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EUROPEAN CONSTITUTIONAL LANGUAGE

If the task of constitutional theory is to set out a language in which the discourse of constitutional law may be grounded, a question of the utmost importance is how this terminology is created, defined and interpreted. In this ground-breaking new work, András Jakab maps out and analyses the grammar and vocabulary on which the core European traditions of constitutional theory are based. He suggests understanding key constitutional concepts as responses to historical and present-day challenges experienced by European societies. Drawing together a great and diverse range of literature, much of which has never before been touched upon by scholarship in the English language, Jakab reconceptualises and argues for a new understanding of European constitutional law discourse. In so doing, he shines new light on what constitutes its distinctively European nature. This remarkable book is essential reading for all scholars and students of constitutional theory in Europe and beyond.

ANDRÁS JAKAB is the director of the Institute for Legal Studies at the Centre for Social Sciences at the Hungarian Academy of Sciences in Budapest, where he holds a tenured research chair. He is also a Schumpeter Fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg.

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PREFACE

This book has taken more than ten years to write. Many other scholarly challenges, of course, interrupted the work, and some of the chapters have been thoroughly rewritten, partly because new literature or legal developments arose, and partly because I had reconsidered my original position. I taught most of this book at different European universities and was often inspired by my students, especially by their original perspectives and outspoken questions about constitutional law, which made me rethink many fundamental issues. I also greatly benefitted from discussions with colleagues in Budapest, Nottingham, Liverpool, Madrid and Heidelberg, where I have been working over the last decade; I thank them by name at the beginning of each chapter to which their thoughts (and doubts or objections) contributed. I would especially like to thank Giuseppe Martinico, Giulio Itzcovich, Lando Kirchmair, Dimitry Kochenov, Zoltán Sente, Emese Szilágyi, Péter Takács, Allan Francis Tatham and Attila Vincze who endeavoured to read the whole manuscript. At Cambridge University Press, Elizabeth Spicer and Rebecca J Roberts provided an attentive service during the different phases of the publication process. The comments of the Press's anonymous reviewers were greatly appreciated. I am grateful for research assistance to Barbara Agatha Baldauf, for library help to Adrienn Aczél-Partos, Judit Elek, Stefan Hampele, Sara von Skerst and Ali Zakouri, for linguistic help to Miklós Könczöl, Lisa Giles and Allan Francis Tatham, for institutional and financial support during the final stage of writing to the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, to the VolkswagenStiftung (in the form of a generous Schumpeter Fellowship) and to the Hungarian Academy of Sciences.

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