## TABLE OF CONTENTS

| Introduc  | ction   | 1   |
|-----------|---|-----|
| Part I Co | onstitutional Aspects of Judicial Dialogue  |     |
| 1         | Judicial Dialogue – Westphalian or Post-Westphalian<br>Constitutional Phenomenon?<br>Martin Belov   | 25  |
| 2         | Constitutional Dialogue as an Expression of Trust and Distrust in Multilevel Governance  Patricia Popelier and Catherine Van De Heyning   | 51  |
| 3         | The Court of Justice of the EU as an EU Constitutional Court: Is It Lawful (and Desirable)?  Ivan Ingravallo                              | 71  |
| 4         | Constitutional Courts, Fundamental Rights and Judicial Dialogue with the Court of Justice of the European Union Aleksandra Kustra-Rogatka | 89  |
| Part II J | udicial Dialogue in Financial Matters   |     |
| 5         | Are Courts Engaged in a 'Dialogue' on Financial Matters?  Cesare Pinelli  | 111 |
| 6         | The Role of Courts in the Eurozone  Gavin Barrett   | 127 |
| 7         | What Goes Up Must Go Up: Raising Judicial Scrutiny over the European Central Bank through Judicial Dialogue  Joan Solanes Mullor          | 155 |
| 8         | Taxpayer Protection in the European Legal Context: A Dialogue of<br>the Deaf between National and Supranational Courts?<br>Stefano Dorigo | 173 |

## Table of Contents

| Part III | Judicial | Dialogue | in Priva | te Inter | rnational | Law | and | International | Dispute |
|----------|----------|----------|----------|----------|-----------|-----|-----|---------------|---------|
| Settleme | ent      |          |          |          |           |     |     |               |         |

| 9       | Judicial Dialogue and the Pluralist Structure of the Legal Order at                                      |      |  |  |  |  |
|---------|--|------|--|--|--|--|
|         | the Beginning of the Twenty-First Century  | 197  |  |  |  |  |
|         | Florian Heindler   |      |  |  |  |  |
| 10      | The CJEU's Extensive Conception of the EU Legal Order - An   |      |  |  |  |  |
|         | Impediment to Judicial Dialogue: CJEU's Achmea Case, a Just  |      |  |  |  |  |
|         | Judicial War?  | 207  |  |  |  |  |
|         | François Andia   |      |  |  |  |  |
|         | The Engagement of National Courts in Judicial Dialogue – Discourses<br>Dialogue in Italy and Netherlands | s on |  |  |  |  |
| 11      | The Dialogue between the Italian Constitutional Court and the  |      |  |  |  |  |
|         | Court of Justice of the European Union   | 221  |  |  |  |  |
|         | Silvia Marino  |      |  |  |  |  |
| 12      | Are Dutch Judges in Search of a Dialogue?  | 233  |  |  |  |  |
|         | Michiel Duchateau  |      |  |  |  |  |
| About t | the Editor   | 247  |  |  |  |  |
| About t | the Authors  | 249  |  |  |  |  |