

EDITORIAL

TIAGO ANDREOTTI*

CHANGES IN THE EJLS

Any organization needs continuity to be able to function properly. Recently the journal had a few members who left and in the near future almost half of the current board will be stepping away from the Journal. This is normal due to the institutional aspects of the EJLS, a journal run by PhD researchers at the European University Institute, but it also poses problems for the development of our activities. After considering this issue the Board decided to withdraw our previous limit and expand the number of Board Members. The advantages of this decision are not limited to administrative issues as it not only allows us to enhance our transition process by having more people with knowledge of our internal procedures and policies but also enables us to increase our critical mass and review quality due to the higher number of people committed to the Journal.

To implement this change we issued a call for new members and received various applications from the EUI community. I am glad to announce that Afroditi Marketou, Argyri Panezi, Betul Kas, Chloé Papazian, Emma Linklater, François Delerue, Jorge Piernas, Lucila Almeida and Tessa Innocenti are now part of the EJLS.

IN THIS ISSUE

Eduardo Dubout opens this issue discussing the new role of EU fundamental rights protection in constraining national power and attempts to explain the change as a compensation of the partial character of the European integration.

The second article is by Janja Hojnik. Setting the tone with former Internal Market Commissioner McCreevy's statement that the internal market needs to become more decentralized, she analyzes the application of the *de minimis* rule in the EU's internal market and concludes that it is a low impact measure that strengthens the autonomy of national authorities and democratic decision-making at the EU level.

Following we have Merita Huomo-Kettunen discussing the constitutional linkages between national legal orders, the EU legal order and the ECHR Convention System. She argues that these constitutional linkages can be best described as heterarchical structures because they enable legal orders to flexibly work together without any predetermined hierarchical relationship.

Rossana Deplano questions the validity of using constitutional concepts as a means for interpreting international law and makes two arguments: that current contributions on international constitutionalism are grounded on unstated assumptions and that in order to restore coherence and unity within the international legal system interpretations of international law should be carried out through interpretive means that are specifically conceived for international law.

* European University Institute (Italy). Any errors or omissions are entirely my own.

In the fifth article Nikos Vogiatzis shows that the European Citizens' Initiative's legislative framework as it is neither affects the Community method nor seriously increases democratic legitimacy at the EU level. He also makes the claim that the European Citizens' Initiative should be evaluated in the light of the post-Lisbon Community method and not as an additional 'opportunity structure for citizens' participation'.

Tareq Al-Tawil follows with an article analyzing the justifications for corrective justice and deterrence and proposes a mixed theory that accommodates both in the field of contract law. Finally, Sondre Torp Helmersen attempts to clear up the confusion on the concept of evolutive interpretation in customary international law and shows us that the approaches to it vary depending on the category of the terms used, which can be value driven evolving terms, non-value driven evolving terms and non-evolving terms.