

DIRITTI COMPARATI

Comparare i diritti fondamentali in Europa

FORTHCOMING: THE ROLE OF NATIONAL CONSTITUTIONS IN EUROPEAN AND GLOBAL GOVERNANCE

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This edited volume brings together leading scholars of constitutional law to revisit the role of national constitutions at a time when decision-making has increasingly shifted to the transnational level. The book offers important insights in three areas in particular. First, it provides a comparative analysis on how constitutions reflect the transfer of powers from domestic to European and global institutions, and thus to what extent they provide legitimacy, and remain socially relevant, to the shift in the exercise of power. Secondly, while the discourse has come to associate national constitutions primarily with the protection of sovereignty, the book revisits constitutional values that have a continued importance in the contemporary globalising and pluralist legal setting, such as the protection of constitutional rights, the rule of law, legitimacy and democratic checks and balances. The contributors explore constitutional courts' judgments tackling the protection of these rights and values in transnational judicial dialogues, e.g. in the field of data retention, arrest warrants and the ESM Treaty. They also assess the responsiveness of the European Court of Justice with regard to the

above rights and values, along with the standard of protection at supranational level. The third main area of inquiry concerns the challenges increasingly highlighted in the context of global governance in relation to legitimacy, democratic control, accountability and the rule of law, especially in policy responses to the global financial crisis.

The book invites scholars to think along about what has increasingly been described as erosion of constitutionalism, 'twilight' of constitutionalism, 'hollowing out' of national constitutions, or a thin, weak, procedural version of the rule of law, democratic control and judicial review in the context of Europeanisation and globalisation processes.

The book will contain reports on the twenty-eight Member States of the European Union, along with Switzerland's constitutional reforms regarding global governance. The contributors are leading scholars in the field of constitutional law. Please turn over for the list of Contributors.

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