

# Contents

## Part I

<b>1</b>	<b>Introduction: Safeguards and Limits of Judicial Power</b> . . . . .	<b>3</b>
	Ernst Hirsch Ballin, Gerhard van der Schyff and Maarten Stremmer	
<b>2</b>	<b>The Independence of the Belgian Constitutional Court</b> . . . . .	<b>13</b>
	Evelyne Maes	
<b>3</b>	<b>Judicial Independence and Democratic Accountability: The Function and Legitimacy of the German Federal Constitutional Court</b> . . . . .	<b>41</b>
	Anja Seibert-Fohr	
<b>4</b>	<b>Italy and Its Constitutional Court</b> . . . . .	<b>67</b>
	Alfonso Celotto	
<b>5</b>	<b>Bipolar Constitutionalism in The Netherlands and Its Consequences for the Independence and Accountability of the Judiciary</b> . . . . .	<b>97</b>
	Geerten Boogaard	
<b>6</b>	<b>‘... destroy all sense of dependence’: On the Selection and Independence of the Judiciary in Norway</b> . . . . .	<b>121</b>
	Eivind Smith	
<b>7</b>	<b>Judicial Independence and Accountability in the British Constitution</b> . . . . .	<b>143</b>
	Paul Daly	
<b>8</b>	<b>Independence and Accountability of the South African Judiciary</b> . . . . .	<b>171</b>
	Francois Venter	

<b>9</b>	<b>Judicial Independence and Accountability in the Council of Europe and the European Court of Human Rights</b> .....	<b>197</b>
	Jörg Luther	
<b>10</b>	<b>Accountability Through Transparency and the Role of the Court of Justice of the European Union</b> .....	<b>221</b>
	Marios Costa	
<b>11</b>	<b>The Last Soldier Standing? Courts Versus Politicians and the Rule of Law Crisis in the New Member States of the EU</b> .....	<b>243</b>
	Dimitry Kochenov and Petra Bárd	
<b>12</b>	<b>A Stress Test for Europe's Judiciaries</b> .....	<b>289</b>
	Eirik Holmøyvik and Anne Sanders	
 <b>Part II Comments and Opinions</b>		
<b>13</b>	<b>The Strasbourg Court: Judges Without Borders</b> .....	<b>315</b>
	Marc Bossuyt	
<b>14</b>	<b>The Strasbourg Court: Acting Within Its Limits</b> .....	<b>325</b>
	Egbert Myjer	