

The Lisbon Treaty: The Irish ‘No’.

The Editorial Board has discussed whether it is appropriate to give attention to the Treaty of Lisbon, in view of the uncertainty of its entry into force. We understand that some legal journals are refraining from discussing it until it has become law or at least until the Irish have cleared the way.

We do not mean to show disregard for the Irish vote, nor to imply that the Lisbon Treaty will enter into force anyway. Still, we have decided not to follow other journals and to go ahead and discuss the Treaty, for the following reasons.

The Lisbon Treaty, whether it will enter into force or not, is part of the legal and constitutional history of the Union.

Many of the reforms and changes adopted in the Lisbon Treaty reflect the current state of the art of European constitutional doctrine and will find their way to the Union constitution one way or the other.

This is especially true of the enhanced role attributed to the national parliaments in the EU: we hereby present three contributions about that issue:

- Europe’s New Realism: The Treaty of Lisbon
Hans-Jürgen Papier
- National Parliaments and the Principle of Subsidiarity – Legal Options and Practical Limits
Jean-Victor Louis
- National Parliaments and Subsidiarity: An Outsider’s View
George A. Bermann