1. Record Nr. UNINA9910451066703321

Titolo Law and governance in an enlarged European Union / / edited by

George Bermann and Katharina Pistor

Pubbl/distr/stampa Oxford;; Portland, Oregon:,: Hart Publishing,, 2004

ISBN 1-4725-6314-X

1-280-80762-8 9786610807628 1-84731-017-6

Edizione [1st ed.]

Descrizione fisica 1 online resource (530 p.)

Collana Essays in European Law

Disciplina 341.2422

Soggetti Constitutional law - European Union countries

Electronic books.

Lingua di pubblicazione Inglese

Formato Materiale a stampa

Livello bibliografico Monografia

Note generali Description based upon print version of record.

Nota di bibliografia Includes bibliographical references and index.

Nota di contenuto Part I: The Legal Foundation

Part I: The Legal Foundations of the Enlarged European Union -- 1. Institutional Settlements for an Enlarged European Union -- Ingolf Pernice -- 2. A Constitution for Europe? Some Hard Choices -- Joseph Weiler -- 3. The Role of the EU Charter of Rights in the Process of Enlargement -- Wojciech Sadurski -- 4. The Challenge of Cooperative Regulatory Relations after Enlargement -- Francesca Bignami -- 5. The Legal Foundations of the Enlarged European Union -- A Comment by George A Bermann and Grainne de Burca -- Part II: The Governance of Labour Relations -- 6. The Convergence of European Labour and Social Rights: Opening to the Open Method of Coordination -- Silvana Sciarra -- 7. The EU Agenda for Regulating Labour Markets: Lessons from the UK in the Field of Working Time -- Catherine Barnard -- 8. European Enlargement: A Comparative View of Hungarian Labour Law -- Csilla Kollonay Lehoczky -- 9. The Institutional Conditions for Effective Labour Law in the New Member States -- A Comment by Manfred Weiss -- 10. Social Law at the Time of European Union Enlargement -- A Comment by Antoine Lyon-Caen -- Part III: Corporate Governance --11. The EU Model of Corporate Law and Financial Market Regulation --Peter Doralt and Susanne Kalss -- 12. Complying with EU Corporate

Standards: A Practitioner's View from Poland -- Stanislaw Soltysin 'ski -- 13. Emerging Owners, Eclipsing Markets? Corporate Governance in Central and Eastern Europe -- Erik Berglof and Anete Pajuste -- 14. Enhancing Corporate Governance in the New Member States: Does EU Law Help? -- Katharina Pistor -- 15. Corporate Law and Governance in an Enlarged Europe -- A Comment by Richard M Buxbaum -- 16. Corporate and Securities Law Conditions in the Acquis Communautaire: A Comment on Pistor and Berglof and Pajuste -- Merritt B Fox -- Part IV: Domestic Institution Building in the Shadow of the Acquis -- 17. Implementation and Compliance: Stimulus for New Governance Structures in the Accession Countries -- Roland Bieber and Micaela Vaerini -- 18. Accession's Impact on Constitutionalism in the New Member States -- Andras Sajo -- 19. EU Accession in Light of Evolving Constitutionalism in Poland -- Miroslaw Wyrzykowski -- 20. Contested Norms in the Process of EU Enlargement: Non-Discrimination and Minority Rights -- Antie Wiener and Guido Schwellnus -- 21. The Fifth Enlargement: More of the Same? -- A Comment by Frank Emmert --22. Accession's Internal Dimension in the New Member States -- A Comment by Joanne Scott

## Sommario/riassunto

This book's principal aim is to critically address the institutional and substantive legal issues resulting from European enlargement, chiefly those relating to the legal foundations on which the enlarged Union is being built. The accession of new Member States creates the potential for a stronger and more powerful Europe. Realising this potential, however, will depend on the ability of the EU to develop functional and effective governance structures, both at the European level and at the level of the individual Member States. While the acquis communautaire will ensure that formal laws in the new Member States will be aligned with those of existing members, the question remains as to how effective institutions will be in implementing changes, and what effects the imposed changes will have on the legitimacy of the new legal framework. This book, containing the work of leading scholars in law and social sciences, examines the current and future legal framework for EU governance, and the role that new members will - or will not play in the creation of that framework, paying particular attention to the specific challenges membership in the EU poses to the acceding states of Central and Eastern Europe. It is a book which will contribute to and influence debates over constitutionalism and legal harmonisation in the EU