

## Contents

Preface	ix
List of Contributors	xi
<b>INTRODUCTION</b> Martin Krygier	3-24
<i>PART I: DEMOCRATIC INSTITUTIONS AND PRACTICES</i>	
<b>1. EU ENLARGEMENT AND DEMOCRACY IN NEW MEMBER STATES</b> Wojciech Sadurski	27-49
<b>2. THE EASTERN EU ENLARGEMENT AND THE JANUS-HEADED NATURE OF THE CONSTITUTIONAL TREATY</b> Vittorio Olgiasi	51-71
<b>3. A PROBLEM OF THEIR OWN, SOLUTIONS OF THEIR OWN: CEE JURISDICTIONS AND THE PROBLEMS OF LUSTRATION AND RETROACTIVITY</b> David Robertson	73-96
<b>4. CITIZENS AND FOREIGNERS IN THE ENLARGED EUROPE</b> Enrica Rigo	97-119
<b>5. SUB-NATIONAL GOVERNANCE IN CENTRAL AND EASTERN EUROPE: BETWEEN TRANSITION AND EUROPEANIZATION</b> Gwendolyn Sasse, James Hughes & Claire Gordon	121-147
<b>6. THE COPENHAGEN CRITERIA AND THE EVOLUTION OF POPULAR CONSENT TO EU NORMS: FROM LEGALITY TO NORMATIVE JUSTIFIABILITY IN POLAND AND THE CZECH REPUBLIC</b> Dionysia Tamvaki	149-171

*PART II: CONSTITUTIONALISM*

- 7. BECOMING "EUROPEANS": THE IMPACT OF EU "CONSTITUTIONALISM" ON POST-COMMUNIST PRE-MODERNITY**  
András Sajó
- 8. HAPPY RETURNS TO EUROPE? THE UNION'S IDENTITY, CONSTITUTION-MAKING, AND ITS IMPACT ON THE CENTRAL EUROPEAN ACCESSION STATES**  
Jiri Priban
- 9. AN EVOLUTIONARY APPROACH TO THE CONSTITUTIONALISM OF AN ENLARGED EU: WHY WILL COGNITIVE AND CULTURAL BOUNDARIES MATTER?**  
Daniela Piana
- 10. CONSTITUTIONAL TOLERANCE AND EU ENLARGEMENT: THE POLITICS OF DISSENT?**  
Miriam Aziz
- 11. EUROPEANIZATION THROUGH JUDICIAL ACTIVISM? THE HUNGARIAN CONSTITUTIONAL COURT'S LEGITIMACY AND THE "RETURN TO EUROPE"**  
Christian Boulanger

*PART III: THE RULE OF LAW*

- 12. BARBARIANS ANTE PORTAS OR THE POST-COMMUNIST RULE OF LAW IN POST-DEMOCRATIC EUROPEAN UNION**  
Adam Czarnota
- 13. TRANSFORMATION AND INTEGRATION OF LEGAL CULTURES AND DISCOURSES—POLAND**  
Marek Zirk-Sadowski
- 14. EU ENLARGEMENT AND THE CONSTITUTIONAL PRINCIPLE OF JUDICIAL INDEPENDENCE**  
Daniel Smilov
- 15. POST-COMMUNIST LEGAL ORDERS AND THE ROMA: SOME IMPLICATIONS FOR EU ENLARGEMENT**  
István Pogány

- 16. A EUROPE OF VARIABLE GEOMETRY: STILL A WINNING MODEL?** 357-378  
Lauso Zagato
- CONCLUSIONS: THE ADHESION OF NEW MEMBER STATES TO THE EUROPEAN UNION AND THE EUROPEAN CONSTITUTION** 381-390  
Sergio Bartole