‘By which strategies will we reclaim “our” constitutions from the demands of global capitalist markets and turn them into the political warrant of the freedom they were meant to serve: the freedom of dignity and solidarity? A masterfully orchestrated plethora of arguments, pairing admirable philosophical depth and practical legal design. Critical constitutional theory at its best.’

Bert van Roermund, Professor (Emeritus), Tilburg Law School

‘This is the most profound critical theory of constitutionality I know of. The enormous range of social and political theories Christodoulidis is engaging with is breathtaking. He discusses them in depth, not from the cool distant standpoint of neutral scholarship but from the perspective of a political constitutionalism that seeks to synthesise Karl Marx’s heritage with Niklas Luhmann’s ultra-modern systems theory. His devastating critique of emerging transnational constitutions has one main target – the imperialism of total market thinking. However, what makes his analyses even more fascinating, is that Christodoulidis does not restrict himself to the usual exercises in critical theory, which suffer from their lack of credible alternatives. He develops strategies for a renewed constitutionality which break the monopoly of nation-state constitutions and search for a political constitutionalisation of society, particularly continuing the tradition of “autogestionnaire” labour constitutionalism. He follows a double strategy. While the reformist strategy of “militant formalisms” seeks to protect the integrity of law against the intrusions of economic rationality, the strategy of “rupture” and the strategy of “immanent critique” follow a more radical agenda.’

Gunther Teubner, Professor of Private Law and Legal Sociology, Goethe Universität Frankfurt

‘No-one has captured the distinction between market constitutionalism and political constitutionalism more vividly or more insightfully than Christodoulidis. And no-one has framed the choice between them more profoundly. This is a book that captures contemporary law’s critical condition, but also its continuing critical contribution, with great subtlety and imagination.’

Neil Walker, Regius Professor of Public Law and the Law of Nature and Nations, University of Edinburgh Law School

‘Since Aristotle, jurists and philosophers have studied how human societies are constituted. In a fascinating and poetic fresco, Emelios Christodoulidis also shows how they are today dislocated by market constitutionalism. In a thoughtful dialogue with an impressive variety of authors, he also sheds light on the resources that the law offers to escape the grip of the “total market”.’

Alain Supiot, Professor of Law, Collège de France
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From a legal-philosophical point of view, The Redress of Law presents a critical analysis of a number of related doctrinal fields: constitutional, labour and EU Law. Focusing on the organisation and protection of work, this book asks what it means to protect work as an essential aspect of human (individual and collective) flourishing. This is an ambitious and highly sophisticated intervention in contemporary academic and political debates around a set of critically important questions connected to processes of globalisation and market integration. The author redefines the nature of legal and political thought in an age in which market rationality has exceeded its classic domain and has come to pervade the organization of social and political life. This restatement of critical legal theory is intended to defend the concept of constitutionalism and suggest new ways to deploy the law strategically.

Emilios Christodoulidis holds the Chair of Jurisprudence at the University of Glasgow. He is the author of the award-winning Law and Reflective Politics (1996), edits the book series Critical Studies in Jurisprudence, and serves as managing editor of Law & Critique.
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Globalisation, Constitutionalism and Market Capture

EMILIOS CHRISTODOULIDIS

University of Glasgow
To Jane
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ACKNOWLEDGEMENTS

I have had the good fortune to write this book at the Law School of the University of Glasgow, at both an institution and a city still graced with a democratic sense and a humanist sensibility. I am fortunate to have worked here with exceptional scholars, and many will see clear evidence of their influence in the book. My most profound gratitude goes to my closest colleagues of the Glasgow Legal Theory research group, George Pavlakos, Lilian Moncrieff, Lindsay Farmer, Marco Goldoni and Ruth Dukes, with Anna Chadwick and Toni Marzal having joined it more recently. I thank them for their inspiration and friendship, ongoing collaborations, co-teaching and co-authorship, marked by a sense of intellectual generosity and camaraderie which I hold dear. I owe a profound debt also to five close friends and collaborators, for conversations over many years, in which many of the ideas here developed: Scott Veitch, Johan van der Walt, Chris Thornhill, Andrew Patrizio and Hans Lindahl. During my career in Edinburgh and Glasgow I have had some wonderful doctoral students, many now colleagues, who have opened new vistas for me and challenged my stubborn views. And of course also to those who were my teachers, David Garland, Gunther Teubner, Zenon Bankowski and the late Neil MacCormick. To them all my heartfelt thanks.

I have some other important institutional debts to acknowledge: the manuscript began while I was a fellow at the Institute of Advanced Studies in Nantes (IEA) at an Institution that embodied openness and genuine interdisciplinarity in the tradition of Enlightenment thinking. Under the direction of Alain Supiot it was a rare site of inspiring intellectual exchange. I am grateful for that, as I am to Alain for lending his voice so generously to support the attempt in my own country, Greece, to stem the barbarity visited on its people during the darker years of austerity. I am thankful to him, as I am to Muriel Fabre-Magnan and Samuel Jubé for their friendship and scholarship.

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I owe a debt to Valerie Kerruish and Uwe Petersen and the Altona Stiftung (ASFPG). In setting up this forum, Valerie and Uwe gave me and others a wonderful opportunity to come together over the years in intense, critical, sometimes passionate engagement with ideas; for their exceptional generosity, thank you to them both, as well as to Scott Veitch, Stewart Motha and Tarik Kochi for so many discussions under its auspices.

Thank you to my friends at Birkbeck Law School, an institution that has been a second home to me, and especially my closest colleagues and friends Fiona MacMillan and Costas Douzinas with whom I co-edit Law & Critique.

Many individuals have contributed in diverse ways to the ideas in the book, a manuscript that has taken nearly ten years to complete, and I am grateful to them all, teachers, colleagues, students and friends: Andy Schaap, Agustin Menendez, Anel Boshoff, Awol Allo, Basak Ertur, Bert van Roermund, Carlo Pinnetti, Carrol Clarkson, Christian Joerges, Christian Tams, Claudio Michelon, Dan Matthews, Daniel Augustein, Donald Buglass, Emmanuel Melissaris, Fernando Atria, Gregor Clunie, Hanna Lukkari, Illan Wall, Jarna Petman, John Charney, Kaarlo Tuori, Karin van Marle, Katrin Becker, Kerry Rititch, Kevin Walton, Kyle McGee, Luciana Grassano Melo, Marcelo Neves, Marco Dani, Marija Bartl, Martin Krygier, Maurice Glasman, Michelle Everson, Mike Wilkinson, Monica Judith Sanchez-Flores, Neil Walker, Pablo Marshall, Panu Minkkinen, Poul Kjaer, Robert Salais, Samuli Hurri, Stacy Douglas, Stephanie Jones, Stephen Bogle, Su Bian, Thorsten Fuchshuber, Victor Tadros, Vikki Bell and Yiannis Tassopoulos. My brother Nick Christodoulidis’ sobering reading helped to rein in some of the book’s more extravagant moments. My gratitude to you all.

Morag Goodwin has been a fantastic series editor. I am grateful to her and to Finola O’Sullivan at Cambridge University Press for endorsing the project, and Marianne Nield has been hugely helpful and patient about my many delays.

I conclude with some personal debts to my family. To Jane, to whom this is dedicated, for her unwavering support, her openness to the world and her wonderful attention to what is fragile in it. To our children, Theo, Annie and Andreas, who as young adults are making their own way in the world now, with a profound trust in its humanity and the insistent demand that it will not be diminished. To my father whose commitment to the university taught me – by example not by word – that the university is something greater than our own career choices, alliances and personal objectives; like Alasdair MacIntyre’s idea of practice, it
ACKNOWLEDGEMENTS

holds up its own internal standards of excellence and offers its teachers a privilege and a debt that can never be fully discharged. And finally to my mother, who passed away at the time that I began writing this book, for her gentleness and deep kindness, her faith that everything would be alright in the end, even if she was wrong in that, with the promise that nothing is lost, that all is un-forgotten.