



CONSTITUTIONAL SYSTEMS OF THE WORLD

The Constitution of the European Union

A Contextual Analysis

Ulrich Haltern

Constitution For The European Union

Gráinne De Búrca (jurist.)



Constitution For The European Union:

The Constitution of the European Union Ulrich Haltern, 2025-01-23 This book provides a contextual analysis of the constitution of the European Union which unlike most constitutions does not belong to a state Rather the EU is an international organisation that has moved beyond the features of international law into a terrain very close to the municipal law of federal states Many features we take for granted in nation states are non existent or contested in the Union There is no European Union constitutional text in the proper sense the Constitutional Treaty signed by the Member States in 2004 failed spectacularly in the process of popular ratification The Union s founding texts were international treaties international law not constitutional law And yet over time legal doctrine put into place by the European Court of Justice in Luxembourg has led to constitutional attributes of Union law and political practice led by the Commission has mirrored these attributes complementing a de facto constitutionalist environment As a consequence we have seen a steady re ordering of the functional boundaries of the Member States followed by a nascent re ordering of the imagined boundaries of political community and self All of this is constitutionalism writ large legal doctrines institutional arrangements political practices and their implications for legitimacy democracy and political self imagination and together they form the subject of this fascinating book

Understanding the European Constitution Clive H. Church, David Phinnemore, 2005-11-16 The European Union is now entering a crucial phase as the ratification process accelerates and key debates and referenda take place in existing and potentially new member states The Union s Constitutional treaty is often cast as either a blueprint for a centralized and protectionist super state or as the triumph of Anglo Saxon economics Yet it has been little read particularly in the United Kingdom This book puts this right by publishing the full text of the crucial first part of the document and showing that it does not justify either of the extreme interpretations imposed on it Written by two experts of the treaties Understanding the European Constitution sets the Constitutional Treaty in context examining its main themes and content and considering the implications of any rejection It does this in uncomplicated language and with the help of explanatory tables and a glossary Those who wish to make a considered verdict on the basis of the facts will find it invaluable

The Constitution for Europe Marcel Kielhorn, 2005 A Constitution for Europe Why do we need it Is it really better than the current treaty based system Which difficulties faces the ratification process This book answers these questions and provides an analysis of the Treaty establishing a Constitution for Europe It visualizes the huge importance of the document for a working EU emphasizes the prospects of a really unified continent and shows that Europe as well as the EU stands at the crossroads of its future fate Hopefully its politicians and people do not decide to turn into a blind alley

The European Union Constitutional Treaty Esther Brimmer, 2004 Europeans have long sought to form an ever closer union through the European Union and its predecessors Can a closer union be based on the constitutional treaty signed at the June 2004 summit meeting What will it mean for Americans This volume offers perspectives on these questions as it reviews the process by which the

treaty was concluded compares it to the American constitution and discusses the treaty's prospects for passage Contributors include Stefan Fr hlich University of Erlangen Nuremberg Stephen Breyer associate justice U S Supreme Court Robert Cottrell Financial Times Esther Brimmer Center for Transatlantic Relations G nter Burghardt Delegation of the European Commission to the U S and Lamberto Dini senator Republic of Italy

A Constitution for the European Union Charles Beat Blankart, Dennis C. Mueller, 2004 The leaders of the European Union member states have declared that a European constitution should have the aim of bringing institutions closer to the citizens This text looks at how a common policy could be agreed as well as discussing what powers it might have

The European Constitution Giuliano Amato, 2009-01-01 I can enthusiastically recommend and endorse this book It serves the very important purpose of collecting key documents together in an elegant and accessible text There currently exists a huge proliferation of material on the EU Constitution this volume makes a very wise selection of this profusion compiling it into a manageable and informative whole Nine chapters deal with the most significant matters concerning the Constitution A short but well written introduction at the start of each chapter precedes following extracts Part of the value of this book lies in the fact that it includes translations of some important documents which are difficult or impossible to access in English for example recent decisions of national courts concerning the European Arrest Warrant All in all this work is a comprehensive but not overwhelmingly large collection of materials on the EU Constitution and it will prove extremely valuable to all those working within this area of law By presenting the Constitution the background to the Constitution and the issues it deals with in this clear and informative way it will shed new light upon and help all of us to form our own judgements on the EU Constitution and its importance to our lives Sionaidh Douglas Scott King's College London UK Whatever the ultimate fate of the EU's Constitutional Treaty both the events which led to its conclusion and those which occurred afterwards during its ill fated ratification process have profoundly shaped the future of the European Union as a constitutional project This collection of materials offers an invaluable set of resources for understanding these events in their widest legal and political context The text will be useful to all those who seek to understand both why the EU has reached such a turning point and where it might go in the future Jo Shaw Edinburgh Law School UK This book offers a selection of materials that enable a better understanding of some of the most important changes that would be introduced by the Treaty establishing a Constitution for Europe in the EU legal and political system It also helps to assess the need for the reforms embedded in the Constitutional Treaty as well as the quality of the formulations agreed upon by the signatory Member States The book includes excerpts of the European Convention's work selected statutory and constitutional provisions of the Member States and also related passages from pertinent court decisions from both European courts as well as Member States constitutional courts Institutional and doctrinal analyses and relevant excerpts from the Constitutional Treaty itself are also included Many of these documents directly relate to the provisions of the Constitutional Treaty while the others although not directly related are nevertheless relevant to the debate

surrounding it The European Constitution by two of the best experts on the Constitution for Europe will be of great interest to researchers and teachers in the fields of European Law and European politics and also to policy makers in European affairs

The European Union with Or Without a Constitution Nicolas Moussis, 2005 It contains answers to 120 questions about the European Union and whether it needs a constitution in order to function and develop Chapters cover the following issues the development of the EU and European treaties governance and institutional aspects the Community legal and financial system stages of integration relating to the Customs Union the Common Market economic and monetary union political union and the outlook for European integration

EU Enlargement and the Constitutions of Central and Eastern Europe Anneli Albi, 2005-06-30 In the wake of the EU's biggest enlargement this book explores the adaptation of the constitutions of Central and Eastern Europe CEE for membership in the European Union In response to the painful past these new constitutions were notably closed to transfer of powers to international organizations and accorded a prominent status to sovereignty and independence A little more than a decade later the process of amending these provisions in view of the transfer of sovereign powers to a supranational organization has proved a sensitive and controversial exercise This book analyses the amendments against the background of comparative experience and theory of sovereignty as well as the context of political sensitivities such as rising euroscepticism ahead of accession referendums

The Many Constitutions of Europe Suvi Sankari, 2016-03-03 This volume makes a contribution to the ongoing lively discussion on European constitutionalism by offering a new perspective and a new interpretation of European constitutional plurality The book combines diverse disciplinary approaches to the constitutional debate It brings together complementing contributions from scholars of European politics economics and sociology as well as established scholars from various fields of law Moreover it provides analytical clarity to the discussion and combines theory with more practical and critical approaches that make use of the constitutional toolbox in analysing the tensions between the different constitutions The collection is a valuable point of reference not only for scholars interested in European studies but also for graduate and post graduate students

The Constitution of Europe Joseph Weiler, 1999-02-25 Joseph Weiler presents essays written during the 1990s on issues related to European constitutional law In a series of highly accessible discussions concerning the legal framework of the European Communities and the European Union Professor Weiler describes the gradual strengthening of transnational European institutions at the expense of national legislators Although individuals as legal consumers have been empowered by Community law he writes this has been at the expense of their rights as citizens The Constitution of Europe thus provides from a legal perspective a balanced and authoritative critique of the attractions and demerits of the goal of European integration

The Constitution for Europe and an Enlarging Union Kirstyn Inglis, Andrea Ott, 2005

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The Making of a European Constitution Sonja Puntischer Riekmann, Wolfgang Wessels, 2007-08-19 The aim of this publication is an analysis of the process of European constitutionalisation and its entanglement with relevant national discourses Thus national constitutional traditions in Austria France Germany and the United Kingdom are evaluated with regard to the positions of the respective national representatives in the European Convention Interviews with Members of National Parliaments and of the European Parliament as well as a content analysis of the debate on the future of Europe in print media form the empirical basis of this study

The Rise and Fall of the European Constitution NW Barber, Maria Cahill, Richard Ekins, 2019-01-10 The Draft European Constitution was arguably both an attempt to constitutionalise the Union re framing that project in the language of the state and an attempt to stretch the boundaries of constitutionalism itself re imagining that concept to accommodate the sui generis European Union The partial failure of this project is the subject of this collection of essays The collection brings together leading EU constitutional scholars to consider with the benefit of hindsight the purportedly constitutional character of the proposed Constitutional Treaty the reasons for its rejection by voters in France and the Netherlands the ongoing implications of this episode for the European project and the lessons it teaches us about what constitutionalism really means

A Constitution for the European Union Ingolf Pernice, Miguel Poiares Maduro, 2004 The European Convention presented its Draft Treaty establishing a Constitution for Europe on 18 July 2003 It is the result of a pan European debate in the Convention and the European media The academic analysis of the future constitution also requires a European debate and the European Constitutional Law Network is understood itself as a forum for this debate www.ecln.net In the present volume twelve constitutional and European lawyers from different old and new Member States present their conclusions on different aspects of the Convention's draft constitutional Treaty The individual essays focus on general issues of constitutional theory the future institutional balance the delimitation of competences the Charter of Fundamental Rights and specific policy issues such as foreign affairs Thus the results of the fourth ECLN conference in autumn 2003 in Lisbon are an important contribution to the emerging European debate on the implications of the future Constitution for Europe

The EU Constitution Gráinne De Búrca (jurist.), 2005 Based on a lecture presented by the author this book analyzes how the treaty establishing a constitution for Europe adds to Europe's search for an international identity De Búrca submits that the boldest of the novel features of the new constitution and the weight of

significance of the changes which it has introduced lie in the external domain She launches the challenging question whether the emphasis on Europe's global role and its international identity will be the factor that ultimately will be capable of triggering the public imagination in such a way as to generate sufficient support for the ratification of the constitution and in the long term to generate a sense of European solidarity rather than the internally focussed changes brought about by the constitutional treaty

The Constitution for Europe Jean-Claude Piris,2006-03-30 Publisher Description [A Constitution for Europe](#) ,2004 *The European Parliament's Opinion on the European Constitution on the Basis of the Report Presented by the Committee on Constitutional Affairs 'on the Treaty Establishing a Constitution for Europe.'* Richard Corbett,I. Méndez de Vigo,European Parliament,2005 The European Parliament adopted the report by Richard Corbett and Iigo Méndez de Vigo on 12 January 2005 by 500 votes to 137 with 40 abstentions it has approved the treaty establishing a Constitution for Europe and wholeheartedly supports its ratification [Developing a Constitution for Europe](#) Erik Oddvar Eriksen,John Erik Fossum,Agustín Menéndez,2004-08-02 The European Union is currently in the midst of a comprehensive process of reform and the aim of this book is to address the challenge of forging a legitimate Constitution for the EU These authors clarify the constitutional status of the EU to take stock of the European Charter of Fundamental Rights and Convention of the Future of Europe as vehicles to foster and create a European constitution

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Table of Contents Constitution For The European Union

1. Understanding the eBook Constitution For The European Union
 - The Rise of Digital Reading Constitution For The European Union
 - Advantages of eBooks Over Traditional Books
2. Identifying Constitution For The European Union
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Constitution For The European Union
 - User-Friendly Interface
4. Exploring eBook Recommendations from Constitution For The European Union
 - Personalized Recommendations
 - Constitution For The European Union User Reviews and Ratings
 - Constitution For The European Union and Bestseller Lists
5. Accessing Constitution For The European Union Free and Paid eBooks
 - Constitution For The European Union Public Domain eBooks
 - Constitution For The European Union eBook Subscription Services
 - Constitution For The European Union Budget-Friendly Options

6. Navigating Constitution For The European Union eBook Formats
 - ePub, PDF, MOBI, and More
 - Constitution For The European Union Compatibility with Devices
 - Constitution For The European Union Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Constitution For The European Union
 - Highlighting and Note-Taking Constitution For The European Union
 - Interactive Elements Constitution For The European Union
8. Staying Engaged with Constitution For The European Union
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Constitution For The European Union
9. Balancing eBooks and Physical Books Constitution For The European Union
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Constitution For The European Union
10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Constitution For The European Union
 - Setting Reading Goals Constitution For The European Union
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Constitution For The European Union
 - Fact-Checking eBook Content of Constitution For The European Union
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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