

Index

- abstract review, 232
- Ackerman, Bruce, 217
- Alcidi, Cinzia, 156
- Alexy, Robert, 79, 81
- André, Patrícia, 14
- Argentina, 15, 285, 286, 299–303
- Aristotle, 6
- austerity, 7, 24, 35, 146, 229, 238, 241, 265, 276
- Austria, 160
- bailout, 7, 12, 24, 153, 161, 236, 246, 269, 276
- banking, 18, 41, 309
 - interest rates, 41
- Belgium, 26, 157
- Bentham, Jeremy, 191
- Berman, Sheri, 147
- Bockenforde, Ernst-Wolfgang, 38
- bonds, 133, 136, 149, 151, 155, 175
- Brazil, 286, 289
- Brems, Eva, 11
- Brexit, 160, 204, 205, 220–25, 277
- Brunkhorst, Hauke, 209
- budget
 - balanced budget provisions, 8, 12, 58, 59, 62, 64, 67, 69, 146, 153, 154, 155, 156, 198, 264, 318
 - deficits, 66, 161, 195, 229
- Cameron, David, 220
- Center for European Policy Studies in Brussels, 156
- Central and Eastern Europe, 218
- Chile, 159, 286
- Colombia, 286, 290
- concrete review, 232
- constitution of
 - Argentina, 285, 299
 - Brazil, 291
 - Burkina Faso, 60
- Chad, 60
- Côte d'Ivoire, 62
- Egypt, 62
- France, 24, 62, 67
- Germany, 28, 33, 61, 81
- Greece, 14, 262, 263
- Haiti, 62
- Honduras, 60, 291
- Hungary, 62
- Indonesia, 317
- Italy, 61
- Malaysia, 319
- Mexico, 299
- Nicaragua, 60
- Paraguay, 286
- Philippines, 321
- Poland, 60
- Portugal, 13, 60
- Singapore, 319
- Slovenia, 61
- South Korea, 323
- Spain, 61
- Taiwan, 322
- Thailand, 317
- Ukraine, 62
- United States, 39, 75, 80, 81, 105
- constitutional court of
 - Argentina, 303
 - France, 9
 - Germany, x, 10, 32, 137, 201
 - Greece, 263, 271
 - Hungary, 65
 - Italy, 157
 - Latvia, 65
 - Malaysia, 319
 - Philippines, 321
 - Portugal, ix, 65, 157, 229, 236, 243, 252, 256
 - Russia, 119

- constitutional court of (cont.)
 - Singapore, 319
 - South Korea, 323
 - Spain, 7, 157
 - Taiwan, 321
 - Thailand, 318
 - United Kingdom, 221
 - United States, 9, 75, 88, 95, 119, 133
- constitutional courts, 7, 10, 12, 23, 71, 119
- constitutions
 - amendment mechanisms, 261, 287, 288, 300, 319, 322
 - as constituting power, 188, 223
 - as constraining power, 8, 10, 56, 71, 74, 123
 - authority, 193, 196, 259, 307
 - change, 5, 12, 13, 17, 58, 91, 215, 250, 261, 298, 306, 314, 321, 324
 - emergency powers, 3, 18, 33, 116, 141
 - enforcement, 16, 118, 153, 187
 - in general, 73
 - norms, 39, 50, 84, 120, 193, 261, 286, 325
 - resilience, 14, 38, 229, 261–82, 321
 - rights-granting provisions, 9, 120
 - structural provisions, 71, 146, 204
- Contiades, Xenophon, 14
- contract clause, 71, 82, 88, 108, 110
- Costa Rica, 286
- Council of Europe, 163, 177, 179, 205, 210, 223, 225
- credible commitment, 149, 162, 188, 191
- crisis response agencies, 40, 43
- Curtin, Deirdre, 209
- Cushman, Barry, 10
- Denmark, 160
- Dressel, Björn, 15
- Dubofsky, Melvyn, 111
- Dworkin, Ronald, 78
- East and Southeast Asia, 15
- Elster, Jon, 191
- emergency powers, 3, 18, 33, 116, 141
- Euro, 12, 137, 161
- Europe, ix, 61, 137, 158, 163
- European Central Bank, x, 137, 162, 215
 - Outright Monetary Transactions Policy, x, 10, 137–41, 162, 201
- European Commission, 150, 217, 224, 230
- European Committee of Social Rights, 11, 164, 176
- European Communities Act, 221
- European Convention on Human Rights, 11, 163, 178, 265
- European Council of Ministers, 149
- European Court of Human Rights, 11, 169, 176, 266
- European Court of Justice, 139, 140, 153, 236, 255
- European integration, 190, 191, 194, 201, 203, 220, 225, 239
- European Investment Bank, 195
- European Monetary Union, 58, 197, 200
- European Social Charter, 11, 164, 178
- European Stability Mechanism, 150, 198, 212
- European Union, ix, 12, 67, 118, 137, 160, 192, 195, 204, 230, 249, 256, 274
 - migration crisis, 160
 - Single Supervisory and Resolution Mechanism, 202
 - Stability and Growth Pact, 149, 153, 156, 195, 197, 233, 246
 - tensions within, 13, 281
 - Treaty of Lisbon, 118, 138
 - Treaty on Stability, Coordination, and Governance, 58, 67, 153, 197, 249, 253, 257
 - Treaty on the European Union, 12, 138, 146, 149, 196, 205, 207, 221, 222
 - Treaty on the Functioning of the European Union, 194, 223, 233, 237, 254
- executive branch
 - in general, 7, 10, 22, 38, 55, 92, 273, 285
 - powers of, 286, 287, 291, 292
- executive-legislative relations, 35, 49, 273
- Fabbrini, Federico, 13, 162
- Federal Reserve, 49
- Ferejohn, John, 7, 57, 117, 189, 199
- Financial and Economic Assistance Program, 231, 255
- financial crises
 - American states circa 1840, 148
 - Asian Financial Crisis of 1997, 15, 305, 308, 323
 - Eurozone Crisis, 12, 137–41, 146–62, 200, 204, 206, 215, 225, 230
 - French Revolution, 19, 23–27
 - Global Financial Crisis of 2007–2008, ix, 3, 8, 10, 15, 39, 43–45, 58, 305, 324
 - Great Depression, 9, 10, 19, 35, 76, 95–116, 132–36
 - Greek Debt Crisis of 2010, 12, 14, 150, 159, 164, 205, 211–14, 225, 261–82
 - in general, 18, 106, 154, 225, 238, 248, 285, 304
 - Mexican Debt Crisis of 1980s, 300
 - Savings and Loan Crisis, 8, 41–43
- Foa, Roberto, 161
- Fotiadou, Alkmene, 14
- France, 19, 23–27, 150, 151, 160, 189, 216, 224
- Gerards, Janneke, 170
- Germany, 19, 27–34, 61, 80, 137–41, 150, 151, 160, 224
- Ginsburg, Tom, 8, 313
- Gold Clause cases, 110, 119, 132–36

Index

329

- Greece, 13, 14, 137, 146, 150, 152, 158, 165, 171, 175, 181, 198, 212, 234, 261–82
 Gros, Daniel, 156
 Gulati, Mitu, 10, 12
 Habermas, Jürgen, 190, 209
 Hamilton, Alexander, 20, 29, 121, 193
 Hobbes, Thomas, 12, 188, 196, 200
 Hollande, Francois, 277
 Honduras, 60, 291
 Hume, David, 76, 78
 Hungary, 62, 172
 Hurt, John, 19
 hyperinflation, 18, 19, 27–34
 Iceland, 174
 Indonesia, 308, 317–19
 intergenerational justice, 245, 249
 intergovernmentalism, 206–11, 214
 International Monetary Fund, x, 65, 150, 212, 213, 231, 232, 253, 274, 276, 308, 318, 320, 323
 interstate commerce, 113
 Ireland, 150, 151, 152, 198
 Isiksel, Turkuler, 12, 16
 Italy, 61, 151, 157, 159, 175, 216, 224
 Jefferson, Thomas, 121
 judicial activism/restraint, 117–42, 258, 263–68
 judicial oversight, 33, 65, 97, 117–42, 177, 265, 320
 judicial precedent, 57, 74, 85, 107, 114, 123, 134, 280
 judicial review, 9, 14, 23, 75, 83, 95–116, 118, 126, 142, 232, 249, 254, 258, 261, 269, 280, 281
 Kelemen, R. Daniel, 12, 16
 labor law, 73, 89, 164–67, 171, 173, 264
 Latin America, 15, 60, 62, 216, 285–304
 legislatures, 9, 20, 22, 73–76, 83–84, 98, 269, 287, 316
 legitimacy, 13, 158, 193, 200, 205
 lender of last resort, 39–57, 201, 202
 Locke, John, 12, 20, 23, 29, 50, 55, 187, 190, 196, 200
 MacCormick, Neil, 202
 Madison, James, 20, 29, 48, 50, 292
 Malaysia, 310, 316, 319–21
 Matthijs, Matthias, 159
 May, Theresa, 221, 225
 memoranda of understanding, 171, 199, 212, 231, 236–39, 252–55, 264, 270, 281
 Merkel, Angela, 139, 152, 153, 158, 277
 Mexico, 15, 286, 299–303, 304
 moral hazard, 147
 mortgage-backed securities, 44–45
 Mounk, Yascha, 147, 161
 Müller, Jan-Werner, 158
 Myanmar, 311
 nationalism, 218, 254–57
 Negretto, Gabriel L., 14, 306, 316
 Netherlands, the, 151, 160, 175
 New Deal, 49, 95–116
 Nicaragua, 290
 North, Douglass, 189
 Organisation for Economic Co-operation and Development, 66
 Outright Monetary Transactions Policy, x, 10, 137–41, 162, 201
 Paraguay, 286, 290
 parliamentarism, 217, 313, 315
 pensions, 9, 72–73, 88–90, 100, 167–68, 213, 235, 236–39, 240, 244–45, 247, 248–50, 265
 Philippines, the, 308, 321–22
 polarization, 49, 158, 251–52, 262, 274, 277, 280
 populism, 147, 158–61, 218, 274, 326
 Portugal, ix, 13, 60, 65, 150, 151, 152, 157, 198, 229–60
 Posner, Eric A., 7, 189, 196, 199
 presidentialism, 214–19
 public opinion, 19, 54, 112, 124, 138, 152, 158, 210, 214, 268–70
 referenda, 33, 160, 212, 220, 262, 272–78, 317, 323
 regulation, economic, 39–57, 95–116, 122, 268
 regulatory forbearance, 43
 rights
 employee, 173, 264
 human, 11, 65, 76, 163–83, 195, 229, 243, 252, 263, 278, 325
 political, 163–83, 263
 property, 20, 163, 169, 170, 177, 180, 182, 265
 to health, 165, 264, 265
 to pay, 235, 241, 243, 244, 247, 259
 Roman Republic, 21, 117, 187
 Root, Hilton, 189
 Rosen, Mark D., 9, 12, 197
 rule of law, 14, 20, 39–57, 196, 233, 269, 278, 280
 Sarkozy, Nicolas, 152
 Schauer, Frederick, 79
 Schmitt, Carl, 20, 34, 271
 separation of powers, 49, 106, 215, 260, 270, 289, 292, 300
 shadow banking system, 43
 Singapore, 310, 316, 319–21
 Single Supervisory and Resolution Mechanism, 202

- social security/allowances, 102, 163, 165, 166, 167, 169, 237, 245, 249, 264, 265
South Korea, 308, 309, 323–24
Southern Europe, 137, 152, 159
Southern, David, 32
sovereign debt, ix, 150, 197, 235
Spain, 7, 61, 151, 152, 157, 159, 216, 234
Spinelli, Altiero, 194
Stability and Growth Pact, 149, 153, 156, 195, 197, 233, 246
Stepan, Alfred, 193
supranational institutions, 190, 206–11

Taiwan, 321–22
taxation, 189, 233, 240, 241
textualism, 9, 74, 88
Thailand, 308, 309, 310, 311, 317–19
There Is No Alternative politics, 147, 158, 162
Treaty of Lisbon, 118, 138
Treaty on Stability, Coordination, and Governance, 58, 67, 153, 197, 249, 253, 257

Treaty on the European Union, 12, 138, 146, 149–50, 196, 205, 207, 221, 222
Treaty on the Functioning of the European Union, 194, 223, 233, 237, 254
Trump, Donald J., 121
Tsipras, Alexis, 158, 275

unemployment, 33, 35, 109, 134, 212, 308, 314, 315
United Kingdom, 204, 205, 220–25
United States, 9, 39–57, 63, 72–76, 95–116, 132–36

Vanberg, Georg, 10, 12
Venezuela, 286
Violante, Teresa, 14

Wall Street, 9, 45, 46, 53, 95
Weber, Max, 28
Weiler, Joseph H.H., 217
Weingast, Barry, 189
White, Eugene Nelson, 23