 25.
- Csatlós, E, "The Application of International Law as an Instrument of Interpretation in Hungary – the Practice of the Constitutional Court and Ordinary Courts in a Comparative Approach", <http://publicatio.bibl.u-szeged.hu/7049/8/2961433.pdf>, 137.
- Dojcsák, D, Farkas, E, Fazekas, T, Hegyi, A, Kádár, A, and Szabó, M, "The New Law on the Right to Assembly in Hungary as Applied in the Practice", <http://4liberty.eu/wp-content/uploads/2020/08/The-New-Law-on-the-Right-to-Assembly-in-Hungary-as-Applied-in-Practice.pdf>, 49.
- Drinóczi, T, "Dialogic Interaction and Legislation on Parliamentary Election in Hungary 2010–2014" *Osteurope Recht* 4 (2014) 452–467.
- Drinóczi, T, "Concept of Quality in Legislation – Revisited: Matter of Perspective and a General Overview" *Statute Law Review* 3 (2015) 225–227.
- Drinóczi, T, "Hungarian Democratic Backsliding in Light of the Recent Emergency Coronavirus Legislation" *Public Jurist, Hong Kong University Political Science Magazine*, June 2020, [www.hkuglc.org/government-and-laws-committee-hku-public-jurist](http://www.hkuglc.org/government-and-laws-committee-hku-public-jurist).
- Drinóczi, T, "Legislation in Hungary" in U Karpen and H Xanthaki (eds), *Legislation in Europe. A Country by Country Guide* (Hart Publishing, 2020).
- Drinóczi, T and Bień-Kacała, A, "COVID-19 in Hungary and Poland: Extraordinary Situation and Illiberal Constitutionalism" *The Theory and Practice of Legislation* 8(1–2) (2020) 171–192.
- Górski, M, "The Dialogue Between Selected CEE Courts and the ECtHR", in A Wyrozumska (ed), *Transnational Judicial Dialogue on International Law in Central and Eastern Europe* (Wydawnictwo Uniwersytetu Łódzkiego, 2017) 239–240.



- Gracian, D and Mikut, G, "Requiem for a Dream: Academic Freedom Under Threat in Democracies", *International Higher Education* Nr 90, Summer 2017.
- Griglio, E, "Parliamentary Oversight Under the Covid-19 Emergency: Striving Against Executive Dominance", *The Theory and Practice of Legislation* 8(1–2) (2020) 49–70 (free online access).
- Hamulak, O, Sulyok, M, and Kiss, LN, "Measuring the 'EU'clidean distance between EU law and the Hungarian Constitutional Court – focusing on the position of the EU Charter of Fundamental Rights", *Czech Yearbook of Public & Private International Law* 10 (2019) 145–148.
- Kastelik-Smaza, A., "The Application of the Charter of Fundamental Rights of the EU in Poland", *Acta Universitatis Carolinae – Iuridica* 4 (2018) [https://karolinum.cz/data/clanek/6410/Iurid\\_64\\_4\\_0101.pdf](https://karolinum.cz/data/clanek/6410/Iurid_64_4_0101.pdf), 112.
- Kazai, V, "The Illiberal Challenge to the Rule of Law Principle: The Neglected Procedural Aspect (With Special Focus on Hungary)", 2019 ESIL Annual Research Forum, Göttingen (4–5 April 2019), available <https://ssrn.com/abstract=3513204>.
- Klamert, M., "The Implementation and Application of the Charter of Fundamental Rights of the EU in Austria", *Acta Universitatis Carolinae – Iuridica* 4 (2018), [https://karolinum.cz/data/clanek/6409/Iurid\\_64\\_4\\_0089.pdf](https://karolinum.cz/data/clanek/6409/Iurid_64_4_0089.pdf), 89, 99.
- Klink B van, Beers, B van, and Poort, L (eds), *Symbolic Legislation Theory and Developments in Biolaw* (Springer International Publishing, 2016) 1–2.
- Kosar, D and Petrov, J, "The Architecture of the Strasbourg System of Human Rights: The Crucial Role of the Domestic Level and the Constitutional Courts in Particular", *ZaöRV* 77 (2017), [https://www.zaoerv.de/77\\_2017/77\\_2017\\_3\\_a\\_585\\_621.pdf](https://www.zaoerv.de/77_2017/77_2017_3_a_585_621.pdf), 617.
- Kúria, A, "Az Alaptörvény követelményeinek érvényesülése a bírósági ítékezésben' Joggyakorlat-elemző Csoportja2016.El.II.JGY.K.1" [https://kuria-birosag.hu/sites/default/files/joggyak/alaptorveny\\_osszefoglalo\\_velemenypdf](https://kuria-birosag.hu/sites/default/files/joggyak/alaptorveny_osszefoglalo_velemenypdf), 194.
- Kustra-Rogaska, A and Hamulak, O, "Keeping Distance: Chapters from Randomized (Non)Application of the European Court of Human Rights before the Polish Constitutional Tribunal", *Baltic Journal of European Studies* 4(9) (2019) 90.
- Łakomicz, K, "Academic Freedom(s) in the Drift Towards Authoritarianism (4/4) – Poland", <https://ds.hypotheses.org/6391> (15 November 2019).
- Magyar, B., *Post-Communist Mafia State – The Case of Hungary* (Noran Libro, 2016).
- Nagy, TA, "Parlamenti sebesség" ["Parliamentary speed"], [http://meltanyossag.hu/files/meltany/imce/kp\\_parlamenti\\_sebesseg\\_120228.pdf](http://meltanyossag.hu/files/meltany/imce/kp_parlamenti_sebesseg_120228.pdf).
- Pech, Land Scheppele, KL, "Poland and the European Commission, Part III: Requiem for the Rule of Law", *VerfBlog*, 2017/3/03, at <http://verfassungsblog.de/poland-and-the-european-commissionpart-iii-requiem-for-the-rule-of-law/>.
- Pinheiro, VM, Ilarraz, Mand Mestriner, MT, "The Impacts of the COVID-19 Crisis on the Brazilian Legal System – A Report on the Functioning of the Branches of the Government and on the Legal Scrutiny of Their Activities", *The Theory and Practice of Legislation* 8(1–2) (2020) 193–212 (free online access).
- Polgári, E, "The European Convention on Human Rights and the case law of the European Court of Human Rights in Hungarian Judicial Practice", *Fundamentum* 5 (2008) 74–80.
- Polgári, E, "Az Alkotmánybíróság esete az Emberi Jogok Európai Egyezményével" ["The Constitutional Court and the European Convention of Human Rights"] *Fundamentum* 4 (2015) 6.
- Polyák, G, "Media in Hungary: Three Pillars of an Illiberal Democracy" in E Polonska and E Beckett (eds), *Public Service Broadcasting and Media Systems in Troubled European Democracies* (Palgrave Macmillan) 284–285.



- Popelier, P, Maymany, M, and Vanderbruwaene, W, eds, *The Role of Constitutional Courts in Multilevel Governance* (Intersentia, 2013).
- Reichman, H, "Academic Freedom Threatened in Poland", 19 February 2016, [academeblog.org](http://academeblog.org).
- Sadura, P and Sierakowski, S, "Political Cynicism: The Case of Poland", <http://politicalcritique.org/cee/poland/2019/pires-political-cynicism-research-report/>, 15–16.
- Sadurski, W, *Poland's Constitutional Breakdown* (Oxford University Press, 2019) 139.
- Sárosi, P, "David Takes on Goliath: The Struggle for Academic Freedom in Hungary", 11 October 2020, <https://autocracyanalyst.net/david-takes-on-goliath-struggle-for-academic-freedom-in-hungary/>.
- Schmidt, A, "Challenges of the Illiberal Democracy in Hungary: Some Aspects to the 2018 Elections", *Polski Przegląd Politologiczny* 2 (2018) 82.
- Schumpeter, J, *Capitalism, Socialism and Democracy*, 2nd edn (Allen & Unwin, 1947), chs 21–23.
- Sękowska-Kozłowska, K, "The Istanbul Convention in Poland" in J Niemi, L Peroni, and V Stoyanova, *International Law and Violence against Women. Europe and the Istanbul Convention* (Routledge, 2020) 261.
- Skomerska-Muchowska, I, "The Dialogue of the CEE Constitutional Court in the Era of Constitutional Pluralism" in A Wyrozumska (ed), *Transnational Judicial Dialogue on International Law in Central and Eastern Europe* (Wydawnictwo Uniwersytetu Łódzkiego, 2017) 118.
- Sokołowski, JK and Stolicki, D, "Przyczyny opóźnień w transpozycji dyrektyw europejskich do polskiego porządku prawnego w świetle analizy ilościowej krajowego procesu legislacyjnego" ["Reasons for Delays in the Transposition of European Directives into the Polish Legal Order in the Light of Quantitative Analysis of the National Legislative Process"], *Przegląd Politologiczny* 2 (2017) 39–54.
- Szabó Z, "Többpólusú alapjogvédelmi rendszer a gyakorlatban – a kormánytisztviselők indokolás nélküli felmentésének tükrében" ["Multilevel Protection of Human Rights in Practice – in the Light of Dismissal of Government Officials Without Justification"], *Pro Futuro* 1 (2015) 138.
- Szlachta, B, "Aksjologia Konstytucji RP z 1997 roku. Perspektywa badacza myśli politycznej" ["The Axiology of the Constitution of the Republic of Poland of 1997: The Perspective of the Researcher of Political Thought"] *Przegląd Sejmowy* 6(143) (2017) 125–150.
- Trócsányi, L, "New Challenges Facing Democracy and the Rule of Law", *Hungarian Review* 3 (2017), [http://hungarianreview.com/article/20171117\\_new\\_challenges\\_facing\\_democracy\\_and\\_the\\_rule\\_of\\_law](http://hungarianreview.com/article/20171117_new_challenges_facing_democracy_and_the_rule_of_law).
- Tushnet, M, "Authoritarian Constitutionalism", *Harvard Public Law Working Papers* No13–47 (2013), 72.
- Tushnet, M, "The Possibility of Illiberal Constitutionalism", *Fla L. Rev.* 69 (2017).
- Uhlmann, F and Scheifele, E, "Legislative Response to Coronavirus (Switzerland)", *The Theory and Practice of Legislation* 8(1–2) (2020) 115–130 (free online access).
- Uitz, R, "Nemzetközi emberi jogok és a magyar jogrend" ["International Human Rights and the Hungarian Legal Order"], [https://jog.tk.hu/uploads/files/08\\_Uitz\\_Renata.pdf](https://jog.tk.hu/uploads/files/08_Uitz_Renata.pdf).
- Urbainati, N, *Representative Democracy: Principles and Genealogy* (University of Chicago Press, 2006) 43.
- Varju, M, "A magyar jogrendszer és az Európai Unió joga: tíz év tapasztalata" ["The Hungarian Legal System and the law of the European Union: Experiences of Ten Years"], in A Jakab and G Gajduschek, eds, *A magyar jogrendszer állapota* (MTA Társadalomtudományi Kutatóközpont, Jogtudományi Intézet, 2016) 142–164.



- Várnay E, "Az Alkotmánybíróság és az Európai Bíróság. Együttműködő alkotmánybíráskodás?" ["The Constitutional Court and the Court of the EU. Cooperating Judicial Review?"] *Állam és Jogtudomány* 2 (2019) 66–70.
- Wike, R, Stokes, B, and Simmons, K, *Europeans Fear Wave of Refugees Will Mean More Terrorism, Fewer Jobs: Sharp Ideological Divides Across EU on Views About Minorities, Diversity and National Identity* (11 July 2016), [www.pewresearch.org/global/2016/07/11/europeans-fear-wave-of-refugees-will-mean-more-terrorism-fewer-jobs/](http://www.pewresearch.org/global/2016/07/11/europeans-fear-wave-of-refugees-will-mean-more-terrorism-fewer-jobs/).
- Wróblewska, I, "The Rule of Law: The Polish Perspective" in T Drinóczi and A Bień-Kacała (eds), *Rule of Law, Common Values and Illiberal Constitutionalism. Poland and Hungary within the European Union* (Routledge, 2021) 133–150.
- Wyrozumska, A, "The Central and Eastern European Judiciary and Transnational Judicial Dialogue on International Law" in A Wyrozumska (ed), *Transnational Judicial Dialogue on International Law in Central and Eastern Europe* (Wydawnictwo Uniwersytetu Łódzkiego, 2017) 23.
- Wyrzykowski, M, "Bypassing the Constitution Or Changing the Constitutional Order Outside the Constitution" in A Szmyt and B Banaszak (eds), *Transformation of Law Systems in Central, Eastern and South-Eastern Europe in 1989–2015*, Liber Amicorum in Honorem Prof. Dr. Dres. H.C. Rainer Arnold (Gdańsk University Press, 2016).
- Wyrzykowski, M, "Wrogię przejęcie' porządku konstytucyjnego" ["'Hostile Takeover' of the Constitutional Order"], <http://konstytucyjny.pl/wrogie-przejecie-porzadku-konstytucyjnego-miroslaw-wyrzykowski> (9.10.2020).
- Xanthaki, H and Karpen, U (eds), *Legislation and Legisprudence in Europe: A Comprehensive Guide for Scholars and Legislative Practitioners* (Hart Publishing, 2017).
- Zakaria, F, "The Rise of Illiberal Democracy" *Foreign Affairs* 76 (1997) 22.
- Zakaria, F, *The Future of Freedom. Illiberal Democracy at Home and Abroad* (W.W. Norton and Company, 2007).

## Part VI

- Albert, R, "How Unwritten Constitutional Norms Change Written Constitutions", *Dublin University Law Journal* 38 (2015).
- Albert, R, "Constitutional Amendment and Dismemberment", *Yale J. Int'l L.* 43 (2018).
- Albert, R, *Constitutional Amendments: Making, Breaking, and Changing Constitutions* (Oxford University Press, 2019).
- Antal A, "Politikai és jogi alkotmányosság Magyarországon" ["Political and Legal Constitutionalism in Hungary"] *Politikatudományi Szemle* 3 (2013).
- Balicki, R, "Bezpośrednie stosowanie konstytucji" ["Direct Application of a Constitution"], *Krajowa Rada Sądownictwa* 4 (2016) 13–19.
- Bellamy, R, *Political Constitutionalism: A Republican Defence of the Constitutionality of Democracy* (Cambridge University Press, 2007).
- Bień-Kacała, A, "Polish Constitutional Tribunal: A Systemic Reform or a Hasty Political Change", *DPCE Online* 1 (2016) 1–14.
- Bień-Kacała, A, "Poland Within the EU: Dealing with the Populist Agenda", *Osteuropa-Recht* 4(63) (2017) 428–443 and "Polish Constitutional Tribunal: A Systemic Reform or a Hasty Political Change", *DPCE Online* 1 (2016) 1–14.
- Bień-Kacała, A and Jackiewicz, A, "Militant Democracy: Demokracja, która sama się broni(?)" ["Militant Democracy: A Democracy that Defends Itself(?)"], *Państwo i Prawo* 8 (2017) 25–41.



- Bień-Kacała, A, "Informal Constitutional Change: The Case of Poland", *Przegląd Prawa Konstytucyjnego* 6(40) (2017) 199–218.
- Bień-Kacała, A, "Równość czy hierarchiczność? Kilka słów o wartościach w państwie, prawie i społeczeństwie" ["Equality or Hierarchy? Few Words about Values of State, Law and Society"] *Gdańskie Studia Prawnicze* 40 (2018) 17–30.
- Bień-Kacała, A, "Polexit is Coming or is it Already Here? Comments on the Judicial Independence Decisions of the Polish Constitutional Tribunal", *Int'l J. Const. L. Blog*, 28 April 2020, at [www.iconnectblog.com/2020/04/polexit-is-coming-or-is-it-already-here-comments-on-the-judicial-independence-decisions-of-the-polish-constitutional-tribunal](http://www.iconnectblog.com/2020/04/polexit-is-coming-or-is-it-already-here-comments-on-the-judicial-independence-decisions-of-the-polish-constitutional-tribunal).
- Bień-Kacała, A, "Verfassungsdurchbrechung or Informal Constitutional Change. The Polish Experience", *Przegląd Prawa Konstytucyjnego* 5(57) (2020) 29–47.
- Chronowski, N, Drinóczi, T, and Zeller, J, "Túl az Alkotmányon" ["Beyond the Constitution"], *Közjogi Szemle* 4 (2010).
- Closa, C., "Ran Hirschl, Towards Juristocracy: The Origins and Consequences of the New Constitutionalism, Harvard University Press, 2004", *ICON* 4(3) (2006) 581–586.
- Colón-Ríos, JI, "A New Typology of Judicial Review of Legislation", *Global Constitutionalism* 3(2) (2014) 143–169.
- Colón-Ríos, JI, "Judge-made Constitutional Changes", in X Contiades and A Fotiadou, eds, *Routledge Handbook of Comparative Constitutional Change* (Routledge 2021) 217–230.
- Contiades, X, ed, *Engineering Constitutional Change* (Routledge, 2012).
- Contiades, X and Fotiadou, A, "Introduction" in X Contiades and A Fotiado (eds), *Routledge Handbook of Comparative Constitutional Change* (Routledge, 2021) 14.
- Csink, L and Fröhlich, J, "Az Alaptörvény és az Átmeneti rendelkezések viszonya" *Pázmány Law Working Papers*, No 2012/02, available at [www.plwp.jak.ppke.hu/images/files/2012/2012-2.pdf](http://www.plwp.jak.ppke.hu/images/files/2012/2012-2.pdf).
- Czarnota, A, "The Constitutional Tribunal", *VerfBlog*, 2017/6/03, <https://verfassungsblog.de/the-constitutional-tribunal/>.
- Diamond, L, "Facing Up to the Democratic Recession", *J. Democracy* 29(142) (2015) 149.
- Dixon, R and Landau, D, "Abusive Judicial Review: Courts Against Democracy", *UC Davis Law Review* 53 (2020) 1313.
- Dixon, R and Landau, D, "Tiered Constitutional Design", 2018, at <https://ssrn.com/abstract=2953755>, 1, 63.
- Dixon, R and Landau, D, "Transnational Constitutionalism and a Limited Doctrine of Unconstitutional Constitutional Amendments", *ICON* 3 (2015) 606, 629.
- Drinóczi, T, "Constitutional Politics in Contemporary Hungary", *Vienna Journal on International Constitutional Law* 1 (2016), 63–98.
- Drinóczi, T, "Hungarian Constitutional Court: The Limits of EU Law in the Hungarian Legal System", *Vienna J. Int'l Const. L.* 1(139) (2017).
- Drinóczi, T, "Constitutional Identity in Europe: The Identity of the Constitution. A Regional Approach", *German Law Journal* 21(2) (2020) 105–130.
- Drinóczi, T, "Hungarian Abuse of Constitutional Emergency Regimes – Also in the Light of the COVID-19 Crisis". MTA LWP 13/2020, <https://jog.tk.mta.hu/mtalwp/hungarian-abuse-of-constitutional-emergency-regimes-also-in-the-light-of-the-covid-19-crisis>.
- Drinóczi, T and Bień-Kacała, A, "COVID-19 in Hungary and Poland: Extraordinary Situation and Illiberal Constitutionalism", *Theory and Practice of Legislation* 1–2 (2020).
- Eichhorn, J, Kupsch, V, and Mohr, LMM, "How European Publics and Policy Actors Value an Open Society Key Insight Across Countries" (Open Society European Policy Institute, 2019), [http://voicesonvalues.dpart.org/images/finalreports/OSI-019-18-Key-Insights\\_v5.pdf](http://voicesonvalues.dpart.org/images/finalreports/OSI-019-18-Key-Insights_v5.pdf).



- Fesnic, FN, “Can Civic Education Make a Difference for Democracy? Hungary and Poland Compared”, *Political Studies* 4 (2016) 966–978.
- Gardbaum, S., “The Case for the New Commonwealth Model of Constitutionalism”, *German Law Review* 12(14) (2013) 2230–2248.
- Garlicki, L and Garlicka, ZA, “External Review of Constitutional Amendments? International Law as a Norm of Reference”, *Israel Law Review* 44 (2011) 343–368.
- Garlicki, L, “Sądy a Konstytucja Rzeczypospolitej Polskiej” [“Courts and the Constitution of the Republic of Poland”] *Przegląd Sądowy* 7–8 (2016) 23–25.
- Garlicki, L, *Polskie prawo konstytucyjne [Polish Constitutional Law]* (Wolters Kluwer, 2016) 76–78.
- Ginsberg, T, “Arato on Constitution Making in Hungary and the 4/5 Rule”, *I-CONnect Blog* (6 April 2011), [www.iconnectblog.com/2011/04/arato-on-constitution-making-in-hungary-and-the-45-rule/](http://www.iconnectblog.com/2011/04/arato-on-constitution-making-in-hungary-and-the-45-rule/).
- Ginsberg, T, “When Courts Compete: A Reputational Perspective” in M Zubik (ed), *Human Rights in Contemporary World, Essays in Honour of Professor Leszek Garlicki* (Kancelaria Sejmu Wydawnictwo Sejmowe Kancelaria Sejmu, 2017) 61–70.
- Górski, G and Górska-Szymczak, J, “Trybunał Konstytucyjny w Sporze z Prezydentem, Rządem i Parlamentem w 2015 r.” [“The Constitutional Tribunal in an Argument with the President, the Government and the Parliament in 2015”], *Przegląd Sejmowy* 5 (2018) 39–57.
- Hale, HE, “25 Years After The USSR: What’s Gone Wrong?”, *J. Democracy* 27(24) (2016).
- Halmai, G and Scheppele KL, “Orbán is Still the Sole Judge of his Own Law”, *VerfBlog*, 2020/4/30, <https://verfassungsblog.de/orban-is-still-the-sole-judge-of-his-own-law/>.
- Halmai, G, “Illiberal Constitutionalism in East-Central Europe”, *EUI Working Paper LAW* 2019/05.Ord
- Halmai, G, “How COVID-19 Unveils the True Autocrats: Viktor Orbán’s Ermächtigungsgesetz”, *Int’l J. Const. L. Blog*, Apr. 1, 2020, [www.iconnectblog.com/2020/04/how-covid-19-unveils-the-true-autocrats-viktororbans-ermachtigungsgesetz/](http://www.iconnectblog.com/2020/04/how-covid-19-unveils-the-true-autocrats-viktororbans-ermachtigungsgesetz/).
- Halmai, G, “The Decline of Liberal Democracy in Europe’s Midst”, 2016, [www.eurozine.com/the-decline-of-liberal-democracy-in-europes-midst/](http://www.eurozine.com/the-decline-of-liberal-democracy-in-europes-midst/).
- Halmai, G and Scheppele, KL, “Don’t Be Fooled by Autocrats!: Why Hungary’s Emergency Violates Rule of Law”, *VerfBlog*, 2020/4/22, <https://verfassungsblog.de/dont-be-fooled-by-autocrats>.
- Hermann, M, *Wyroki interpretacyjne Trybunału Konstytucyjnego z perspektywy teoretycznoprawnej [Interpretative Judgements of Constitutional Tribunal from a Theoretical Perspective]* (Warszawa, 2015).
- Hirschl, R, *Towards Juristocracy: The Origins and Consequences of the New Constitutionalism* (Harvard University Press, 2004).
- Humphrey, T, “Democracy and the Rule of Law: Founding Liberal Democracy in Post-Communist Europe”, *Colum J. E Eur. L* 2(94) (2008).
- Kardas, P and Gutowski, M, “Konstytucja z 1997 r. a model kontroli konstytucyjności prawa” [“1997 Constitution and a Model of Constitutional Review”], *Palestra* 4 (2017) 11–30.
- Kelemen, K, “The Hungarian Constitutional Court and the Concept of National Constitutional Identity”, *IANUS – Diritto e finanza* 23(15–16) (2017).
- Konieczny, TT, “Constitutional Fidelity and the Polish Constitution”, *Blog of the International Journal of Constitutional Law*, 11 August 2017, [www.iconnectblog.com/2017/08/constitutional-fidelity-and-the-polish-constitution](http://www.iconnectblog.com/2017/08/constitutional-fidelity-and-the-polish-constitution).
- Konieczny, TT, “On the Strategic Reading of the Constitutional Document. Mapping out Frontiers of New Constitutional Research”, *Przegląd Konstytucyjny* 2 (2018), 16–45.



- Krunke, H and Hellqvist Frey, S, "Social Rights in Denmark" in K Wojtyczek (ed), *Social Rights as Fundamental Rights* (Eleven International Publishing, 2016) 119.
- Landau, D, "Abusive Constitutionalism", *UC Davis Law Review* 3 (2013).
- Lavapuro, J, Ojanen, T, and Scheinin, M, "Rights-based Constitutionalism in Finland and the Development of Pluralist Constitutional Review", *ICON* 2 (2011).
- Law, DS and Whalen, R, "Comparing Amendment and Replacement" in X Contiades and A Fotiados (eds), *Routledge Handbook of Comparative Constitutional Change* (Routledge, 2021) 96.
- Macklem, P, "Militant Democracy, Legal Pluralism, and the Paradox of Self-determination", *I-CON* 3 (2006) 494–495.
- Magyar B, *Post-Communist Mafia State: The Case of Hungary* (CEU Press, 2016).
- Martin C, "The Legitimacy of Informal Constitutional Amendment and the 'Reinterpretation' of Japan's War Powers", *Fordham Int'l L.J.* 40(427) (2017).
- Masternak-Kubiak, M, "Dopuszczalność nieformalnej zmiany Konstytucji RP (uwagi w kontekście prawa wyborczego obywateli Unii Europejskiej)" ["Admissibility of informal amendment to the Constitution RP (comments in the context of the electoral law of EU citizens)"] in B. Banaszak, M. Jabłoński, and S. Jarosz-Żukowska (eds), *Prawo w służbie państwu i społeczeństwu* [Law in the Service of the State and Society] (Wydawnictwo Uniwersytetu Wrocławskiego, 2012).
- Matczak, M, "How to Demolish an Independent Judiciary with the Help of a Constitutional Court", *VerfBlog*, 2017/6/23, <http://verfassungsblog.de/how-to-demolish-an-independent-judiciary-with-the-help-of-a-constitutional-court/>, doi:10.17176/20170623-103309 (31.10.2017).
- Mazmnyan, A, "Judicialization of Politics: The Post-Soviet Way", *I-CON* 13(1) (2015) 200–218.
- Menocal, AR, Fritz, V, and Rakner, L, "Hybrid Regimes and the Challenge of Deepening and Sustaining Democracy in Developing Countries", *S. Afr. J. Int'l Aff.* 15(1) (2008), 29–40. DOI: doi:10.1080/10220460802217934.
- Młynarska-Sobaczewska, A, "Rytualne ofiary a moralność publiczna: Analiza argumentacji Trybunału Konstytucyjnego (K 52/13) i Sądu Najwyższego USA (508 U.S. 520.1993)" ["Ritual Sacrifices and Public Morality: Analysis of Arguments of the Constitutional Tribunal (K 52/13) and US Supreme Court (508 U.S. 520.1993)"], *Państwo i Prawo* 4 (2017).
- Młynarska-Sobaczewska, A, "Wybór sędziów konstytucyjnych jako element legitymizacji sądu konstytucyjnego" ["Election of the Constitutional Judges as an Element of Legitimacy of the Constitutional Court"], *Państwo i Prawo* 5 (2018) 43–62.
- Morawski, L, "A Critical Response", *VerfBlog*, 2017/6/03.
- Muller, Jan-Werner, "Militant Democracy" in M Rosenfeld and A Sajó (eds), *The Oxford Handbook of Comparative Constitutional Law* (Oxford University Press, 2011) 1253–1268.
- Ojanen, T. "Constitutional Amendment in Finland" in X. Contiades (ed), *Engineering Constitutional Change* (Routledge, 2016) 107–109.
- Oliver, D. and Fusaro, C. eds. *How Constitutions Change? A Comparative Study* (Hart Publishing, 2016).
- Pap, AL and Śledzińska-Simon, A, "Mandatory Voting as a Tool to Combat the 'New Populism'", *I-CONnect Blog* (19 April 2017), [iconnectblog.com/2017/04/mandatory-voting-and-the-new-populism/](http://iconnectblog.com/2017/04/mandatory-voting-and-the-new-populism/).
- Pasquino, P, "Neutrality in Constitutional Conflicts Resolution: Preliminary Observations" in M Zubik (ed), *Human Rights in Contemporary World, Essays in Honour of Professor Leszek Garlicki* (Wydawnictwo Sejmowe, 2017).



- Popelier, P, Verstraelen, S., Vanheule, D., and Vanlerberghe, B. (eds), *The Effects of Judicial Decisions in Time* (Intersentia, 2014).
- Puhl, J, “A Whiff of Corruption in Orbán’s Hungary”, *Spiegel* (17 January 2017), [www.spiegel.de/international/europe/a-whiff-of-corruption-in-orban-s-hungary-a-1129713.html](http://www.spiegel.de/international/europe/a-whiff-of-corruption-in-orban-s-hungary-a-1129713.html).
- Roznai, Y, *Unconstitutional Constitutional Amendments: A Study of the Nature and Limits of Constitutional Amendment Powers*, PhD thesis, 2014, The London School of Economics and Political Science (LSE), [http://etheses.lse.ac.uk/915/1/Roznai\\_Unconstitutional-constitutional-amendments.pdf](http://etheses.lse.ac.uk/915/1/Roznai_Unconstitutional-constitutional-amendments.pdf), 158–160.
- Roznai, Y, *Unconstitutional Constitutional Amendments: The Limits of Amendment Powers* (Oxford University Press, 2017).
- Sajó, A, “Militant Democracy and Emotional Politics”, *Constellations* 4 (2012) 562–572.
- Sárközy, T, “Magyarország kormányzása 2010–2014” [“Governance of Hungary 2010–2014”] *Új Magyar Közigazgatás* 2 (2015).
- Scheppele, KL, “Orbán’s Emergency”, <https://hungarianspectrum.org/2020/03/21/kim-lane-scheppele-orbans-emergency/>, <https://verfassungsblog.de/pandemic-as-constitutional-moment/>.
- Schiffer, A, “Különleges jogbizonytalanság” [“Extraordinary Legal Uncertainty”], [http://mandiner.hu/cikk/20200313\\_kulonleges\\_jogbizonytalansag](http://mandiner.hu/cikk/20200313_kulonleges_jogbizonytalansag) (13 March 2020).
- Schwartz, SH and Bardi, A, “Influences of Adaptation to Communist Rule on Value Priorities in Eastern Europe”, *Political Psychology* 2 (1997).
- Sejersted, F, “The Norwegian Parliament and European Integration – Reflections from Medium-Speed Europe” in E Smitjh, ed, *National Parliaments as Cornerstones of the European Integration* (Kluwer Academic Publisher, 1996).
- Siems, M., *Comparative Law* (Cambridge University Press, 2014) 78–79.
- Sokolewicz, W, “Komentarz do art. 235” [“Commentary to the Art. 235”] in L. Garlicki (ed), *Konstytucja Rzeczypospolitej Polskiej. Komentarz*, Vol II [*The Constitution of the Republic of Poland*] (Wydawnictwo Sejmowe, 2001) 4.
- Sólyom L, “Alkotmányértelmezés az új alkotmánybíróságok gyakorlatában” [“Constitutional interpretation in the practice of new constitutional courts”], *Fundamentum* 2 (2002) 18–20.
- Stumpf I, “A kormány alkotmányos jogállása” [“Constitutional Status of the Government”], *Új Magyar Közigazgatás* 2 (2015).
- Szumlik, B, “Opinia w sprawie uwag do nowelizacji ustawy z dnia 25 czerwca 2015 r. o Trybunale Konstytucyjnym przygotowanych przez Komisję Wenecką” [“Opinion on the Comments to the Amendment of the Act of 25 June 2015 on the Constitutional Tribunal by the Venice Commission”], *Przegląd Sejmowy* 5 (2016) 81–100.
- Tordai, C, “A közjog határai a járványveszély idején” [“Limits of Public Law during a Pandemic”], <https://igyirnankmi.atlatszo.hu/2020/03/16/a-kozjog-hatarai-a-jarva-nyveszely-idejen/> (16 March 2020).
- Uzelac, A, “Survival of the Third Legal Tradition”, *Supreme Court Law Review* 49 (2010), (2nd) 377–396. Available at SSRN: <https://ssrn.com/abstract=2498760>.
- Wróblewska, I, *Zasada państwa prawnego w orzecznictwie Trybunału Konstytucyjnego RP* [*The Rule of Democratic State Ruled by Law in Judgements of the Polish Constitutional Tribunal*] (TNOIK, 2010) 48–50.