

The Struggle for the European Constitution

A past and future history

Michael O'Neill



Routledge Advances in European Politics

Struggle For Europes Constitution

J. Redwood



Struggle For Europe's Constitution:

The Struggle for the European Constitution Michael O'Neill, 2008-11-28 The European Union EU Constitution was one of the most important developments in the history of the EU aiming to make the EU more transparent relevant and accountable to the citizens of its member states Current anxieties over the pace and direction of EU integration place this comprehensive study at the forefront of the EU governance debate O'Neill goes far beyond a simple account of the EU Constitution focussing also on the response to the current crisis of confidence between the Union and its citizens and how those in power have responded to the challenge Making a substantial contribution to literature on the EU key discussion points include The political crisis behind the Constitution The power politics at work in the negotiations How the Constitution affects EU policymaking The impact on the citizens of the EU This is essential reading for all those wishing to understand the background to one of the key areas within European Politics Michael O'Neill is Jean Monnet Professor in EU Politics at Nottingham Trent University

The Struggle for Constitutional Justice in Post-Communist Europe Herman Schwartz, 2000 In the former Eastern Bloc countries one of the most difficult and important aspects of the transition to democracy has been the establishment of constitutional justice and the rule of law Herman Schwartz's wide ranging book backed with rich historical detail and a massive array of research is the first to chronicle and analyze the rise and troubles of constitutional courts in this changing region Those who are interested in understanding the behavior of constitutional courts in transitional regimes cannot afford to ignore this important book It is fecund with hypotheses of interest to political scientists and we are indebted to Professor Schwartz for his comprehensive analysis James L Gibson Law and Politics Book Review

The Jurisprudence of Constitutional Conflict in the European Union Ana Bobić, 2022 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

The Struggle for European Private Law Leone Niglia, 2015-03-26 The European codification project has rapidly gathered pace since the turn of the century This monograph considers the codification project in light of a series of broader analytical frameworks comparative historical and constitutional which make modern codification phenomena intelligible This new reading across fields renders the European codification project currently being promoted through the Common Frame of Reference and the Optional Sales Law Code proposal vulnerable to constitutionally grounded criticism traceable to normative considerations of private law authority and legitimacy Arguing that modern codification phenomena are more complex than positivist socio legal and historical approaches have suggested over the past two centuries the book stages a pathbreaking method of analysis of the law discourse nomos centred which questions at once the reduction of private law to legislation and of law to power and on this basis redefines the ways in which to counter law's disintegration and crisis in the context of Europeanisation Professor Niglia reconstructs the European codification project as a complex structure of government in the making that embodies a set of contingent world views excludes alternatives challenges the plurality of private laws and entrenches conflicts that pertain not only to form codification de codification recodification but also to dilemmas implicated in determining the substantive orientation of European private law The book investigates the position of the codifiers and their discontents in the shadow of the codification strategy pursued by the European Commission noting a new turn in the struggle over the configuration of private law which has taken place since the Savigny Thibaut dispute of 1814 which this book critically revisits exactly two centuries later This monograph is particularly aimed at readers interested in exploring the complexities and interconnections of the supposedly separate realms of comparative law European law private law legal history constitutional law sociology of law and last but not least legal theory and jurisprudence

The Struggle over Law in Europe Aldo Sandulli, 2024-04-29 This book examines the role of law in Europe at a time when economic policies have become dominant not only on this continent but globally Can law be seen as a mere infrastructure Or does it contribute to defining the social and legal order through its own inherent rules If the second hypothesis is true what might these rules be and how may they be identified Lastly to what extent can agreeing a definition of the role of law affect the future of Europe With the Next Generation European Union the EU has introduced an unprecedented investment plan for economic recovery and resilience In doing so it has become the most important financial intermediary on the continent But is this simply the prelude to a European economic and financial revival or does it also aim to strengthen the European legal order in social political and constitutional terms This book argues that the role of law in Europe should be to achieve a balanced relationship between freedom and solidarity encouraging economic competition but also social cohesion Analyzing the role of law in the project of European integration it maintains that law should be more than an infrastructure for finance and economics showing how it can act as a guide and a binding force to achieve a more balanced relationship between economics politics

and law This book will be of interest to scholars in the fields of public law European law law and economics the philosophy of law legal history political theory and political science as well as others concerned with the future of European integration

Europe's Constitutional Mosaic Neil Walker, Josephine Shaw, Stephen Tierney, 2011-06-14 This book emerged from an extended seminar series held in Edinburgh Law School which sought to explore the complex constitutional arrangements of the European legal space as an inter connected mosaic There has been much recent debate concerning the constitutional future of Europe focusing almost exclusively upon the EU in the context of the failed Constitutional Treaty of 2003 5 and the subsequent Treaty of Lisbon The premise of the book is that this focus while indispensable offers only a partial vision of the complex constitutional terrain of contemporary Europe In addition it is essential to explore other threads of normative authority within and across states embracing internal challenges to state level constitutional regimes the growing jurisprudential assertiveness of the Council of Europe regime through the ECHR and various democracy building measures as well as Europe's ever thicker relations both with its border regions and with broader international institutions especially those of the United Nations Together these developments create increasingly dense networks of constitutional authority within the European space This fluid and multi dimensional dynamic is difficult to classify and indeed may seem in many ways impenetrable but that makes the explanatory challenge all the more important and pressing Without this fuller picture it becomes impossible to understand the legal context of Europe today or the prospects of ongoing changes The book brings together a range of experts in law legal theory and political science from across Europe in order to address these complex issues and to supply illustrative case studies in the topical areas of the constitutionalisation of European labour law and European criminal law

The Struggle for Labour's Soul Raymond Plant, Matt Beech, Kevin Hickson, 2004 Contributors ranging from Chancellor Gordon Brown to the Guardian newspaper's Polly Toynbee discuss the Labour Party's political philosophy and address key topics like globalization constitutional reform equality and the third way

European Integration and the Problem of the State Stefan Borg, 2015-04-07 This study argues that the practices of European integration reproduce rather than transcend the practices of modern statecraft Therefore the project of European integration is plagued by similar ethico political dilemmas as the modern state and is ultimately animated by a similar desire to either expel or interiorize difference

The Struggle for Europe's Constitution Andrew Duff, 2010-06-22 Andrew Duff MEP was a leading member of the European Convention which produced the first draft of the European Union's controversial Constitution In this important new book he analyses the Convention's successes and failures and he describes the final negotiations and their outcome Andrew Duff believes that a durable constitutional settlement is vital for the future of Europe He explains how the Constitution would strengthen the EU at home and abroad The rejection of the Constitution by French and Dutch voters makes more not less urgent this agenda for building a more democratic and effective Union In this timely book Andrew Duff urges Europe's leaders not to abandon the worthwhile proposals put forward by the European Convention

He suggests how the Union could emerge from its current political crisis by undertaking a judicious renegotiation of the Constitution designed to overcome the difficulties surrounding the ratification process This is the first book in English to get to grips with the European Constitution and Andrew Duff is the first participant to argue for the rescue of the project

Struggling for a Social Europe Andy Mathers, 2016-04-01 Protests at summit meetings have inspired intense debate over the nature and significance of the anti globalization or anti capitalist movement However the European dimension of this movement is still largely unknown In this insightful book Andy Mathers addresses this deficit by focusing on events that have marked the birth of a European social movement He relates the development of the movement to key matters such as economic employment and welfare state restructuring along neoliberal lines He also challenges ideas about the nature of contemporary collective action and the character of present day social movements Mathers discusses the significance of the movement and its future development through a critical engagement with the work of major writers in European sociology and of academics influential in the wider global movement such as Pierre Bourdieu A postscript brings readers fully up to date with developments in the type of social Europe propagated by the institutions of the EU as well as in the maturation of a social movement to oppose it

Europe's path to crisis Tom Gallagher, 2014-12-01 The EU's single currency crisis and the ensuing human costs have led to Europe's biggest disaster since 1945 This book examines each of its stages and the political and social impact and reveals the longer term origins of the crisis particularly the failure of elites to promote a genuine European partnership grounded in democratic values and a desire to co exist with a national outlook The author defends an orderly retreat from the existing model of monetary union arguing that an alternative is needed in order for countries enduring a prolonged slump to recover and recommending that EU chiefs should also treat the nation state as a partner in a common emergency that needs to be overcome This jargon free insightful and long term analysis of a dangerous crisis is an invaluable book for academics and students alike It is also an effective tool for policy makers citizens and business people who require an accessible and in depth appraisal of a continuing catastrophe

European Constitutional Imaginaries Jan Komárek, 2023-02-07 This is an open access title available under the terms of a CC BY NC ND 4.0 International licence It is free to read on the Oxford Academic platform and offered as a free PDF download from OUP and selected open access locations How can the EU be made legitimate and sustainable through constitutional law and what is the role of constitutional lawyers and their ideas in creating this sense of legitimacy This book seeks to answer these questions through the concept of the constitutional imaginary sets of ideas and beliefs that motivate and justify the practice of government and collective self rule Constitutional imaginaries are as important as institutions and office holders as they provide political action with an overarching sense and purpose recognized as legitimate by those governed Constitutional imaginaries are necessary fictions that make political rule possible and at the same time they are ideologies which hide from view various forms of domination *European Constitutional Imaginaries* deals with a variety of questions and is split into four parts to

address the first part explores in more detail various meanings of European constitutional imaginary as seen by different disciplines legal sociology political and constitutional theory and philosophy The second part revisits the contribution of some key authors to the creation of European constitutional imaginaries and the third part offers various new ways of thinking about European constitutionalism The fourth and final part examines political economy behind various constitutional imaginaries Written by a balanced mix of well established authors and newer talent European Constitutional Imaginaries promises to open debates on European constitutionalism that are necessary to understanding Europe s present predicament and its various crises all navigated through the medium of law

The Structural Transformation of European Private Law Leone Niglia,2023-06-15 This book proposes a new analysis of the transformation of Europe through integration exactly 30 years after the beginning of transformation scholarship It consists of a reconstruction of the development and present condition of European integration in relation to private ordering Looking at the interface between on the one hand the EU constitutional order and on the other hand private ordering the book recounts three major structural transformations over the last six decades Delving into the private law areas most exposed to the current modernisation wave consumer law internal market lex mercatoria digitisation artificial intelligence data protection standardised contracts finance and political economy and labour the book critically explores a reconfiguration of Europe s constitutional structures relative to and that results from what to some appears to be an almost irresistible rise of private ordering through a transformed hermeneutics balancing This is a magisterial survey of European law European private law and comparative law seen through a pathbreaking comparative methodology labelled juridical comparative hermeneutics within civil law systems and across the civil common law divide which offers innovative analytical tools that afford a deep understanding of the evolution of the disciplines

Great European Conflict. Franco-Prussian War ... Real cause of the struggle, etc. [With illustrations and a map.] George W. BIBLE,1870 *Transnational Organizations of Political Parties and Pressure Groups in the Struggle for European Union, 1945-1950* Walter Lipgens,Wilfried Loth,2020-02-24 No detailed description available for Transnational Organizations of Political Parties and Pressure Groups in the Struggle for European Union 1945 1950

Constitutional Politics in Central and Eastern Europe Anna Fruhstorfer,Michael Hein,2016-10-12 The contributions to this edited volume discuss constitutional politics in 20 Central and Eastern European countries The country chapters describe all constitutional amendments and new constitutions after the first post communist constitution making all failed amendment attempts and the political discourses about constitutional politics Framed by a broad comparative chapter the country studies are embedded in the established literature on constitutional politics The book thus provides a better understanding of constitutional politics in the region and beyond

Struggles for Belonging Dieter Gosewinkel,2021-11-04 Citizenship was the most important mark of political belonging in Europe in the twentieth century while estate religion party class and nation lost political significance in the century of extremes This is shown by examining the legal institution of citizenship with its

deciding influence on the limits of a political community on inclusion and exclusion Citizenship determined a person's protection equality and freedom and thus his or her chances in life and very survival This book recounts the history of citizenship in Europe as the history of European statehood in the twentieth and early twenty first centuries It does so from three vantage points as the development of a legal institution crucial to European constitutionalism as a measure of an individual's opportunities for self fulfilment ranging from freedom to totalitarian subjugation and as a succession of alternating often sharply divergent political regimes considered from the perspective of their inclusivity and exclusivity and its justification The European history of citizenship is discussed in this book on the basis of six selected countries Great Britain France Germany Czechoslovakia Poland and Russia For the first time a joint history of citizenship in Western and Eastern Europe is told here from the heyday of the nation state to our present day which is marked by the crises of the European Union It is the history of a central legal institution that significantly represents and at the same time determines struggles over migration integration and belonging One of the central concerns of this book is what lessons can be learned when it comes to the future chances of European citizenship **European Constitutional History** Nelson Case,1902

Politicizing European Integration Dominic Hoeglinger,2016-01-26 This book offers a comprehensive treatment of the timely question of the politicization of European integration It shows how this issue's complex linkages with traditional political divides pose a tough challenge to politicians and lead to bitter framing contests about its actual meaning

Superpower Struggles J. Redwood,2005-03-22 Since the war in Iraq of 2003 relations between the USA and the EU have been strained and the UK has been increasingly regarded as the US Government's only dependable ally In this new book John Redwood examines the growing conflicts between an EU flexing its muscles against the USA and the dominance of the US global economy and military machine He points to the phenomenal rise of China to say that whilst eyes are fixed on the EU superstate experiment the real events that will shape the world in the next 50 years are unfolding on the other side of the globe To maintain a position of influence in the world he writes that the UK must renegotiate with the EU and keep open its links to Asia and the USA the true battle for supremacy will not be between the EU and the USA but between Asia and the USA and it is already underway

Struggle For Europe's Constitution: Bestsellers in 2023 The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous captivating novels captivating the hearts of readers worldwide. Let's delve into the realm of bestselling books, exploring the fascinating narratives that have captivated audiences this year.

Struggle For Europe's Constitution : Colleen Hoover's "It Ends with Us" This poignant tale of love, loss, and resilience has gripped readers with its raw and emotional exploration of domestic abuse. Hoover skillfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can prevail.

Uncover the Best : Taylor Jenkins Reid's "The Seven Husbands of Evelyn Hugo" This intriguing historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reid's captivating storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery.

Discover the Magic : Delia Owens' "Where the Crawdads Sing" This evocative coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens crafts a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting.

These top-selling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of engaging stories waiting to be discovered.

The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is an exceptional and suspenseful novel that will keep you speculating until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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web possibly brides of dracula unclear count dracula 'drækjələ jə is the title character of bram stoker's 1897 gothic horror novel dracula he is considered the prototypical and archetypal vampire in subsequent works of fiction

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web nov 13 1992 bram stoker's dracula directed by francis ford coppola with gary oldman winona ryder anthony hopkins keanu reeves the centuries old vampire count dracula comes to england to seduce his barrister jonathan harker's fiancée mina murray and inflict havoc in the foreign land

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