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Nota di contenuto	Introduction -- The role of non-judicial actors in upholding the constitution -- The rise of constitutional adjudication -- Purposes of constitutional adjudication and access to constitutional courts -- The constitutional bench -- Identifying sources of standards for constitutional review -- Testing and remedying unconstitutionality -- Interplay between constitutional actors and other actors Introduction -- Introductory Definitions: Constitutional Interpretation and Constitutional Review -- Background: The Need for a Perspective Combining National and European Constitutional Law -- Objectives -- Method -- Terminology -- Structure -- Chapter 1 -- The Role of Non-Judicial Actors in Upholding the Constitution -- I. Introduction -- II. Councils of State and Chancellors of Justice -- III. Parliament and its Committees -- IV. Heads of State -- V. The People -- VI. Concluding Remarks -- Chapter 2 -- The Rise of Constitutional Adjudication -- I. Introduction -- II. The Notion of 'Constitutional Jurisdiction' -- III. Exploring the Reasons behind the Rise of Constitutional Adjudication -- IV. Bucking the Trend? A Closer Look at the Approaches of the Netherlands and the United Kingdom -- V. Concluding Remarks and

Some Brief Reflections on the Two European Courts -- Chapter 3 -- Purposes of Constitutional Adjudication and Access to Constitutional Courts -- I. Introduction -- II. The Institutional Design of Constitutional Adjudication -- III. Four Purposes that May be Served by Constitutional Adjudication -- IV. Final Comparative Remarks and Reflections on the Court of Justice -- Chapter 4 -- The Constitutional Bench -- I. Introduction -- II. Selection and Appointment Procedures -- III. Number of Judges and Eligibility Criteria -- IV. Tenure of Judicial Appointments and Termination Thereof -- V. Final Comparative Remarks and Reflections on the Court of Justice -- Chapter 5 -- Identifying the Sources of Standards for Constitutional Review -- I. Introduction -- II. Belgium: Cour constitutionnelle -- III. Czech Republic: Ustavni Soud -- IV. Germany: Bundesverfassungsgericht -- V. France: Conseil constitutionnel -- VI. Hungary: Alkotmanybirosag -- VII. Italy: Corte costituzionale -- VIII. Poland: Trybunal Konstytucyjny -- IX. Spain: Tribunal Constitucional -- X. The Netherlands: Raad van State -- XI. United Kingdom: House of Lords Constitution Committee -- XII. Finland: Perustuslakivaliokunta -- XIII. European Union: Court of Justice -- XIV. Comparative Remarks -- Chapter 6 -- Testing and Remediating Unconstitutionality -- I. Introduction -- II. Deference Rhetoric -- III. Theory of the Living Law -- IV. Constitution-Conform Interpretation -- V. Types of Judgment and their Effects -- VI. Concluding Remarks -- Chapter 7 -- Interplay between Constitutional Courts and Other Actors -- I. Introduction -- II. Interactions between Constitutional Courts and (Constitutional) Legislatures -- III. Interactions between Constitutional Courts and the Ordinary Courts -- IV. Interactions among European Constitutional Courts -- V. Interactions between Constitutional Courts and the Court of Justice -- VI. Interactions between National Highest and Constitutional Courts and the European Court of Human Rights -- VII. Concluding Remarks

Sommario/riassunto

Constitutions serve to delineate state powers and enshrine basic rights. Such matters are hardly uncontroversial, but perhaps even more controversial are the questions of who (should) uphold(s) the Constitution and how constitutional review is organised. These two questions are the subject of this book by Maartje de Visser, which offers a comprehensive, comparative analysis of how 11 representative European countries answer these questions, as well as a critical appraisal of the EU legal order in light of these national experiences. Where possible, the book endeavours to identify Europe's common and diverse constitutional traditions of constitutional review. The *raison d'etre*, jurisdiction and composition of constitutional courts are explored and so too are core features of the constitutional adjudicatory process. Yet, this book also deliberately draws attention to the role of non-judicial actors in upholding the Constitution, as well as the complex interplay amongst constitutional courts and other actors at the national and European level. The Member States featured are: Belgium, the Czech Republic, Finland, France, Germany, Italy, Hungary, the Netherlands, Spain, Poland, and the United Kingdom. This book is intended for practitioners, academics and students with an interest in (European) constitutional law
