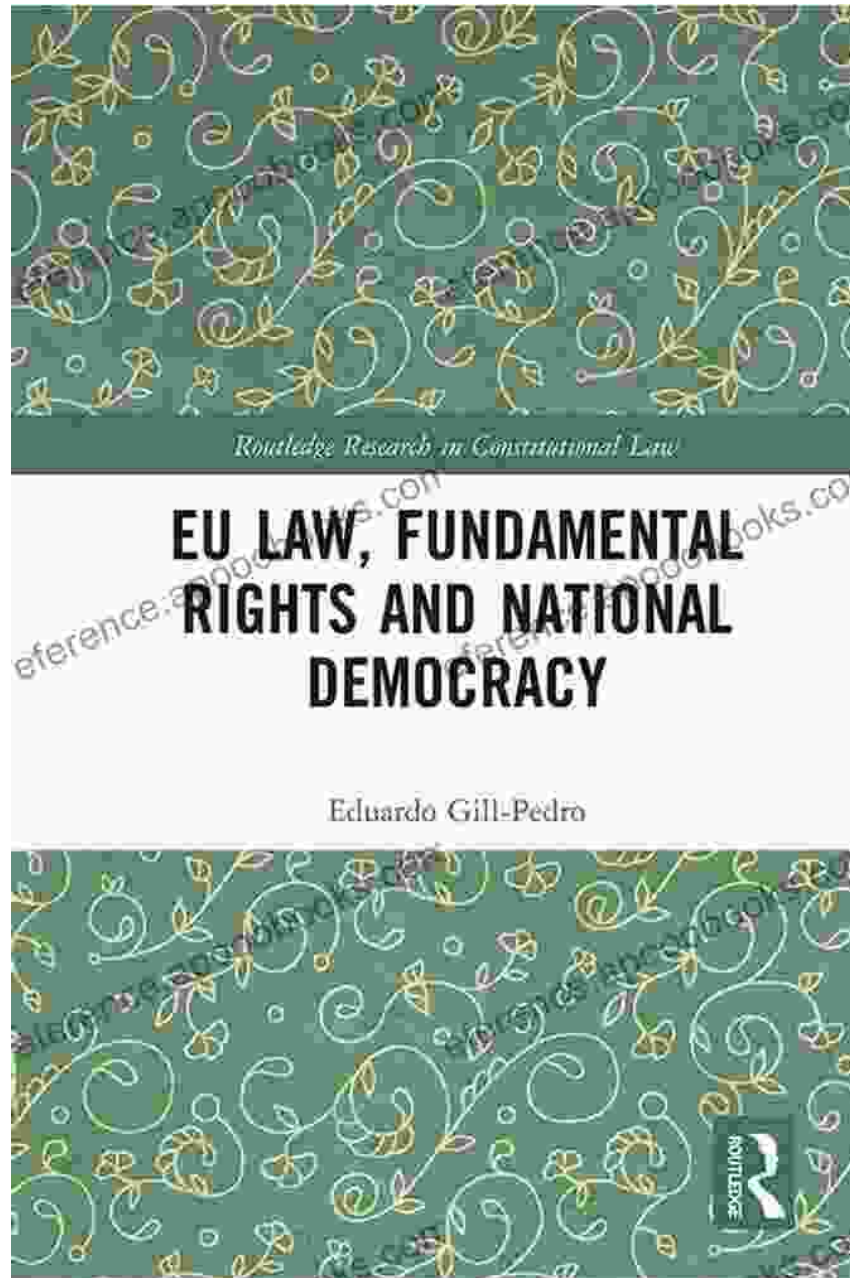


# Eu Law Fundamental Rights And National Democracy Routledge Research In



This book explores the relationship between EU law and national democracy, focusing on the tension between the two and the challenges it poses to the legitimacy of the EU. The book argues that the EU's

commitment to fundamental rights is a key source of tension with national democracy, as it limits the ability of member states to make their own laws in certain areas. This tension is particularly acute in the area of immigration, where the EU has adopted a number of directives that have been criticized for encroaching on the sovereignty of member states. The book also examines the role of the European Court of Justice (ECJ) in this tension, arguing that the Court has played a key role in promoting the EU's commitment to fundamental rights, but that it has also contributed to the tension with national democracy. The book concludes by arguing that the EU needs to find a way to balance its commitment to fundamental rights with the need to respect national democracy. This is a complex challenge, but it is one that the EU must address if it is to maintain its legitimacy in the eyes of its citizens.

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The European Union (EU) is a unique political entity. It is a supranational organization that has its own laws and institutions, but it is also composed of member states that have their own laws and institutions. This dual nature of the EU has led to a number of tensions, one of which is the tension between EU law and national democracy.



## EU Law, Fundamental Rights and National Democracy (Routledge Research in Constitutional Law)

by Aakash Singh Rathore

★★★★☆ 4.2 out of 5

Language	: English
File size	: 2239 KB
Text-to-Speech	: Enabled
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Enhanced typesetting	: Enabled
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Print length	: 238 pages
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The EU's commitment to fundamental rights is one of the key sources of tension with national democracy. The EU has adopted a number of directives that protect fundamental rights, such as the Charter of Fundamental Rights of the European Union. These directives have been criticized by some for encroaching on the sovereignty of member states. For example, the EU's directive on immigration has been criticized for limiting the ability of member states to control their own bFree Downloads.

The tension between EU law and national democracy is also evident in the role of the European Court of Justice (ECJ). The ECJ is the highest court in the EU, and it has the power to interpret EU law and to ensure that it is applied uniformly throughout the EU. The ECJ has played a key role in promoting the EU's commitment to fundamental rights, but it has also contributed to the tension with national democracy. For example, the ECJ's ruling in the case of *Costa v. ENEL* established that EU law is supreme

over national law. This ruling has been criticized by some for undermining the sovereignty of member states.

The tension between EU law and national democracy is a complex issue that has no easy solutions. However, it is an issue that the EU must address if it is to maintain its legitimacy in the eyes of its citizens. The EU needs to find a way to balance its commitment to fundamental rights with the need to respect national democracy. This is a difficult challenge, but it is one that the EU must meet.

### **The EU's Commitment to Fundamental Rights**

The EU's commitment to fundamental rights is enshrined in the Treaty on European Union (TEU) and the Charter of Fundamental Rights of the European Union. The TEU states that the EU is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law. The Charter of Fundamental Rights sets out a comprehensive list of fundamental rights that are binding on all EU institutions and member states.

The EU's commitment to fundamental rights is a key part of its identity. The EU sees itself as a champion of human rights and democracy, and it has played a key role in promoting these values around the world. The EU's commitment to fundamental rights is also essential for its legitimacy. The EU can only be legitimate if it is seen as protecting the rights of its citizens.

However, the EU's commitment to fundamental rights has also led to tensions with national democracy. Some member states have argued that the EU's directives on fundamental rights infringe on their sovereignty. For example, the UK government has criticized the EU's directive on

immigration, arguing that it limits the UK's ability to control its own bFree Downloads.

The tension between the EU's commitment to fundamental rights and national democracy is a complex issue. There is no easy way to balance the two. However, it is an issue that the EU must address if it is to maintain its legitimacy in the eyes of its citizens.

## **The Tension between EU Law and National Democracy**

The tension between EU law and national democracy arises from the fact that the EU is a supranational organization that has its own laws and institutions, but it is also composed of member states that have their own laws and institutions. This dual nature of the EU means that there is often a conflict between the laws and policies of the EU and the laws and policies of its member states.

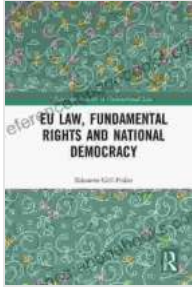
One of the most common sources of tension between EU law and national democracy is the issue of sovereignty. Member states are concerned that the EU is encroaching on their sovereignty by adopting laws and policies that they do not agree with. For example, some member states have criticized the EU's directive on immigration, arguing that it limits their ability to control their own bFree Downloads.

Another source of tension between EU law and national democracy is the issue of legitimacy. Member states are concerned that the EU is not

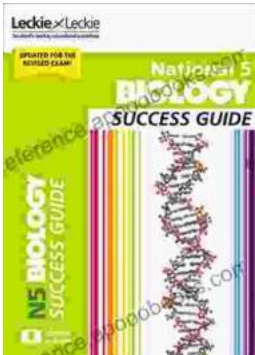
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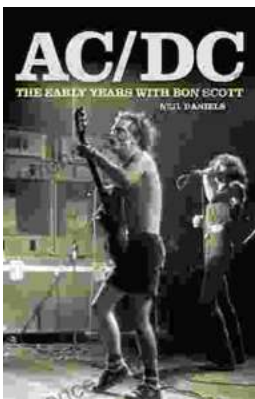


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