The Evolution Of Eu Law

EMU Inter-se Agreements
Monitoring the Implementation of EU Law
Building the European Union
Research Handbook on EU Consumer and Contract Law
Research Handbook on EU Sports Law and Policy
EU General Principles of EC Law in a Process of Development
The Substantive Law of the EU
Justice in the EU
The Mimetic Evolution of the Court of Justice of the EUEU Administrative Law
EU Consumer Law and Policy
EU External Relations Law
Das ABC des Rechts der Europäischen Union
The Max Planck Handbooks in European Public Law
The Role of Financial Stability in EU Law and Policy
The Evolution of European Competition Law
The Legal History of the European Banking Union
Shaping the Single European Market in the Field of Foreign Direct Investment
EU Law Enforcement
The Evolution of Sanctioning Powers
European Union Law and Defence Integration
The Lisbon Treaty
From the Nation State to the Market
General Principles of EU Law and the EU Digital Order
The Concept of State Aid Under EU Law
Constitutional Evolution in Central and Eastern Europe
Building the European Union
The Evolution of EU Law
Taxation in European Union
The Evolution of EU Law
Cases and Materials on EU Law
Compensation of Private Losses
European Citizenship in Perspective
European Union Law
The Emergence of Personal Data Protection as a Fundamental Right of the EU
The Evolution of EU Law
EU Law Enforcement
The Evolving Psyche of Law in Europe
Cassis de Dijon
The Evolution of EU Law

EMU Inter-se Agreements

Acclaim for the first edition: As a whole, Stephen Weatherill crafts a detailed and wonderfully rich consideration of this dynamic issue and is a resource which practitioners in this area could ill do without. Weatherills thorough and thoughtful insights with regard to these issues provide an important basis for understanding the complexities and vagaries of market integration in the EU Community. Peter G. Fitzgerald, Canadian Law Library Review

Steve Weatherill provides an excellent thought-provoking account of EU consumer law and policy. It will be required reading for all those interested in this important subject. Paul Craig, St Johns College, Oxford, UK

This is a characteristically excellent book by Steve Weatherill, combining incisive legal analysis of an important policy field with an authoritative and up-to-date account of the underlying legal and constitutional framework. Grainne de Burca, European University Institute, Italy

This new edition of Stephen Weatherills acclaimed book provides a comprehensive introduction to all facets of the EUs involvement in consumer law and policy. Consumers are expected to benefit from the EUs project of economic integration, enjoying wider choice and improved quality, and yet they need protection from the dangers that flow from malfunctioning and unfair markets. The EUs consumer law and policy is an attempt to have the best of both worlds a liberalised yet properly regulated trading space for Europe This highly esteemed book, now in a brand new edition, provides a comprehensive and up-to-date introduction to the subject, explaining the evolution of consumer law and policy in the EU in terms of both legislative and judicial activity. The book also situates EU consumer law and policy within its broader social, political and economic context, providing a window to a range of wider issues (and tensions) relating to Union regulatory strategies and their effect on the member states. It concludes with a newly written examination of the relationship between EU and national initiatives of market regulation symbiosis or disruption? A readable yet critically sound textbook, this fully updated edition will be indispensable for both postgraduate and undergraduate students of EU law. It will also appeal strongly to all academics, regulators and practising lawyers with an interest in EU trade law or indeed European law more generally.
Monitoring the Implementation of EU Law

The second edition of EU Administrative Law provides comprehensive coverage of the administrative system in the EU and the principles of judicial review that apply in this area. The chapters in the first half of the book deal with all the principal variants of the EU administrative regime. Thus there are chapters dealing with the history and taxonomy of the EU administrative regime; direct administration; shared administration; Comitology; agencies; social partners and the open method of coordination. The coverage throughout focuses on the legal regime that governs the particular form of administration and broader issues of accountability, drawing on literature from political science as well as law. The focus in the second part of the book shifts to the principles of judicial review. There are detailed chapters covering all principles of judicial review and the discussion of the law throughout is analytical and contextual. The discussion in this part of the book begins with a chapter that considers the principles that have informed the development of EU judicial review. This is followed by a chapter dealing with the judicial system and the way in which reform could impact on the subject matter of the book. There are then chapters dealing with competence; access; transparency; process; law, fact and discretion; rights; equality; legitimate expectations; two chapters on proportionality; the precautionary principle; two chapters on remedies; and the ombudsman. The book paints a comprehensive picture of administrative law as it exists in the EU today.

Building the European Union

EU Law provides a comprehensive examination of the law of the European Union in two distinct parts, covering the institutions, structure and processes of the EU as well as the substantive law, as enacted by the Lisbon Treaty. Beginning by examining its origins, Conway locates EU Law within both an international and a domestic legal context. He then explores the evolution of EU Law before providing a clear and accessible account of the structure and internal and international workings of the EU and the special role of the European Court of Justice. The second half of the book explores the Four Freedoms (of Goods, Workers, Capital and Movement) and provides a detailed account of Competition Law and the Economic and Social contexts. The Routledge Spotlight series brings a modern, contemporary approach to the core curriculum for the LLB and GDL which will help students Move beyond an understanding of the law. Refine and develop the key skills of problem-solving, evaluation and critical reasoning which are essential to exam success. Discover sources and suggestions for taking your study further. By focusing on recent case law and real-world examples, Routledge Spotlight will help you shed light on the law, understand how it operates in practice and gain a unique appreciation of the contemporary context of the subject. Companion Website This book is supported by a range of online resources developed to support your learning, keep you up-to-date and to help you prepare for assessments. Including: Key Case Flashcards to aid with recall, Quizzes and practice questions.

Research Handbook on EU Consumer and Contract Law

This last decade has been particularly turbulent for the EU. Beset by crises - the financial crisis, the rule of law crisis, the migration crisis, Brexit, and the pandemic - European Law has had to adapt and change in a way not previously seen. First published in 1999, the goal then was to reflect on the important developments that had been made since the creation of the EEC. That goal has not changed. From EU Administrative Law through to the Regulation of Network Industries, each chapter in this seminal work assess the legal and political forces that have shaped the evolution of EU law. With new chapters covering the Rule of Law, Judicial Reform, Brexit, Constitutional and Legal Theory, Refugee and Asylum law, and Data Governance, this third edition of The Evolution of EU Law is a must read for any student or academic of EU law.

Research Handbook on EU Sports Law and Policy

Research Handbook on EU Consumer and Contract Law takes stock of the evolution of this fascinating area of private law to date and identifies key themes for the future development of the law and research agendas. The Handbook is divided into three parts:
EU Law The European Community has been in existence for forty years. This period has seen considerable change and development in both the institutional and the substantive law of the EC -- and more recently the EU. Numerous works on EC law have been published over the years, ranging from textbooks, to specialist monographs, to collections of essays on particular aspects of Community jurisprudence. This, however, is the first work which seeks to stand back from the ever-growing detail of Community law, and examine this jurisprudence from an evolutionary and interdisciplinary perspective. Every important area of institutional and substantive European law is covered -- leading lawyers analyse the evolution of their area of expertise across time, bringing out the major thematic changes which have occurred. These changes are then viewed against the broader political and economic background of the Community as a whole. This book will give readers a clearer understanding of the overall legal picture, and will also allow them to gain a richer perspective on the interaction between law and other forces which have shaped the Community and made it what it is today.

General Principles of EC Law in a Process of Development

The Substantive Law of the EU Cases and Materials on EU Law is a highly respected EU law text and the only cases and materials book in the field. With his clear, engaging writing style, Stephen Weatherill presents the main constitutional and substantive areas of EU law alongside the themes and principles that have shaped the development of the EU and its policies. The 12th edition provides a wealth of carefully selected case law alongside engaging extracts and materials to help explain the complexities of EU law in a contextualized and thought-provoking manner. Insightful author notes and questions accompany each extract, providing valuable additional detail to challenge understanding and encourage students to engage critically with the material. This title is accompanied by an Online Resource Centre, providing students with extra learning materials including: - an interactive map of Europe - a timeline of the EU - video footage - a guide to further web resources - a table of equivalences - legal updates - guidance for lecturers on using the book when teaching.

Justice in the EU The Max Planck Handbooks in European Public Law series describes and analyses the public law of the European legal space, an area that encompasses not only the law of the European Union but also the European Convention on Human Rights and, importantly, the domestic public laws of European states. Recognizing that the ongoing vertical and horizontal processes of European integration make legal comparison the task of our time for both scholars and practitioners, it aims to foster the development of a specifically European legal pluralism and to contribute to the legitimacy and efficiency of European public law. The first volume of the series begins this enterprise with an appraisal of the evolution of the state and its administration, with cross-cutting contributions and also specific country reports. While the former include, among others, treatises on historical antecedents of the concept of European public law, the development of the administrative state as such, the relationship between constitutional and administrative law, and legal conceptions of statehood, the latter focus on states and legal orders as diverse as, e.g., Spain and Hungary or Great Britain and Greece. With this, the book provides access to the systematic foundations, pivotal historic moments, and legal thought of states bound together not only by a common history but also by deep and entrenched normative ties; for the quality of the ius publicum europaeum can be no better than the common understanding European scholars and practitioners have of the law of other states. An understanding thus improved will enable them to operate with the shared skills, knowledge, and values that can bring to fruition the different processes of European integration.

The Mimetic Evolution of the Court of Justice of the EU Edited by Catherine Barnard and Steve Peers, European Union Law draws together a range of perspectives from experienced academics,
teachers and practitioners to provide a comprehensive introduction to EU law. Each chapter has been written and updated by an expert in the field to provide students with access to a broad range of ideas while offering a solid foundation in the institutional and substantive law of the EU. Written by experts, designed for students; every chapter ensures a balance of accessible explanation and critical detail. Case studies are included throughout the book to enable students to understand the context and implications of EU law, as well as helping to familiarize them with some of the most significant caselaw in the area. Quotations and examples from key EU legislation and academic sources are also included to help develop an understanding of EU law, while further reading suggestions for each chapter act as a springboard for further study and assessment preparation. This text provides a fresh and modern guide to EU law and is an ideal entry-point for students new to the subject as well as those looking to develop their understanding of EU law. As the process of the UK leaving the EU unfolds, readers can also visit the OUP European Union Law Resource Centre for up-to-date comment, opinion, and updates created by our authors to engage students with the legal and political issues and considerations at play.

EU Administrative Law Professor Ullrich is thoughtful and attracted star scholars from many countries, so the papers and discussion are provocative and introduce recent economic thinking, although many are written by lawyers... The text is lucid and interesting, the thought innovative and anyone seriously interested in competition policy should read these papers and the comments with pleasure. Valentine Korah, World Competition This collection of papers and comments deserves to be widely read, and it should appeal to academics and practitioners alike. The great mix of topics and the variety of views offered make this a very stimulating contribution to the discussion of the new paradigm of EC competition law, the more economic approach, and its implications for the application and interpretation of the various EU antitrust rules. Thomas Eilmansberger, European Law Journal The editor should be congratulated for bringing together this diverse group of scholars whose spirited disagreements remind one of the many challenges faced in exploring the role and function of competition law. Giorgio Monti, European Review of Contract Law With contributions from leading scholars from all over Europe and the US, this book covers the major areas of substantive competition law from an evolutionary perspective. The leitmotiv of the book has been to assess the dividing line between safeguarding and regulating competition, which it does by reviewing the following subjects: foundations of competition policy in the EU and the US strategic competition policy the evolution of European competition law from a national (Italian) perspective the block exemption of vertical agreements after four years the new Technology Transfer Block Exemption cooperative networking mergers in the media sector abuse of market power concepts of competition in sector specific regulation competition, regulation and systems coherence efficiency claims in EU competition law and sector specific regulation. The Evolution of European Competition Law will be of great interest to lawyers, economists, academics, judges and public officials working in the fields of competition law and policy.

EU Consumer Law and Policy Since the outbreak of the 2008 financial crisis, European Union (EU) institutions and Member States have engaged in a major effort to repair the architecture of economic governance of the European Economic and Monetary Union (EMU). This book takes as its starting point the unclear notion of financial stability, which only recently has received a more detailed legal analysis. It examines the evolution of the concept of financial stability during the financial crisis and provides a conceptual framework in order to demonstrate that financial stability has become a foundational objective in Europe and has set a new normative framework in EU law and policy. Arguing that financial stability is a foundational objective in EU law and policy based on certain normative instruments, this ground-breaking book provides an in-depth and original understanding of the newly developed framework to attain supranational financial stability. In its analysis of the legal implications of these new instruments, the study examines topics and issues such as the following: - the concept and normative instruments of financial stability at European
level; - the renewed economic governance in Europe; - the financial assistance mechanisms
developed in Europe; - the new regulatory environment for banks at European level; - the Single
Supervisory Mechanism and the role of the European Central Bank (ECB) therein; and - the new
framework for banking resolution, with specific focus on the Single Resolution Mechanism. The
author shows in detail how an appropriate level of supranational regulation, supervision, burden-
sharing and rescue measures strengthen financial stability. Thereby, the book will appeal to
officials in EU institutions and agencies as well as lawyers and academics in EU law and in
banking/financial law to gain a clear understanding of role of financial stability and its normative
instruments in EU law and policy. Gianni Lo Schiavo is currently working as a lawyer at the ECB.
He obtained a PhD in EU Law at King’s College, London, and has written numerous articles and
chapters in EU administrative law, EU financial/banking law and EU competition law.

EU External Relations Law

Das ABC des Rechts der Europäischen Union "The Substantive Law of the EU by Catherine
Barnard is the perfect resource for anyone wishing to gain a thorough grasp of the four freedoms
in EU law. An introductory chapter outlines the background to EU law in this area: the role of free
trade theory, the evolution and expansion of the internal market and the fundamental principles
underpinning this process. The following sections then provide a detailed examination of the four
freedoms - goods, persons, services, and capital - which make up the core of EU law. The fully
revised and updated third edition addresses the significant recent developments in EU legislation
including expanded coverage of the free movement of services and more detailed consideration of
the derogations and limitations to the four freedoms. Regular case studies help to unlock the
subtleties of EU law in operation and frequent diagrams and flow charts clarify the more complex
areas of substantive law. The book is accompanied by an Online Resource Centre providing: An
additional chapter on Intellectual property and the free movement of goods - useful for anyone
needing to study this topic, An interactive map of Europe with hot-spots on all EU Member States
providing factual information on each country, A timeline of the EU tracing key dates in EU legal
history * Electronic copies of the figures from the book are available to lecturers for re-use in
lectures and as handouts * A treaty navigation resource enabling the user to look first hand at the
key primary sources of law and trace its development and evolution * Video clips from the EU
archive demonstrate the important historical context to EU law helping students to appreciate the
wider aspects of the EU’s development * Web links to useful sources of information provide the
ideal platform to online research”--

The Max Planck Handbooks in European Public Law "This book charts the evolution of EU law
(both internal market and institutional law) through the jurisprudence of one of its leading jurists.
Few have as close an eye-witness view of the evolution of European Union law as judges at the
ECJ. They not only observe, however, but actively work towards its development. This collection
assesses the momentous contribution to European Union law made by José Luís da Cruz Vilaça.
Taking those areas of law which were directly shaped by his judgments (institutional law/internal
market/free movement of persons and judicial review), leading scholars assess his legacy. Through
this prism, the story of EU law can be charted”--

The Role of Financial Stability in EU Law and Policy This book provides fresh perspectives in the
legal study of the Court of Justice of the European Union. In the context of European studies, the
Court has mainly been analysed in light of its central role in the process of continental integration.
Moreover, the Court has traditionally been studied by specialists for its important role as an agent
of comparative law. This book studies the evolution of the Court itself, rather than that of the EU
legal order in its judge-made dimension, and addresses several institutional aspects of its structure
and organization, selected and constructed as a complete range of symptomatic figures of judicial
institutionalisation. In doing so, the author seeks to showcase how the development and the institutional evolution of the CJEU happened through a selective internalization of comparative influences.

The Evolution of European Competition Law Why is the 1979 the Court of Justice judgment in Cassis de Dijon so famous and so significant in the evolution of EU trade law?. As this landmark judgment approaches middle age, this book revisits this decision with the benefit of hindsight: why did the Court of Justice decide Cassis de Dijon as it did? How has the decision been developed by the EU? And, looking forward, how has the decision been used to develop international trade? This book brings together some of the leading writers in the field of EU trade law, constitutional law and European history for a fresh examination of this ground-breaking judgment, looking at it from the perspective of its past (who, what and why); its present (is it making a difference?); and its future (how does it fit in international trade agreements).

The Legal History of the European Banking Union What are the basic principles underlying European Community Law? Although no one seeks a purely descriptive answer to this question, the discussion it gives rise to is of immense significance both for theoretical legal studies and for legal practice. Over the years, scholars have convened from time to time to re-examine the question in the light of new developments. This important volume offers insights and findings of the latest such conference, held at Stockholm in March 2007, and sponsored by the Swedish Network for European Legal Studies. The nineteen essays here printed are all final author-edited versions of papers first presented at that conference. Far from merely an updating of the First Edition, which marked a 1999 conference held under the same auspices at Malm, this book is entirely new. It underscores the importance of discovering the emergence of new general principles--linked, indeed, to such fundamental continuing concerns as democracy, accountability, transparency, direct effect, good administration, and European citizenship--as they develop in such increasingly important areas as the following: core aspects of competition and financial integration law; the ongoing process of European constitutionalization; the application of general principles in the new Member States; the growth of European private law; the successive creation of a jus commune europaeum; and the instrumental function of the EC Court. There is also special consideration attached to such overriding issues as the gap-filling function of the principles within the Community legal system, and the implications of the use of a comparative methodology. The authors include both eminent, well-known experts, many of whom took part in the 1999 Conference, and representatives of a new generation of younger scholars in the field. For the myriad parties involved in the evolution of the European project from a legal perspective, this book serves as a watershed, a thorough inspection of the foundations as they are perceived and understood at the present moment. It is sure to be consulted and cited often in the years to come.

Shaping the Single European Market in the Field of Foreign Direct Investment The Treaty of Lisbon (2009) has brought foreign direct investment (FDI) within the scope of the European Union's common commercial policy (CCP). In light of this development, this book analyses the internal and external dimension of EU law and policy in the field of FDI. It takes four perspectives: (i) the operation of the internal market mechanism to direct investment; (ii) the implications of the Lisbon amendments to the CCP under Article 207 TFEU for the Union’s competence and practice in the field of FDI; (iii) the interaction between EU law and Member States' bilateral investment treaties (BITs) with third countries; (iv) the interplay between EU law and BITs that are currently in force between two Member States (intra-EU BITs). The book focuses on the extent to which the European Union operates as a Single Market for EU and non-EU investors. In doing so, it analyses the EU and international regulatory framework on the admission, treatment and protection of FDI within, to and from the Single European Market. It uses close jurisprudential analysis and examines the context, purpose and evolution of EU legal integration in the field of FDI. It thereby
traces the principles underlying the European international economic order in the field of FDI.

EU Law Enforcement. The Evolution of Sanctioning Powers "The existence of a structured enforcement system is an inherent feature of national legal orders and one of the core elements of State sovereignty. The very limited power to issue sanctions has often been deemed a gap in the EC legal order. Over the years, the situation has progressively changed. The Union's institutional setting is growing in complexity and a variety of agencies has been or is expected to be endowed with law enforcement responsibilities. In addition, the so-called competence creep has led the EU to play an increasingly prominent role in several areas of EU law enforcement, including the issuing of sanctions. This book examines these developments, focusing on both the general features of the EU legal order and the analysis of key-substantive areas, such as banking and monetary union, environmental law, and data protection. The work thus presents a general framework for understanding EU sanctioning based on structural features and general legal principles. Part I develops an analytical framework, tracking the most significant evolutive patterns of EU sanctioning powers. Part II adopts a more practical approach focusing on specific issues and policy areas. The book bridges a gap in existing literature and sheds new light on the relationship between the exercise of jus puniendi and the evolution of EU integration"--

European Union Law and Defence Integration This study was commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the PETI Committee. The paper presents the evolution of the EU enforcement policy as part of the principle of rule of law in the European Union. It provides information on the main actors responsible for the implementation and enforcement of EU law and trends related to the transposition and application of European legislative acts according to the latest information available. Finally, it browses through the different measures within the EU enforcement policy, including the recent developments regarding the use of EU Pilot tool.

The Lisbon Treaty This book examines EU enlargement by studying how domestic constitutional evolution in the new member states contributes to European integration. In contrast to the usual top-down analytical pattern, it reverses the paradigm by looking at constitutional developments and dynamics from the bottom-up, studying how domestic constitutional evolution contributes to European integration. The authors analyze constitutional trends from the perspective of 'new Member States' as policy-makers and not strictly as policy-takers. The issue of conditionality is also explored in a discussion of the extent to which pre-2004 and 2007 conditionality has had lasting effects at the level of constitutionalization of different areas and norms and if so, of what kind. The exploration of Europeanization effects in recent Member States substantiates and demonstrates how enlargement has been an important driving force for the effective export of EU legal rules in this region. The book utilizes a comparative approach to highlight the merits and obstacles created by the growing diversity in the constitutional rules and patterns of the new Member States. It also contains a section that places the CEE constitutionalizing map in a broader comparative European and global context, establishing links with similar transitional regimes in the continent and elsewhere.

From the Nation State to the Market

General Principles of EU Law and the EU Digital Order Few have as close an eye-witness view of the evolution of European Union law as judges at the ECJ. They not only observe, however, but actively work towards its development. This collection assesses the momentous contribution to European Union law made by José Luís da Cruz Vilaça. Taking those areas of law which were directly shaped by his judgments (institutional law/internal market/free movement of persons and judicial review), leading scholars assess his legacy. Through this prism, the story of EU law can be
The Concept of State Aid Under EU Law

The existence of a structured enforcement system is an inherent feature of national legal orders and one of the core elements of State sovereignty. The very limited power to issue sanctions has often been deemed a gap in the EC legal order. Over the years, the situation has progressively changed. The Union’s institutional setting is growing in complexity and a variety of agencies has been or is expected to be endowed with law enforcement responsibilities. In addition, the so-called competence creep has led the EU to play an increasingly prominent role in several areas of EU law enforcement, including the issuing of sanctions. This book examines these developments, focusing on both the general features of the EU legal order and the analysis of key-substantive areas, such as banking and monetary union, environmental law, and data protection. The work thus presents a general framework for understanding EU sanctioning based on structural features and general legal principles. Part I develops an analytical framework, tracking the most significant evolutive patterns of EU sanctioning powers. Part II adopts a more practical approach focusing on specific issues and policy areas. The book bridges a gap in existing literature and sheds new light on the relationship between the exercise of jus puniendi and the evolution of EU integration.

Constitutional Evolution in Central and Eastern Europe

Member States inter se agreements are a complex legal phenomenon epitomizing the tension between intergovernmental channels of cooperation and supranational structures of integration characterizing the evolution of EU law. EMU inter se agreements, in particular, constitute a unique laboratory to investigate this tension and they help to better understand the legal nature of Member States’ international agreements which display substantive, institutional and teleological proximity to EU law. EU law imposes some restraints on Member States for the conclusion of inter se treaties. This work critically scrutinises both competence-based and procedural-based restraints which are aimed at safeguarding the specific characteristics of EU law and the peculiarities of EU institutionalism. More specifically, the evaluation of inter se treaty-making restraints moves from the consideration that the use of EU Institutions outside of the Treaties’ framework is liable to undermine the very nature of EU institutionalism. The use of institutions outside the EU framework, as devised by the EMU inter se treaties, induces to a reinforcement of contractual visions of Europe premised on the conception of EU institutions as common organs in the hands of Member States. The EU external relations law practice provides interesting solutions to the risk of departure from Institutionalism entailed in the contractual conception of Europe. In particular, the Court’s understanding of mixed agreements suggests an associative institutionalist vision of Europe which is less concerned on the precise apportioning of competences between the EU and its Member States and is more attentive to the procedural framework in which the intergovernmental and the supranational components of the EU jointly operate. This approach could be extended also to inter se patterns of integration by devising the conclusion of inter se mixed agreements, i.e. agreements envisaging the participation of the EU and of some of its Member States in legal venues aimed at fostering the European Integration project.

Building the European Union

This book provides a comprehensive and systematic overview of the main topics of taxation in European law. The sequence of arguments follows an institutional logic, respecting the academic tradition of tax law. It first outlines the general framework of EU institutions, with a particular focus on the set of regulations regarding taxation with reference to the stage of formation of EU rules and the potential contrast with national legal systems. It then explores the general principles emerging from the European treaties that typically involve the taxation system, and examines in detail the fiscal importance of European freedoms, the principle of tax non-discrimination, the balance between national interest and EU values, tax harmonization, state aids and other general principles applicable in tax jurisdiction. Lastly, it offers an overall
assessment of the development of the European integration process, with particular regard to the nexus between taxation power and sovereignty, in order to highlight the possible and desirable next stages of the evolution of “European tax law”.

The Evolution of EU Law The European Union has undergone major changes in the last decade, including Treaty reform, and a significant expansion of activity in foreign and security policy, and justice and home affairs. In the first edition of this influential textbook, a team of leading lawyers and political scientists reflected upon the important developments in their chosen area over the time since the EC was formed. This new edition continues this analysis ten years on. Taking into account the social and political background, and without losing sight of the changes that came before, in each chapter the contributors analyze the principle themes and assess the legal and political forces that have shaped its development. Each author addresses a specific topic, event, or theme, from the European Court of Justice to Treaty reform; the enlargement of the EU to administrative law; the effect of EU law on culture to climate change. Together the chapters tell the story of the rapid development of EU law - its past, present, and future.

Taxation in European Union This monograph examines the legal dimension of European defence integration from the Second World War to the Treaty Establishing a Constitution for Europe. It covers the evolution of European defence and security law in its legal, historical, and political context. The notion of defence law describes the entire field of rules created to regulate the defence of a nation or alliance. The analysis leads from the earliest mutual defence treaties to the failure of the European Defence Community and the eventual separation of defence from the mainstream of European integration in the 1950s, further to the re-vitalisation of a European security policy in the Treaties of Maastricht, Amsterdam, and Nice. In the context of this evolutionary process, the book examines the function of Community Law as an instrument of European defence integration. Community law affects the economic and social aspects of the defence within the limits of the security exemptions of the EC Treaty. It has an impact on the composition of the armed forces, the procurement of armaments, or the regulation of the defence industries. The book concludes with an analysis of the Common Security and Defence Policy of the Constitutional Treaty agreed by the European Council in 2004. The discussion shows that European defence integration is characterised by fragmentation in an area where coherence is particularly important. First, defence and security are addressed in several organisations: the EU, the Western European Union, NATO, the Organisation for Security and Cooperation in Europe, and the Organisation for Joint Armaments Cooperation. Second, defence and security are addressed in both the supranational Community Pillar and the intergovernmental Second Pillar of the Treaty on European Union. The new Constitutional Treaty aims to overcome the three-Pillar structure of the Union. Nevertheless, it leaves the intergovernmental character of the security and defence policy intact and introduces flexible frameworks for its mutual defence, crisis management, and armaments components. However, the Union needs a coherent defence policy to ensure her security and to speak with one voice on the international scene.

The Evolution of EU Law The Lisbon Treaty reformed the foundations of the European Union and marked the culmination of a process of Treaty reform that began after the Treaty of Nice and spanned almost a decade. This book addresses the main innovations made by the new Treaty, examining its legal and political consequences in a reformed EU. The book is organized thematically around the principal issues that occupied those engaged in the reforms over the last decade. The chapters include analysis of the reform process itself and the political forces that shaped the relevant provisions of the Lisbon Treaty. The book contains detailed analysis of the relevant legal changes made by the Lisbon Treaty on each topic covered. This legal analysis is informed by broader literature from related disciplines, such as political science and international relations, since it is only by doing so that it is possible fully to understand the legal implications of
the new provisions dealing with issues such as the inter-institutional division of power within the
EU, the distribution of competence, the hierarchy of legal acts and the Charter of Rights. The book
addresses the political and legal implications of the Treaty provisions, and the discussion is set
against the background of the pre-existing legal and political regime, aiding a full understanding of
the effect of the new rules contained in the Lisbon Treaty. This revised paperback edition includes a
new chapter detailing the political reform process leading to the proposed Fiscal Union Treaty, and
its potential legal implications.

Cases and Materials on EU Law How has the evolution and transformation of the Common Market
affected the legal concept of State aid? How has State aid adapted to the development of the
European Union? These questions and more are answered in Juan Jorge Piernas López's
examination of the historical, political, constitutional, and economical events that have affected the
development of State aid in the EU. Examining three key, interwoven arguments, this book provides
a richer understanding of current formulas which depict the concept of aid through the prism of
policy and enforcement considerations. First, the book demonstrates that the concept of aid is a
'living instrument' that has been applied in accordance with the main policy priorities of the
European Commission. Second, contrary to what has been affirmed in other literature, the
evolution of this concept has been influenced by the broader advancement of the case law of the
Court of Justice in different periods of the integration process. Third, the author contends that the
study of the evolution of the concept of aid in light of policy and case law provides a holistic outlook
valuable to the decision making process of difficult cases. In this regard, the book provides criteria
to interpret and discuss cases including Sloman Neptun, Philip Morris, and Azores, beyond the
analysis traditionally adopted in this field.

Compensation of Private Losses Civil, economic, political and social rights are at the centre of the
concept of European citizenship. In this volume, the focus is on the political-constitutional
dimension of European citizenship, which is discussed from the perspective of several disciplines –
history, constitutional law and political science. It provides a multi-faceted account of the evolution
of European citizenship and its institutionalization, explaining why certain rights came into
existence at a certain time and focussing on several key actors involved, such as the European
Court of Justice.

European Citizenship in Perspective The first edition of this seminal textbook made a significant
impact on the teaching of EU external relations law. This new edition retains the hallmarks of that
success, while providing a fully revised and updated account of this burgeoning field. It offers a
dual perspective, looking at questions from both the EU constitutional law perspective (the
principles underpinning EU external action, the EU's powers, and the role of the Court of Justice
of the EU); and the international law perspective (the effect of international law in the EU legal
order and the position of the EU in international organisations such as the WTO). A number of key
substantive policy areas are explored, including trade, security and defence, police and judicial
cooperation, the environment, human rights, and development cooperation. Taking a 'text, cases
and materials' approach, it allows students to gain a thorough understanding of milestones in the
evolution of EU law in this area, their judicial interpretation and scholarly appraisal. Linking these
pieces together through the authors' commentary and analysis ensures that students are given the
necessary guidance to properly position and digest these materials. Lastly, each chapter concludes
with a section entitled 'The Big Picture of EU External Relations Law', which weaves together the
diverse and complex materials into a coherent whole and stimulates critical discussion of the topics
covered.

European Union Law This last decade has been particularly turbulent for the EU. Beset by crises -
the financial crisis, the rule of law crisis, the migration crisis, Brexit, and the pandemic - European
Law has had to adapt and change in a way not previously seen. First published in 1999, the goal then was to reflect on the important developments that had been made since the creation of the EEC. That goal has not changed. From EU Administrative Law through to the Regulation of Network Industries, each chapter in this seminal work assess the legal and political forces that have shaped the evolution of EU law. With new chapters covering the Rule of Law, Judicial Reform, Brexit, Constitutional and Legal Theory, Refugee and Asylum law, and Data Governance, this third edition of The Evolution of EU Law is a must read for any student or academic of EU law.

The Emergence of Personal Data Protection as a Fundamental Right of the EU Digitalization of societies has important ramifications for citizens and businesses. The digital landscape is rapidly changing, whereas at the same time there are growing concerns about how market access in the EU's digital market as well as fundamental rights can be sufficiently safeguarded in the shadow of 'big data' and algorithms. This timely and important book presents expert analyses of how digitalization raises questions of the future role for general principles of European Union (EU) law, including the foundational principles of the EU's fundamental economic freedoms and EU competition rules. Examining a number of issues revolving around the internal market, the digital single market, competition law, intellectual property, data protection, democracy and the rule of law, the contributors provide deeply informed insights of the challenges as to: effects of the technological disruption on the doctrine of general principles; the resilience of general principles in the digital society; the need to rely on new general principles in the digital society; the realization of the digital single market; the safeguarding of fundamental rights and the rule of law. The contributors are highly esteemed scholars from major European universities. A common theme is the need for judicial evolution of EU fundamental rights law in the digital era, alongside penetrating analyses of recent Court of Justice of the European Union case law on the impact of digitalization. Dealing as it does with an area of European law of particular complexity and rapidly growing importance, the anthology provides insights and knowledge about the ways in which digitalization is rapidly changing EU law. Are general principles of EU law as developed in an 'analogue world' sufficiently resilient to withstand the rapid and often disruptive developments taking place in the digital marketplace? The fresh look at the concept of 'general principles' taken by the various contributors helps to clarify the actual application in EU law in areas related to the ongoing digitalization of our society. It will be greatly appreciated by practitioners, policymakers and academics active in any of the many fields of law affected by the digital revolution.

The Evolution of EU Law How was the Banking Union, the most advanced legal and institutional integration in the single market, created? How does European law impact European integration? To answer these questions, this book provides a sweeping account of the evolution of European law. It identifies five integration periods of the single financial market, intertwined with the development of global finance, from its origins, through its expansion and crisis, to the Banking Union. Each period is defined by innovations to deepen integration, such as the single passport for financial services, soft governance and comitology, agencies, or a single rulebook. Providing a far-reaching explanation of the legal and institutional rationality of the European Banking Union, this book demonstrates that the Banking Union is not an accident of history or simply the product of the existential crisis of the Monetary Union. It has deep roots in the evolutionary process of European law and its drive towards supranational integration.

EU Law Enforcement The EU’s influence on sport has traditionally focused on the socio-economic and cultural impact. This Research Handbook on EU Sports Law explores the development of the 'European dimension' in sport, and the concomitant legal issues including, competition law, state aid and free movement of persons. The application of such areas of EU law to sport and the influence of EU law on key policy issues such as, doping, match-fixing and governance, are detailed in this comprehensive collection. The topical chapters by experts in their field, also touch
upon the future evolution of EU sports law.

The Evolving Psyche of Law in Europe In Justice in the EU: The Emergence of Transnational Solidarity, Floris de Witte argues that European Union law can be understood as an instrument for the elaboration of what justice is, means, and requires on the level beyond the nation state. Approaching the question of justice from the European perspective, however, challenges us to think beyond the contractarian idea that equates justice with national political self-determination. A proper model of justice demands a tiered institutional and normative understanding of justice, involving both the nation state and the EU, which can make sense of the new ties between individual citizens that the process of European integration continues to generate. It also requires that we construct a theory of transnational solidarity that can explain what those new ties tell us about our transnational obligations of justice. This book tackles three issues in turn. It explains which precise institutional and normative structures are indispensable in the pursuit of justice; how the European Union can be understood to increase our capacity for the attainment of justice; and formulates a theory of transnational solidarity that informs the interaction between national and European spheres. Three different types of transnational solidarity are identified and carefully traced throughout the case law of the Court of Justice: market solidarity, communitarian solidarity, and aspirational solidarity. Read together, these three transnational solidarities tell us exactly what justice means in the EU.

Cassis de Dijon The State exists to deliver security and welfare to citizens. One of the principal functions of the State is to enhance welfare through the production of legal regimes. Law contributes to welfare in many ways, one of which is in its contacts with markets. In this chapter, we trace the evolution of the role of law in the private sphere, with special attention to EU law. Our thesis is that the State is in a process of evolution from a Nation State to a Market State. Looking at private law confirms this evolution.

The Evolution of EU Law This book explores the coming into being in European Union (EU) law of the fundamental right to personal data protection. Approaching legal evolution through the lens of law as text, it unearths the steps that led to the emergence of this new right. It throws light on the right’s significance, and reveals the intricacies of its relationship with privacy. The right to personal data protection is now officially recognised as an EU fundamental right. As such, it is expected to play a critical role in the future European personal data protection legal landscape, seemingly displacing the right to privacy. This volume is based on the premise that an accurate understanding of the right’s emergence is crucial to ensure its correct interpretation and development. Key questions addressed include: How did the new right surface in EU law? How could the EU Charter of Fundamental Rights claim to render ‘more visible’ an invisible right? And how did EU law allow for the creation of a new right while ensuring consistency with existing legal instruments and case law? The book first investigates the roots of personal data protection, studying the redefinition of privacy in the United States in the 1960s, as well as pioneering developments in European countries and in international organisations. It then analyses the EU’s involvement since the 1970s up to the introduction of legislative proposals in 2012. It grants particular attention to changes triggered in law by language and, specifically, by the coexistence of languages and legal systems that determine meaning in EU law. Embracing simultaneously EU law’s multilingualism and the challenging notion of the untranslatability of words, this work opens up an inspiring way of understanding legal change. This book will appeal to legal scholars, policy makers, legal practitioners, privacy and personal data protection activists, and philosophers of law, as well as, more generally, anyone interested in how law works.