CONTENTS

page vii

List of contributors

	Acknowledgements ix
1	Migration as a new metaphor in comparative constitutional law 1 SUJIT CHOUDHRY
	PART I The methodology of comparativism 37
2	On the blurred methodological matrix of comparative constitutional law 39 RAN HIRSCHL
3	Some reflections on method in comparative constitutional law 67 MARK TUSHNET
4	The postwar paradigm and American exceptionalism 84 LORRAINE E. WEINRIB
	PART II Convergence toward a liberal democratic model? 113
5	Questioning the migration of constitutional ideas: rights, constitutionalism and the limits of convergence 115 JEFFREY GOLDSWORTHY
6	Spreading liberal constitutionalism: an inquiry into the fate of free speech rights in new democracies MICHEL ROSENFELD AND ANDRÁS SAJÓ

- 7 Underlying principles and the migration of reasoning templates: a trans-systemic reading of the Quebec Secession Reference 178

 JEAN-FRANÇOIS GAUDREAULT-DESBIENS
- 8 Migrating marriages and comparative constitutionalism 209
 BRENDA COSSMAN

PART III Comparative constitutional law, international law and transnational governance 231

- 9 Inimical to constitutional values: complex migrations of constitutional rights 233

 MAYO MORAN
- 10 Democratic constitutionalism encounters international law: terms of engagement 256

 MATTIAS KUMM
- 11 Constitution or model treaty? Struggling over the interpretive authority of NAFTA 294

 DAVID SCHNEIDERMAN
- The migration of constitutional ideas and the migration of the constitutional idea: the case of the EU 316

 NEIL WALKER

PART IV Comparative constitutional law in action – constitutionalism post 9/11 345

- The migration of anti-constitutional ideas: the post-9/11 globalization of public law and the international state of emergency 347

 KIM LANE SCHEPPELE
- The post-9/11 migration of Britain's Terrorism

 Act 2000 374

 KENT ROACH
- 15 'Control systems' and the migration of anomalies 403

 OREN GROSS

 Index 431