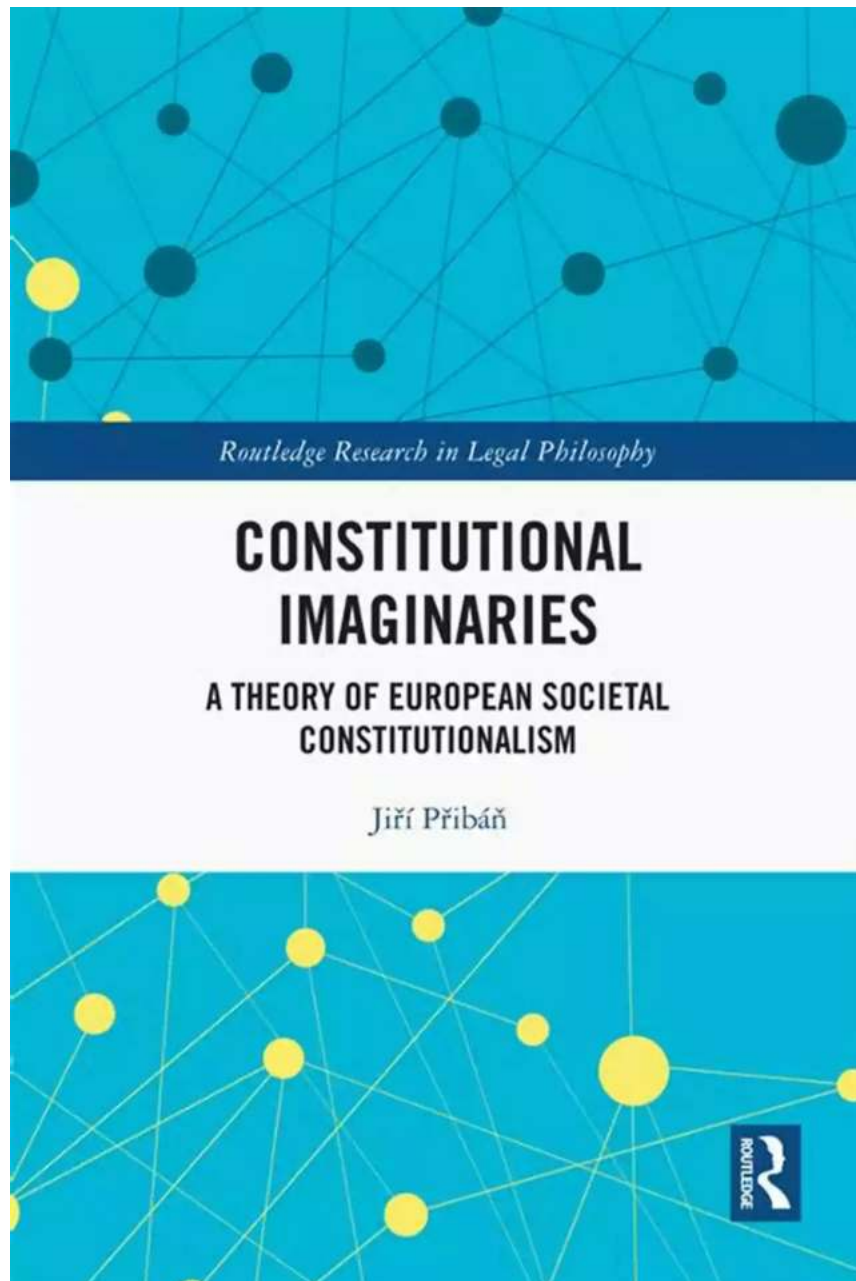


Theory Of European Societal Constitutionalism: Unveiling the Foundations of a Transnational Legal System

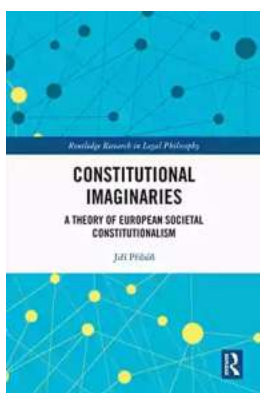


A Revolutionary Approach to European Governance

European societal constitutionalism represents a groundbreaking theoretical framework that aims to redefine the understanding of law and governance within the European Union. Developed and thoroughly researched by renowned legal scholars, the theory opens doors to a transnational legal system that transcends national boundaries and fosters a more integrated, democratic, and participatory Europe.

Unveiling the Foundations

In their book "Theory Of European Societal Constitutionalism," the contributors shed light on the philosophical and historical underpinnings of this transformative concept. The research conducted through Routledge Research in Legal unravels the complexities of societal constitutionalism and its potential for reshaping Europe's socio-political landscape.



Constitutional Imaginaries: A Theory of European Societal Constitutionalism (Routledge Research in Legal Philosophy) by Jiří Přibáň ([Print Replica] Kindle Edition)

★★★★★ 5 out of 5



Understanding Societal Constitutionalism

Societal constitutionalism challenges the traditional view of constitutions as legal documents enacted by national governments. Instead, it recognizes that constitutions emerge from the interactions and practices of various societal

actors, including citizens, organizations, and institutions, at both national and transnational levels.

This approach acknowledges that the interpretation and application of fundamental values, rights, and principles are not solely in the hands of political elites but should involve all members of a democratic society. By engaging citizens and fostering collective decision-making processes, societal constitutionalism strives for greater legitimacy, inclusiveness, and responsiveness in the governance of European societies.

Transnational Legal System

In embracing the theory of European societal constitutionalism, the authors call for the development of a transnational legal system that complements and strengthens the existing national legal orders. This system would operate alongside national constitutions and provide a framework for cooperation, coordination, and harmonization among European states.

By adopting a transnational perspective, the theory recognizes the interconnectedness of European societies and the need for common solutions to shared challenges. It seeks to bridge the gaps between national legal systems and establish a more cohesive legal environment that transcends traditional notions of territoriality.

Key Principles and Values

The theory of European societal constitutionalism identifies several key principles and values that should guide the construction of a transnational legal system.

These include:

- Democratic participation: Ensuring citizens' active involvement in decision-making processes at all levels.
- Human rights protection: Upholding and promoting fundamental rights as universal and indivisible.
- Rule of law: Establishing a legal framework that guarantees fairness, predictability, and accountability.
- Social justice: Pursuing equality, solidarity, and the well-being of all individuals within European societies.
- Pluralism: Recognizing and respecting the diversity of values, beliefs, and cultural traditions.
- Subsidiarity: Ensuring decision-making power is delegated to the most appropriate level, be it national, European, or local.

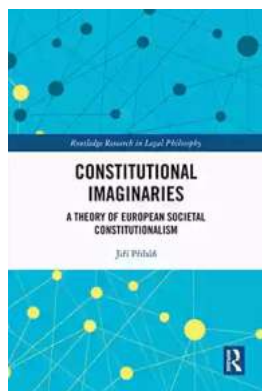
The Road Ahead

Although the theory of European societal constitutionalism presents an inspiring vision for the future of European governance, its implementation faces substantial challenges. The authors acknowledge that the transformation of European societies into fully-fledged transnational legal communities requires significant institutional and political changes.

However, they argue that the theory provides a solid foundation for guiding ongoing debates and reforms within the European Union. It challenges policymakers, legal practitioners, and scholars to think beyond conventional approaches and envision a Europe where citizens actively contribute to shaping their shared legal system.

The theory of European societal constitutionalism represents a paradigm shift in the way we conceptualize law, governance, and democracy within the European Union. It offers a compelling vision for a transnational legal system that embraces citizen participation, human rights, social justice, and pluralism.

Routledge Research in Legal's publication on the topic provides a comprehensive analysis of the theory's foundations, making it an essential read for anyone interested in understanding and contributing to the ongoing discussions on European governance.



Constitutional Imaginaries: A Theory of European Societal Constitutionalism (Routledge Research in Legal Philosophy) by Jiří Přibáň ([Print Replica] Kindle Edition)

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This book offers a social theoretical analysis of imaginaries as constituent social forces of positive law and politics.

Constitutional imaginaries invite constitutional and political theorists, philosophers and sociologists to rethink the concept of constitution as the normative legal limitation and control of political power. They show that political constitutions include societal forces impossible to contain by legal norms and political institutions. The constitution of society as one polity defined by the unity of topos-ethnos-nomos, that is the unity of territory, people and their laws, informed the

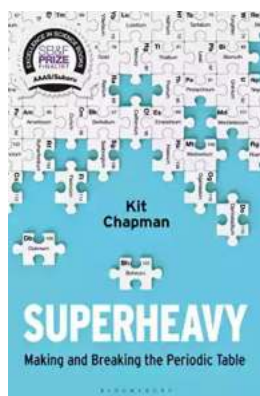
rise of modern nations and nationalisms as much as constitutional democratic statehood and its liberal and republican regimes. However, the imaginary of polity as one nation living on a given territory under the constitutional rule of law is challenged by the process of European integration and its imaginaries informed by transnational legal and societal pluralism, administrative governance, economic performativity and democratically mobilised polity. This book discusses the sociology of imagined communities and the philosophy of modern social imaginaries in the context of transnational European constitutionalism and its recent theories, most notably the theory of societal constitutions. It offers a new approach to the legal constitutions as societal power formations evolving at national, European and global levels.

The book will be of interest to scholars and students interested in constitutional and European law theory and philosophy as much as interdisciplinary and socio-legal studies of transnational law and society.



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