

In recent years, the European Union has been confronted with an unprecedented constitutional challenge: the progressive erosion of the rule of law within certain Member States. This monograph examines whether the Union can effectively safeguard its foundational values within the limits of its current constitutional framework.

The book argues that strengthening the Union's response does not primarily require Treaty reform, but rather a more coherent and consistent use of the instruments already available. It therefore seeks to identify the legal conditions under which violations of the rule of law acquire Union relevance and may legitimately trigger judicial and institutional enforcement mechanisms. The study clarifies the legal status of the values enshrined in Article 2 TEU, presenting the rule of law as a cornerstone of the Union's constitutional identity, and analyses the political and judicial instruments designed to protect these values.

Through an examination of institutional practice in Hungary, Poland, and Romania, the book highlights the structural limits and inconsistencies of the Union's response to rule of law backsliding. Building on this analysis, the monograph develops a two-pronged strategy combining independent preventive monitoring and systemic infringement actions, aimed at distinguishing isolated infringements of EU law from breaches of Article 2 TEU and capable of addressing Member States' counterarguments grounded in national identity and purely internal matters.

By focusing on the institutional dimension of Union law and on the interaction between political and judicial mechanisms, the monograph situates the protection of the rule of law within the broader evolution of the EU constitutional framework and its ongoing response to internal challenges.

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The Protection of the Rule of Law in the EU:
Strengthening the Enforcement of Union Values

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