Rule of law and constitutionalist ideals are understood by many, if not most, as necessary to create a just political order. Defying the traditional division between normative and positive theoretical approaches, this book explores how political reality on the one hand, and constitutional ideals on the other, mutually inform and influence each other. Seventeen chapters from leading international scholars cover a diverse range of topics and case studies to assess the assumption that the best normative theories, including those regarding the role of constitutions, constitutionalism and the rule of law, conceive of the ideal and the real as mutually regulating.

Maurice Adams is Professor of General Jurisprudence and Professor of Democratic Governance and Rule of Law at the Law School of Tilburg University. His research has a particular focus on comparative law, and on the relation between constitutional law and political theory.

Anne Meuwese is Professor of European and Comparative Public Law at the Law School of Tilburg University. She is co-chair of the ECPR Standing Group on Regulatory Governance. Her work has been published in a number of renowned law journals.

Ernst Hirsch Ballin is Professor of Dutch and European Constitutional Law at Tilburg University and Professor of Human Rights Law at the University of Amsterdam. Prior to returning to academia in 2011 he was Dutch Minister of Justice (1989–1994, 2006–2010) and Minister of the Interior and Kingdom Affairs (2010).
CONSTITUTIONALISM
AND THE RULE OF LAW

Bridging Idealism and Realism

Edited by
MAURICE ADAMS
Tilburg University
ANNE MEUWESE
Tilburg University
ERNST HIRSCH BALLIN
Tilburg University, University of Amsterdam