

## CONTENTS

	<i>Preface</i>	<i>page</i> viii
	<i>Acknowledgments</i>	xiv
	<i>List of abbreviations</i>	xvi
PART I "WE WILL DO . . ."		
1	Introduction: "We will do, and hearken"	3
2	The transformation of Europe	10
	Introduction	10
	1958 to the middle of the 1970s: the foundational period:	8
	towards a theory of equilibrium	16
	1973 to the middle of the 1980s: mutation of	
	jurisdiction and competences	39
	1992 and beyond	63
	Beyond 1992: two visions of the promised land: the ideology, ethos, and political culture of European integration	86
	The transformation of Europe: an afterword	96
3	Fundamental rights and fundamental boundaries: on the conflict of standards and values in the protection of human rights in the European legal space	102
	Introduction	102
	Human rights in the Community legal order	107
	Further reading	128
4	The external legal relations of non-unitary actors: mixity and the federal principle	130

## Contents

Introduction	130
Federal states and international treaties	136
Mixed agreements and the evolution of Community external relations	168
Concluding evaluation: mixity in the light of federal-state experience	184
5 The least-dangerous branch: a retrospective and prospective of the European Court of Justice in the arena of political integration	188
Retrospective	188
Prospective	207
PART 2 "WE WILL HEARKEN . . ."	
6 Introduction: the reformation of European constitutionalism	221
Booting up	221
The geology of European constitutionalism	224
Reformation: manifestations and rationale	230
Further reading	234
7 <i>Fin-de-siècle</i> Europe: do the new clothes have an emperor?	238
8 European democracy and its critics: polity and system	264
Polity, peoplehood, and theory: problems of translation	264
The European polity: international, supranational, infranational or taking MacCormick seriously	270
Models of democracy	276
9 The autonomy of the Community legal order: through the looking glass	286
Introduction	286
The Community legal order: constitutional or international?	292
Judicial <i>Kompetenz-Kompetenz</i>	298
Redefining the Decisive Question	317
10 To be a European citizen: Eros and civilization	324
Introduction	324
European citizenship: dilemmas and contradictions	325
The affective crisis of European citizenship	329
To be a European citizen: the official, bread-and-circus vision	332

## Contents

Towards the reconstruction of a European ethos	336
Towards a reconstruction of European citizenship: three views of multiple <i>demoi</i>	344
Democracy and European citizenship: the second imperative	348
Enhancing transnational democracy	349
Further reading	356
<i>Index</i>	358