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Robert Esser



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Fixing the Euro Within the National Constitutional Guardrails Frederik Behre, 2023-07-14 EU fiscal integration is indispensable to establishing a stable single currency in the long run. However, this integration is proving ever more difficult in light of increasing national constitutional opposition. The author of this groundbreaking book shows that this dilemma between EU fiscal integration and national constitutional limits can be refuted. He provides a structured comparative overview and outlook on how the available national constitutional space can be adapted to the political aspirations aiming at implementing EU fiscal integration steps while at the same time effectively protecting the national constitutional values at stake. Beginning with a macro comparative assessment of Finland and Germany, two countries which have comprehensively dealt with Eurocrisis issues in largely contrasting constitutional ways, and continuing with a comparative assessment of the specific French, German, Polish, and Spanish constitutional identity limits, EU fiscal integration steps are tested against the charted national constitutional space to determine their attainability. The resulting overview identifies best practices that can be employed to locate constitutional space for EU fiscal integration while enhancing the protection of core constitutional principles. The analysis addresses such specific areas as the following: constitutional red line limits vs. flexible or mutable constitutional approaches to EU fiscal integration; strict constitutional identity limits that formulate obstacles to the attainment of EU fiscal integration; how national constitutional authorities perceive and portray the EU in their respective approaches; integration measures as an increase in the impact of sovereign powers vs. loss of autonomous decision making; application of national constitutional frameworks during the Eurocrisis; ex ante constitutional review and ex post judicial scrutiny in representative Member States; national budgetary responsibility and fiscal autonomy; emergency budgetary instruments and funding options for fiscal integration. The analysis throughout highlights the important role EU integration plays in stabilizing core national constitutional values in light of such complex challenges as the COVID 19 pandemic, the current Russian war of aggression against Ukraine, and the required common defence strategies, but also climate change and digitalization. In its innovative response to the urgent challenge of feasible EMU reforms to stabilize the euro, this book displays how national constitutional systems can address EU fiscal integration in a more flexible and yet more effective manner; how EU integration steps can engage with national constitutional concerns in a more structured manner, as well as specifically how national parliaments can be integrated and play a decisive role even when budgetary and fiscal powers are conferred at the EU level, thereby identifying a future model for EU cooperation in politically important competence areas. It thus offers a constructive outlook on achievable fiscal integration steps which will prove of inestimable value to lawyers, judges, and policymakers at the national and EU levels. *EMRK; IPBPR* Robert Esser, 2023-12-31 Der L we Rosenberg enth lt die grundlegende umfassende Kommentierung des deutschen Strafprozessrechts und gibt dem Benutzer bzw der Benutzerin eine Hilfe zur L sung nicht nur h ufig auftauchender sondern auch entlegener Sachfragen. Der Gro kommentar erl

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