

Contents

Part I Introduction

Revisiting the Role and Future of National Constitutions in European and Global Governance: Introduction to the Research Project	3
Anneli Albi and Samo Bardutzky	

Questionnaire for the Constitutional Law Experts of the Research Project ‘The Role and Future of National Constitutions in European and Global Governance’	39
Anneli Albi	

Part II Political or Historical Constitutions: The Predominance of Parliament with the Absence of or a Weak Role for a Constitutional Court, and a Generic or ECHR-Based Bill of Rights

Europe’s Gift to the United Kingdom’s Unwritten Constitution – Juridification	83
Alison L. Young, Patrick Birkinshaw, Valsamis Mitsilegas and Theodora A. Christou	

The Constitution of Malta: Reflections on New Mechanisms for Synchrony of Values in Different Levels of Governance	141
Peter G. Xuereb	

The Netherlands: The Pragmatics of a Flexible, Europeanised Constitution	179
Leonard Besselink and Monica Claes	

The Constitution of Luxembourg in the Context of EU and International Law as ‘Higher Law’	221
Jörg Gerkrath	

The Role of the Danish Constitution in European and Transnational Governance	269
Helle Krunke and Trine Baumbach	
The Constitution of Sweden and European Influences: The Changing Balance Between Democratic and Judicial Power	315
Joakim Nergelius	
Finland: European Integration and International Human Rights Treaties as Sources of Domestic Constitutional Change and Dynamism	359
Tuomas Ojanen and Janne Salminen	
Part III The Post-Totalitarian or Post-Authoritarian Constitutions of the ‘Old’ Member States: An Extensive Bill of Rights, Rule of Law Safeguards and Constitutional Review by a Constitutional Court	
European Constitutionalism and the German Basic Law	407
Dieter Grimm, Mattias Wendel and Tobias Reinbacher	
The Constitution of Italy: Axiological Continuity Between the Domestic and International Levels of Governance?	493
Giuseppe Martinico, Barbara Guastaferrro and Oreste Pollicino	
The Constitution of Spain: The Challenges for the Constitutional Order Under European and Global Governance	543
Joan Solanes Mullor and Aida Torres Pérez	
Portugal: The Impact of European Integration and the Economic Crisis on the Identity of the Constitution	591
Francisco Pereira Coutinho and Nuno Piçarra	
The Constitution of Greece: EU Membership Perspectives	641
Xenophon Contiades, Charalambos Papacharalambous and Christos Papastylianos	
Part IV The Post-Totalitarian Constitutions of the ‘New’ Member States from the Post-Communist Area: A Detailed Bill of Rights, Rule of Law Safeguards and Constitutional Review Entrenched after the Recent Memory of Arbitrary Exercise of Power	
The Future Mandate of the Constitution of Slovenia: A Potent Tradition Under Strain	687
Samo Bardutzky	

The Role of the Polish Constitution (Pre-2016): Development of a Liberal Democracy in the European and International Context	745
Stanisław Biernat and Monika Kawczyńska	
The Czech Republic: From a Euro-Friendly Approach of the Constitutional Court to Proclaiming a Court of Justice Judgment <i>Ultra Vires</i>	795
Zdeněk Kühn	
Slovakia: Between Euro-Optimism and Euro-Concerns	835
Zuzana Vikarská and Michal Bobek	
The Constitution of Estonia: The Unexpected Challenges of Unlimited Primacy of EU Law	887
Madis Ernits, Carri Ginter, Saale Laos, Marje Allikmets, Paloma Krõõt Tupay, René Värk and Andra Laurand	
The Constitution of Latvia – A Bridge Between Traditions and Modernity	951
Kristīne Krūma and Sandijs Statkus	
The Constitutional Experience of Lithuania in the Context of European and Global Governance Challenges	997
Irmantas Jarukaitis and Gintaras Švedas	
Romania – The Vagaries of International Grafts on Unsettled Constitutions	1047
Bogdan Iancu	
The Bulgarian Constitutional Order, Supranational Constitutionalism and European Governance	1097
Evgeni Tanchev and Martin Belov	
The Constitution of Croatia in the Perspective of European and Global Governance	1139
Iris Goldner Lang, Zlata Đurđević and Mislav Mataija	
Part V Traditional or Hybrid Legal Constitutions: Combining Strict and Flexible Aspects, e.g. an Older or ECHR-Based Bill of Rights	
The Constitution of France in the Context of EU and Transnational Law: An Ongoing Adjustment and Dialogue to Be Improved	1181
Laurence Burgogue-Larsen, Pierre-Vincent Astresses and Véronique Bruck	

The Belgian Constitution: The Efficacy Approach to European and Global Governance	1225
Patricia Popelier and Catherine Van de Heyning	
The Constitution of Austria in International Constitutional Networks: Pluralism, Dialogues and Diversity	1271
Konrad Lachmayer	
Ireland: The Constitution of Ireland and EU Law: The Complex Constitutional Debates of a Small Country	1323
Gerard Hogan	
The Cypriot Constitution Under the Impact of EU Law: An Asymmetrical Formation	1373
Constantinos Kombos and Stéphanie Laulhé Shaelou	
Part VI Specific Constitutional Developments	
Introductory Editorial Note to the Hungarian Report: The Pre-2010 Rule of Law Achievements and the Post-2010 Illiberal Turn	1435
Anneli Albi	
Hungary: Constitutional (R)evolution or Regression?	1439
Nóra Chronowski, Márton Varju, Petra Bárd and Gábor Sulyok	
Part VII Reforming the National Constitution in View of Global Governance	
Constitutionalisation and Democratisation of Foreign Affairs: The Case of Switzerland	1491
Raffaella Kunz and Anne Peters	