

ACTA IURIDICA LEBUSANA VOL. 31

editor Andrzej Bisztyga



# EUROPEAN DIMENSION of the Constitution

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University of Zielona Góra

## **European Dimension of the Constitution**

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**EDITOR**

Andrzej Bisztyga

Zielona Góra 2024

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## Content

|  |     |
|--|-----|
| Introduction .....   | 7   |
| <b>Eduard Bárány</b> , Europeanisation of the Slovak Legal System .....  | 9   |
| <b>Andrzej Bisztyga, Daniel Wojtczak</b> , European Dimension of the Constitution<br>of the Republic of Poland of 2 April 1997 .....                       | 17  |
| <b>Anna Chodorowska</b> , European Dimension of Constitution of the French Fifth Republic ....   | 31  |
| <b>Izabela Gawłowicz</b> , European Dimension of the Constitution of Finland .....   | 39  |
| <b>Stefan Haack</b> , The Duty of the Federal Republic of Germany to Participate<br>in the European Integration .....                                      | 53  |
| <b>Gabriella Mangione</b> , The relationship between the Italian national legal system<br>and EU law, and the role of the Italian Constitution Court ..... | 63  |
| <b>Justyna Michalska</b> , Amendments to the Constitution of the Realm of Denmark<br>in Connection with the Accession to the European Union .....          | 85  |
| <b>Ivan Pankevych, Oleksandr Kuchyk</b> , The European Dimension of the Ukrainian<br>Constitution .....  | 93  |
| <b>Miruna Tudorascu</b> , Romanian Constitution and Fundamental Civil Rights and Freedoms ...  | 109 |



## Introduction

This publication is the result of an international academic conference entitled *European Dimension of the Constitution* organised by the Institute of Law Studies of the University of Zielona Góra (ILS UZG).

Established in 2019, the Institute of Law Studies of the University of Zielona Góra currently employs around sixty researchers in seven departments and two laboratories. It is authorised to confer doctoral and post-doctoral degrees in legal sciences. The research activities of the Institute's staff are characterised by a high level of internationalisation.

The conference on the European dimension of the Constitution took place at the Institute's headquarters in Zielona Góra on 19 May 2023, organised by the Department of Constitutional, European and Public International Law at the Institute of Law Studies of the University of Zielona Góra. All the Polish speakers were recruited from this Department.

The First Plenary Session was chaired by Professor Martyna Łaszewska-Hellriegel (Head of the Department of Theory, Philosophy and History of Law, ILS UZG). Six papers were presented during this session: Prof. Andrzej Bisztyga (INP UZ): *The European Dimension of the Constitution of the Republic of Poland*, Prof. Stefan Haack (European University Viadrina): *The Duty of the Federal Republic of Germany to Participate in the European Integration*, Prof. Gabriella Mangione (Università degli Studi dell'Insubria, Como): *European Dimension of the Constitution of the Republic of Italy*, Prof. Eduard Barany (Slovak Academy of Sciences): *Europeanization of Slovak Legal System*, prof. Miruna Tudorascu (University 1<sup>st</sup> of December 1918 Alba Iulia): *Romanian Constitution and Fundamental Civil Rights and Freedoms*, Prof. Ivan Pankevych (INP UZ) and Prof. Oleksandr Kuchyk (Ivan Franko National University of Lviv): *The European Dimension of the Ukrainian Constitution*. The Second Plenary Session was chaired by Prof. Ewa Tuora-Schwierskott, Editor-in-chief of the scientific periodical *Deutsch – Polnische Juristen Zeitschrift*. As part of the Second Plenary Session, papers were presented by researchers from the Department of Constitutional, European and International



Public Law at the Institute of Law Studies of the University of Zielona Góra: Dr. Anna Chodorowska: *European Dimension of the Constitution of France*, Prof. Izabela Gawłowicz: *European Dimension of the Constitution of Finland*, Dr. Justyna Michalska: *Amendments to the Constitution of the Realm of Denmark In Connection with the Accession to the European Union*, and Dr. Anna Feja-Paszkiewicz: *Electoral Rights – Comments In the Context of the State's Membership In the European Union*.

The aim of the conference was to present comparative research conducted in the Department of Constitutional, European and International Public Law at the Institute of Law Studies of the University of Zielona Góra against a comparative background. The relationship between European law and national law is one of the ongoing research problems of contemporary European constitution studies. The constitutional basis for the accession of individual states to European integration organisations may vary, but the very act of a state's accession to integration structures is always relevant to the issue of state sovereignty. The act of a state's accession to the structures of European integration has raised topical research questions, including questions about the place and rank of European law norms in the national system of sources of law, the primacy of the national constitution with regard to treaty law and the friendly interpretation of its norms with regard to European law, the impact of the European courts' judgements on national law and on the judgements of constitutional courts, *etc.* This research is carried out in the Department in collaboration with scientists from foreign legal research centres, some of whom took direct part in the conference. A total of ten papers were presented on European aspects and elements in the constitutions of countries participating in the European integration process. The papers prompted interesting and informed responses.

Constitutional law is the only discipline of law containing a group of norms with the highest legal force, *i.e.*, the norms of the Constitution. The state constitution is the keystone of the national law system and its provisions, including those relating to European integration, determine the content of legal disciplines other than constitutional law. The supra-disciplinary nature of the research problem addressed attracted the attention of researchers representing legal disciplines other than constitutional law and European law.

I would like to thank Dr. Anna Chodorowska and Dr. Justyna Michalska for their assistance and cooperation in editing this publication.

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