

National Politics and European Integration

*From the Constitution
to the Lisbon Treaty*



Edited by

Maurizio Carbone

National Politics And European Integration From The Constitution To The Lisbon Treaty

Ana Bobić



National Politics And European Integration From The Constitution To The Lisbon Treaty:

National Politics and European Integration Maurizio Carbone, 2010-01-01 This book discusses the domestic politics of treaty reform in the European Union from the failed referendums on the Constitutional Treaty held in France and the Netherlands in May June 2005 to the entry into force of the Treaty of Lisbon in December 2009 The chapters written by some of the finest scholars in the field of EU European politics show how European integration has increasingly become a contested issue in a majority of Member States Going beyond the view that national governments are the main if not the sole driving force in the process of European integration this book shows that other actors and factors have played a central role in preference formation and inter state bargaining These include political parties public opinion the media presidents constitutional courts and more broadly political systems ratification hurdles and the general negotiation context National Politics and European Integration combines empirical analysis and theoretical explanations for one of the most controversial periods in the history of the European Union This important book will be of great interest for advanced students in EU studies comparative politics and public policy

National Constitutions and EU Integration Stefan Griller, Lina Papadopoulou, Roman Puff, 2022-08-25 Do individual constitutions and the legal cultures underlying them pose an obstacle to future EU integration This ambitious collection brings together reports from all the European Member States systematically setting out their individual constitutional guarantees In doing so it tracks possible roadblocks to the future evolution of European integration Written by recognised authorities in each Member State it offers an authoritative and rigorous overview of the European Union s constitutional landscape Its single structure approach allows for comparison while maintaining consistency It will become the standard reference work for academics students and practitioners in the field of European Union law and integration

The Politics of Ratification of EU Treaties Carlos Closa, 2013-09-02 Since its inception the European Union EU has revised its foundational treaties several times resulting in national ratification processes involving different actors with varying success This book focuses on the politics of ratification of EU Treaties and reviews the processes of ratification of EU primary legislation Existing research and academic debate on EU constitutional politics have almost exclusively focussed on negotiation of new treaties and their institutional setting However this book explains how the result of ratification was achieved and analyses the strategy that actors pursue across Europe Ratification of the Treaty of Maastricht and the EU Constitution failed totally whilst other ratification can be considered partial failures such as the Irish Nice and Lisbon referendums As the EU Constitution has proved the ratification process may have deep effects unforeseen during the processes of negotiation In recent years ratification has produced some of the most intense debates on national membership of the EU and the EU itself The Politics of Ratification of EU Treaties will be of interest to students and researchers of European Studies European Union studies European Union Law and European Union Politics

Crises of European Integration Lucas Schramm, 2024-04-08 The book offers explanations for the striking variation in

the outcomes of European integration crises It analyzes eight major cases over the entire integration process starting from the early 1950s and lasting until very recently All cases went beyond a single policy field or member state but affected key features principles and objectives of European integration As such they qualify as constitutional crises My cases comprise the crisis of the European Defence Community 1952 54 the empty chair crisis 1965 66 the oil crisis 1973 74 the budgetary rebate crisis 1979 84 the end of the Cold War crisis 1989 92 the Constitutional Treaty crisis 2004 07 the Euro crisis 2009 12 and the migration crisis 2015 16 Taking a historical comparative perspective the book shows that crises have been an integral part of the European integration process since its beginning European integration after all started with a major setback when member states in 1954 failed to realize plans for a European army through the European Defense Community

The Treaty of Lisbon D. Phinnemore, 2013-10-17 Detailed and comprehensive analysis of how the Treaty of Lisbon emerged in 2007 this book explores the role played by the German Council Presidency and the EU's institutional actors in securing agreement among the leaders of member states on an intergovernmental conference as well as a new treaty text to replace the rejected Constitutional Treaty

EU Law and National Constitutions Alberto Nicòtina, Patricia Popelier, Peter Bursens, 2023-12-04 This book provides an in depth guide to researchers and practitioners who are interested in analysing the evolution of EU law from a national and comparative constitutional law perspective The volume deals with questions of how EU member states constitutional systems including the subnational tier interact with the supranational level It maps the evolution over time of constitutional strategies in the face of multi level governance and individual contextual factors on an empirical basis The volume comprises 12 national reports written by leading experts in constitutional and EU law and in political science The countries discussed include the six founding member states together with a selection of member states in which a clear cut evolution in the national constitutional approach towards the EU can be observed These comprise the Czech Republic Denmark Hungary Poland Portugal and the United Kingdom The latter is included as an extreme case in which the change in constitutional strategy over time has resulted in withdrawing from the Union altogether Taken together the book assembles the building blocks of an explanatory theory of constitutional strategies in the face of multi level governance The volume will be of interest to students and researchers in comparative constitutional law political science and multidisciplinary EU studies It will also be a valuable resource for policy makers

Fixing the Euro Within the National Constitutional Guardrails Frederik Behre, 2023-07-14 EU fiscal integration is indispensable to establishing a stable single currency in the long run However this integration is proving ever more difficult in light of increasing national constitutional opposition The author of this groundbreaking book shows that this dilemma between EU fiscal integration and national constitutional limits can be refuted He provides a structured comparative overview and outlook on how the available national constitutional space can be adapted to the political aspirations aiming at implementing EU fiscal integration steps while at the same time effectively protecting the national constitutional values at stake Beginning with a macro comparative assessment of Finland and

Germany two countries which have comprehensively dealt with Eurocrisis issues in largely contrasting constitutional ways and continuing with a comparative assessment of the specific French German Polish and Spanish constitutional identity limits EU fiscal integration steps are tested against the charted national constitutional space to determine their attainability The resulting overview identifies best practices that can be employed to locate constitutional space for EU fiscal integration while enhancing the protection of core constitutional principles The analysis addresses such specific areas as the following constitutional red line limits vs flexible or mutable constitutional approaches to EU fiscal integration strict constitutional identity limits that formulate obstacles to the attainment of EU fiscal integration how national constitutional authorities perceive and portray the EU in their respective approaches integration measures as an increase in the impact of sovereign powers vs loss of autonomous decision making application of national constitutional frameworks during the Eurocrisis ex ante constitutional review and ex post judicial scrutiny in representative Member States national budgetary responsibility and fiscal autonomy emergency budgetary instruments and funding options for fiscal integration The analysis throughout highlights the important role EU integration plays in stabilizing core national constitutional values in light of such complex challenges as the COVID 19 pandemic the current Russian war of aggression against Ukraine and the required common defence strategies but also climate change and digitalization In its innovative response to the urgent challenge of feasible EMU reforms to stabilize the euro this book displays how national constitutional systems can address EU fiscal integration in a more flexible and yet more effective manner how EU integration steps can engage with national constitutional concerns in a more structured manner as well as specifically how national parliaments can be integrated and play a decisive role even when budgetary and fiscal powers are conferred at the EU level thereby identifying a future model for EU cooperation in politically important competence areas It thus offers a constructive outlook on achievable fiscal integration steps which will prove of inestimable value to lawyers judges and policymakers at the national and EU levels

Politics in the European Union Ian Bache, Simon Bulmer, Stephen George, Owen Parker, 2015 This is an account of the main developments in the process of European integration It provides coverage of theory history member states institutions and policies drawing on academic debates including issues of legitimacy and globalisation

Politics in the European Union Simon Bulmer, Owen Parker, Ian Bache, Stephen George, Charlotte Burns, 2020 This is an account of the main developments in the process of European integration It provides coverage of theory history member states institutions and policies drawing on academic debates including issues of legitimacy and globalisation

The Politics of Crisis in Europe Mai'a K. Davis Cross, 2017-03-02

An analysis of the repeated existential crises affecting the resilience of the European Union in the twenty first century

EU Treaties and the Judicial Politics of National Courts Pablo José Castillo Ortiz, 2015-08-11 Cases such as the Maastricht ruling by the German Federal Constitutional Court or the Crotty decision by the Irish Supreme Court have gone down in the history of European integration as outstanding examples of intervention by judicial actors in important political

processes In this book Dr Castillo Ortiz makes for the first time a comprehensive analysis of all such rulings by national higher courts on European Union treaties issued during their processes of ratification Using an interdisciplinary Law and Politics approach and a sophisticated methodological strategy the book describes the political dynamics underlying some of the most relevant judicial episodes in the process of European Integration during the last decades litigation strategies by Europhile and Eurosceptic actors relations between the judiciary and the other branches of government and clashes of power between national courts and the European Court of Justice of the European Union By offering empirical evidence and by relying on scientific rigor the book seeks to provide both experts and the general public an accessible account of one of the most salient but least studied aspects of current European law and politics Referendums and the European Union

Fernando Mendez,Mario Mendez (College teacher),Vasiliki Triga,2014-06-12 A comprehensive and comparative treatment of the EU referendum experience based on an interdisciplinary approach that combines law and politics **Principles of European Constitutional Law** Armin von Bogdandy,Jürgen Bast,2009-12-03 For the time being the political project of basing the European Union on a document entitled Constitution has failed The second revised and enlarged edition of this volume retains its title nonetheless Building on a scholarly rather than black letter law account it shows European constitutional law as it looks following the Treaty of Lisbon with the EU s foundational treaties mandating the exercise of public authority establishing a hierarchy of norms and legitimising legal acts providing for citizenship and granting fundamental rights In this way the treaties shape the relations between legal orders between public interest regulation and market economy and between law and politics The contributions demonstrate in detail how a constitutional approach furthers understanding of the core issues of EU law how it offers theoretical and doctrinal insights and how it adds critical perspective From Reviews of the First Edition should be mandatory reading for anyone who wants to get a holistic perspective of the academic debate on Europe s constitutional foundations It is impossible to present the richness of thought contained in the 833 pages of the book in a short review Common Market Law Review an enduring scholarly work which gives an English speaking audience important and overdue access to the long standing and forever vigorous traditions of European constitutional law unhesitatingly recommend ed European Law Journal real scholarship in the profound sense of the word K Lenaerts Professor of European Law Leuven **European Union Law** Alina Kaczorowska,Alina Kaczorowska-Ireland,2013 Fully revised and updated the third edition of EU Law provides an exhaustive yet easily readable account of the complex and ever changing subject of EU law The author gives thorough authoritative and up to the minute treatment to the institutional constitutional and substantive elements of EU Law The book is unique in that it successfully combines depth of coverage with an excellent selection of supporting case law making this challenging subject accessible and easy to follow Case summaries and judgments are highlighted in colour tinted boxes for ease of reference and are accompanied by key facts and analysis often in the light of subsequent developments The student friendly approach is

enhanced by market driven pedagogical features including Concise outlines at the beginning of each chapter describing its content An aide m moire often presented in diagrammatic form at the end of each chapter to highlight and reinforce key points End of chapter recommended reading lists to facilitate further research End of chapter problem and essay questions testing the students ability to apply what they have learnt and A map identifying EU Member States and their accession dates acceding States candidate States and potential candidate States The book s companion website offers a range of teaching and learning resources including an interactive timeline of the EU useful web links self test questions and much more This book is essential reading for those studying EU law on both undergraduate and postgraduate courses and will be of interest to students of political science social science and business studies It also provides comprehensive coverage of substantive and procedural EU competition law and thus has its place as a textbook for introductory courses on EU competition law

The Jurisprudence of Constitutional Conflict in the European Union Ana Bobić, 2022-05-12 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

Participatory Constitutional Change Xenophon Contiades, Alkmene Fotiadou, 2016-10-04 This book explores the recent trend of enhancing the role of the people in constitutional change It traces the reasons underlying this tendency the new ways in which it takes form the possibilities of success and failure of such ventures as well as the risks and benefits it carries To do so it examines the theoretical aspects of public participation in constitutional decision making offers an analysis of the benefits gained and the problems encountered in countries with long standing experience in the practice of constitutional referendums discusses the recent innovative constitution making processes employed in Iceland and Ireland in the post financial crisis context and probes the use of public participation in the EU context New modes of deliberation are juxtaposed

to traditional direct democratic processes while the reasons behind this re emergence of public involvement narratives are discussed from the aspect of comparative constitutional design The synthetic chapter offers an overview of the emerging normative and comparative issues and provides a holistic approach of the role of the people in constitutional change in an attempt to answer when where and how this role may be successfully enhanced The work consists of material specifically written for this volume and authored by prominent constitutional scholars and experts in public participation and deliberative processes

EU Food Law Hanna Schebesta, Kai Purnhagen, 2024-07-19 In recent years food law has taken on an increasingly prominent role in political discourse with calls for a more sustainable food system challenging the legal status quo A thorough legal perspective is thus indispensable for grasping the complexities of the EU food system and political quests for change In the first monograph of its kind Hanna Schebesta and Kai Purnhagen offer an authoritative and comprehensive overview of EU food legislation Drawing on the authors experience researching and teaching in the field *EU Food Law* explores how political paradigms have shaped the development of laws in a variety of domains including food technology food safety food information food quality nutrition and sustainability The book begins with insightful analyses of the historical foundations of EU food law and two existing umbrella frameworks the General Food Law Regulation and the Official Controls Regulation The book then presents an in depth discussion of the food law *acquis* before contextualising EU law against international food law Schebesta and Purnhagen have created the definitive resource on EU food law offering a balanced treatment of the subject across eighteen carefully structured chapters This volume is essential reading for students academics and practitioners alike

The Law of the European Union and the European Communities Pieter Jan Kuijper, Fabian Amtenbrink, Deirdre Curtin, Bruno De Witte, Alison McDonnell, 2018-09-28 The Law of the European Union is a complete reference work on all aspects of the law of the European Union including the institutional framework the Internal Market Economic and Monetary Union and external policy and action Completely revised and updated with many newly written chapters this fifth edition of the most thorough resource in its field provides the most comprehensive and systematic account available of the law of the European Union EU Written by a new team of experts in their respective areas of European law its coverage incorporates and embraces many current controversial and emerging issues and provides detailed attention to historical development and legislative history of EU law Topics that are constantly debated in European legal analysis and practice are touched on in ways that are both fundamental and enlightening including the following powers and functions of the EU law institutions and relationship among them the principles of equality loyalty subsidiarity and proportionality free movement of persons goods services and capital mechanisms of constitutional change treaty revisions accession treaties withdrawal agreements budgetary principles and procedures State aid rules effect of Union law in national legal systems coexistence of EU European Convention of Human Rights ECHR and national fundamental rights law migration and asylum law liability of Member States for damage suffered by individuals competition law cartels abuse of dominant

position merger control social policy equal pay and equal treatment environmental policy consumer protection public health cultural policy education and tourism nature of EU citizenship its acquisition and loss and law and policy of the EU's external relations The fifth edition embraces many new ongoing and emerging European legal issues As in the previous editions the presentation is notable for its attention to how the law relates to economic and political realities and how the various policy areas interact with each other and with the institutional framework The many practitioners and scholars who have relied on the predecessors of this definitive work for years will welcome this extensively revised and updated edition Those coming to the field for the first time will instantly recognize that they are in the presence of a masterwork that can always be turned to with profit and that helps in understanding the rationale underlying any EU law provision or principle Constitutional Identity in a Europe of Multilevel Constitutionalism Christian Calliess, Gerhard van der Schyff, 2020 Presents a critical outline and comparison of selected EU Member State constitutional identities in the context of EU multilevel constitutionalism

National Identity in EU Law Elke Cloots, 2015 With a focus on how national identity impacts the decision making of the European Court of Justice Elke Cloots provides an innovative adjudication scheme that purports to assist the ECJ in its search for a proper balance between respect for national identity and European integration

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