

## CONTENTS

*Preface* page *ix*

**PART I Introduction 1**

- 1 European and US constitutionalism: comparing essential elements 3

GEORG NOLTE

**PART II Freedom of speech 21**

- 2 Freedom of speech in Europe 23

ROGER ERRERA

- 3 Freedom of expression adjudication in Europe and the United States: a case study in comparative constitutional architecture 49

FREDERICK SCHAUER

Comment 70

LORRAINE WEINRIB

Comment 75

WINFRIED BRUGGER

<b>PART III</b>	<b>Human dignity</b>	<b>83</b>
4	The concept of human dignity in European and US constitutionalism	85
	GIOVANNI BOGNETTI	
5	'Human dignity' in Europe and the United States: the social foundations	108
	JAMES Q. WHITMAN	
	Comment	125
	EYAL BENVENISTI	
	Comment	128
	HUGH CORDER	
<b>PART IV</b>	<b>The protective function</b>	<b>135</b>
6	The protective function of the state	137
	DIETER GRIMM	
7	The protective function of the state in the United States and Europe: the constitutional question	156
	FRANK I. MICHELMAN	
	Comment	181
	HEIKE KRIEGER	
<b>PART V</b>	<b>Adjudication</b>	<b>195</b>
8	Constitutional adjudication in Europe and the United States: paradoxes and contrasts	197
	MICHEL ROSENFELD	

## CONTENTS

vii

Comment 239

JEFFREY JOWELL

Comment 249

LÁSZLÓ SÓLYOM

Comment 255

CÉSAR LANDA

**PART VI Democracy and international influences 261**

9 Democracy and international influences 263

LECH GARLICKI

10 The two world orders 280

JED RUBENFELD

Comment 297

ARMIN VON BOGDANDY

Comment 301

YASUAKI ONUMA

*Index* 305