

1. Record Nr.	UNINA9910812176103321
Titolo	Constitutional review and democracy // Miodrag Jovanovic (ed.) ; authors, Mark Tushnet [and twelve others]
Pubbl/distr/stampa	Hague, Netherlands : , : Eleven International Publishing, , 2015 Portland, Oregon : , : International Specialized Book Services, , [date of distribution not identified] ©2015
ISBN	94-6274-205-7
Descrizione fisica	1 online resource (307 p.)
Collana	Democracy and the Rule of Law ; ; 5
Disciplina	321.8
Soggetti	Democracy Legislative power Constitutional law Justice, Administration of Law - Philosophy Europe
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di contenuto	Cover; Table of Contents; List of Contributors; 1 Introduction; Part I General Aspects and Theoretical Problems; 2 Establishing Effective Constitutional Review; 3 The Theory of Constitutional Review; 4 Always above the Law? Justification of Constitutional Review Revisited; 5 On the Abstract Case against Constitutional Review; Part II Constitutional Review beyond the Nation State; 6 Constitutional Review in a Democratic Deficit Setting: The Case of the European Union; 7 Authority of European Human Rights Law: Lessons for Constitutional Law 8 Ban on Political Parties in a Dialogue of Jurisdictions: Cases against Turkey, Bulgaria, and Spain Part III Constitutionalism and Democracy without Review; 9 Lingering with Intent: The UK Constitutional Review; 10 Constitutional Review and Democracy in the Netherlands: Balancing Legislative and Judicial Powers in an Internationalized Legal Order; Part IV Constitutional Review and Democratic Transition; 11 Constitutional Justice and the Rule of Law: The Contribution of the Spanish

Constitutional Court to the Consolidation of Democracy; 12 The Romanian Constitutional Judge: Lost in Transition
13 Finding Ways through the Clouds of Uncertainty, Searching for Paths in the Desert of Sorrow
14 Constitutional Review and the Parliamentary Supermajority: The Hungarian Example; 15 The Role of the Constitutional Court of Serbia in Developing Constitutional Democracy

Sommario/riassunto

This volume is a follow-up to the conference 'Constitutional Review and Democracy,' organized in November 2013 at the Faculty of Law, University of Belgrade. The conference was convened as part of the ongoing project 'Constitutionalism and Rule of Law in the Nation-State Building: The Case of Serbia.' The book sheds new light on the complex relation between democracy and judicial review of constitutionality. It starts off with some general and theoretical aspects of the debate. Then, the second section discusses constitutional review in the European transnational setting, while the third part
