Contents

Part I Constitutional Basis

The European Constitution’s Prospects .................................................. 3
Antonio D’Atena

The Union’s Homogeneity and Its Common Values in the Treaty
on European Union ................................................................. 21
Stelio Mangiameli

The Union’s Legal Personality: Ideas and Questions Lying
Behind the Concept ................................................................. 47
Daniel Thürer and Pierre-Yves Marro

Desiring a Democratic European Polity: The European Union
Between the Constitutional Failure and the Lisbon Treaty .............. 71
Jiří Přibáň

The Institutional Design of the European Union After Lisbon ............ 93
Stelio Mangiameli

The Role of National Parliaments in the EU ................................. 129
Rudolf Hrbek

The Protection of Fundamental Rights in Europe ......................... 159
Hermann-Josef Blanke

The Rule of Law in the Case Law of the Strasbourg Court .............. 233
Jens Meyer-Ladewig
The Relations Between the EU Court of Justice and the Constitutional Courts of the Member States ................................................................. 251 Francisco Balaguer Callejón

The Concept of Citizenship in the European Union ................................................................. 279 Margot Horspool

The Charter of Fundamental Rights of the Union as a Source of Law ................................................................. 295 Eduardo Gianfrancesco

The Distribution of Competences Between the Union and the Member States ................................................................. 311 Albrecht Weber

The Revision Procedures of the Treaty ................................................................................. 323 Luis Jimena Quesada

Withdrawal from the Union ................................................................................................. 343 Anna Wyrozumska

Part II The Economic and Monetary Constitution of the Union

The Economic Constitution of the European Union ......................................................... 369 Hermann-Josef Blanke

The Treaty of Lisbon and the Economic and Monetary Union ............................................... 421 Ulrich Häde

Public and Private Enforcement of EU State Aid Law ...................................................... 443 Paul Adriaanse

Part III The Common Foreign and Security Policy

The Role and the Interactions of the European Council and the Council in the Common Foreign and Security Policy ............................................... 471 Piergiorgio Cherubini

The Role of the High Representative of the Union for Foreign Affairs and Security Policy ......................................................... 481 Eileen Denza
Initiative and Voting in Common Foreign and Security Policy:
The New Lisbon Rules in Historical Perspective .......................... 495
Ramses A. Wessel

The Intergovernmental Branch of the EU’s Foreign
Affairs Executive ............................................................. 517
Daniel Thym

Decisions on Operational Action and Union Positions:
Back to the Future? .......................................................... 533
Aurel Sari

Permanent Structured Cooperation: A New Mechanism
of Flexibility ................................................................. 551
Sebastian Graf von Kielmansegg

The Financing of Common Foreign and Security Policy –
on Continuity and Change ................................................... 567
Günter Sautter