

ABSTRACTS

ESSAYS

In his essay, Christoph Möllers provides a novel analysis and develops a new framework for assessing the constitutional legal nature of the European Union. His approach includes methodological rigour, preserving an awareness of historical and political contingencies while maintaining the critical potential of systematic legal scholarship.

INTERVIEW

Armin von Bogdandy Professor of European Law, and director of the Max Planck Institute for foreign public law and international law gave an interview to Gábor Halmai and Orsolya Salát. Professor Bogdandy talked about the principles of European constitutional law, the future role of the Charter of Fundamental Rights. He expressed his view that the core of fundamental rights can be deduced from European citizenship, and this can be a basis of remedy against national laws violating European principles, like the Hungarian media law.

DOCUMENTS AND COMMENTARIES

I. THE BASIC LAW AND FUNDAMENTAL RIGHTS

Zsolt Körtvélyesi analyses the new rules on citizenship which in many respects significantly diverge from international and European trends without actually being clearly beneficial to ethnic Hungarians living outside the borders of Hungary.

Balázs Majtényi discusses the new cultural nation concept introduced in the Basic Law and criticizes also on this basis the changing constitutional status of national and ethnic minorities, including the degradation of the currently independent minorities ombudsman into a mere viceperson of the general ombudsman.

Szabolcs Hegyi reviews the relationship between rights and duties in the Basic Law and concludes that in addition to defining new types of duties for citizens, the Basic Law did cut back individual rights.

In her essay Nóra Chronowski focuses on the issue whether the Basic Law corresponds to the normative values of the European Union and, specifically, to the Charter of Fundamental Rights of European Union.

II. THE CONSTITUTIONALITY OF CONSTITUTIONAL AMENDMENTS

Gábor Halmai using comparative analysis criticizes a recent decision of the Hungarian Constitutional Court, which on the one hand declined to review the constitutionality of the content of two constitutional amendments, on the other hand reviewed the constitutionality of the

amendment procedure finding it constitutional.

AFTER DECISION

In this column we publish summaries of the recent judgments of European Court of Human Rights and the Hungarian Constitutional Court.

REVIEW

Péter Sólyom reviews József Petréttei's book, „Institutions of Constitutional Democracy”. We also present a review by Zsuzsanna Csapó of Gábor Szabó's book, „Our Splitting World. The risks of globalization on human rights”.