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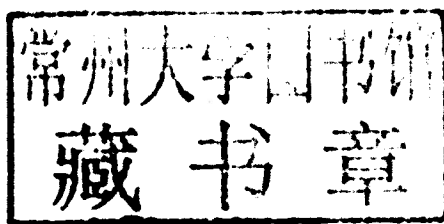
# **Constitutional Pluralism in the European Union and Beyond**

**Edited by  
Matej Avbelj  
and Jan Komárek**

# Constitutional Pluralism in the European Union and Beyond

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Matej Avbelj and Jan Komárek



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## CONSTITUTIONAL PLURALISM IN THE EUROPEAN UNION AND BEYOND

Constitutional pluralism has become immensely popular among scholars who study European integration and issues of global governance. Some of them believe that constitutionalism, traditionally thought to be bound to a nation state, can emerge beyond state borders – most importantly in the process of European integration, but also beyond that, for example, in international regulatory regimes such as the WTO, or international systems of fundamental rights protection, such as the European Convention.

At the same time, the idea of constitutional pluralism has not gone unchallenged. Some have questioned its compatibility with the very nature of law and the values which law brings to constitutionalism. The critiques have come from both sides: from those who believe in the ‘traditional’ European constitutionalism based on a hierarchically superior authority of the European Union as well as from scholars focusing on constitutions of particular states.

The book collects contributions taking opposing perspectives on constitutional pluralism – some defending and promoting the concept of constitutional pluralism, some criticising and opposing it. While some authors can be called ‘the founding fathers of constitutional pluralism’, others are young academics who have recently entered the field. Together they offer fresh perspectives on both theoretical and practical aspects of constitutional pluralism, enriching our existing understanding of the concept in current scholarship.

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## PREFACE

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The essays published in this volume are the revised papers first presented at a conference that took place on 20–21 March 2009 in Oxford. The conference was organized under the auspices of the Institute of European and Comparative Law of the University of Oxford and sponsored by the Oxford/Stockholm Wallenberg Foundation Venture and the Faculty of Law, University of Oxford. We would like to thank Professors Stephen Weatherill, Stefan Vogenauer and Ulf Bernitz for their support of the conference and also during the time when the manuscript of this volume was being produced. We would also like to thank all those – represented in this volume or not – who contributed to the success of the conference as speakers and chairpersons, and Jenny Dix for her administrative support.

With this volume we hope to further stimulate the debate on the legal nature of European integration and globalization, whether or not conceived in constitutional and/or pluralist terms.

Ljubljana and London, May 2011

Matej Avbelj

Jan Komárek

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