

General Principles of EU Law

THIRD EDITION

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Principles Of European Union Law

Norbert Reich



Principles Of European Union Law:

Research Handbook on General Principles in EU Law Ziegler, Katja S.,Neuvonen, Päivi J.,Moreno-Lax, Violeta,2022-04-22 This Research Handbook offers a comprehensive study of existing and emerging general principles of EU law by scholars from a wide range of expertise in EU law international law legal theory and different areas of substantive law It explores the theory content role and function of general principles in EU law to better understand general principles as a mechanism for the substantive openness of the EU legal order as well as for cross fertilization and coherence of legal orders Their potential as a tool to manage the interaction of legal regimes and orders is a particular focal point and will make this Handbook a must read for scholars of EU Law *Principles of European Union Law* Tim Birtwistle,2002 This highly successful text is now a standard work on the complex area of E C Law and has been completely rewritten It covers the main aspects of E C Law clearly and succinctly as well as examining the implications of the new freedoms of movement on UK organizations With end of chapter summaries for rapid reference it provides an understanding of the vital issues involved in the growth and ascendancy of E C Law **Oxford Principles of European Union Law** Robert Schütze,Takis Tridimas,2018-02-23 Since the 1957 Rome Treaty the European Union has changed dramatically in terms of its composition scope and depth Originally established by six Western European States the EU today has 28 Members and covers almost the entire European continent and while initially confined to establishing a common market the EU has come to influence all areas of political economic and social life In parallel with this enormous geographic and thematic expansion the constitutional and legislative principles underpinning the European Union have constantly evolved This three volume study aims to provide an authoritative academic treatment of European Union law Written by leading scholars and practitioners each chapter offers a comprehensive and critical assessment of the state of the law Doctrinal in presentation each volume nonetheless tries to present a broader historical and comparative perspective Volume I provides an analysis of the constitutional principles governing the European Union It covers the history of the EU the constitutional foundations the institutional framework legislative and executive governance judicial protection and external relations Volume II explores the structure of the internal market while Volume III finally analyses the internal and external substantive policies of the EU

Principles of European Union Law Ralph Haughwout Folsom,2005 This advanced study guide provides a comprehensive teaching tool on laws governing European Union business practices Chapter 1 looks at the history growth and future of the EU Chapters 2 and 3 focus on critical EU processes behind lawmaking and litigation Chapter 4 examines the free movement of goods services capital and people in the EU while Chapter 5 covers a broad selection of internal EU policies ranging from taxation to agriculture The EU s complex external trade and customs law is analyzed in Chapter 6 Antitrust law and competition is covered in Chapter 7 the last chapter **General Principles of EU Law and the EU Digital Order** Ulf Bernitz,Xavier Groussot,Jaan Paju,Sybe de Vries,2020-01-09 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 Principle of Loyalty in EU Law Marcus Klamert, 2014-01-16 This is an open access title available under the terms of a CC BY NC ND 3.0 International licence It is free to read at Oxford Scholarship Online and offered as a free PDF download from OUP and selected open access locations Despite its seemingly innocuous wording in what is now Article 4.3 TEU the principle of loyalty has had a significant impact in deepening the reach of EU law within the Member States The duty of sincere cooperation has been interpreted strongly by the European Courts as imposing serious duties on States to give strong effect to European legal acts The principle has been central to the development of Union law since the 1960s and is still being relied on by the European Court of Justice to often controversial effect Providing a thorough discussion of the principle of loyalty in EU law this book introduces a novel classification of the very diverse roles loyalty plays in the EU It distinguishes between the effects loyalty prescribes for interlocking the legal orders of the Member States with Union law its application in preventing and resolving conflicts between the Union and the Member States and the loyalty principle's role in the shaping of EU law It addresses important and yet unresolved questions pertaining to loyalty such as its relation to the principles of solidarity pre-emption the Union interest institutional balance and the unity of international representation The book explains why loyalty has been neglected

in the prevailing narratives about the foundational case law of the European Court of Justice and highlights its central importance to understanding EU public law

General Principles of EU Law and the Protection of Fundamental Rights Chiara Amalfitano, This insightful book analyses the role that EU general principles have taken in the protection of fundamental rights within the EU since the Lisbon Treaty In particular the author focuses on the relationship between written law the Charter of Fundamental Rights and unwritten law the general principles within the institutional framework of the EU The book demonstrates that due to their complementary and autonomous function toward the protection of fundamental rights the general principles still play a key role within the Union despite the binding force of the Charter

Combating Poverty and Social Exclusion in European Union Law Ane Aranguiz, 2022-03-30 This book examines the potential role of European Union law in combating poverty and social exclusion in the European Union Anti poverty strategies have been part of the European Union agenda for decades Most saliently over a decade ago the EU s Member States pledged to lift 20 million people out of poverty In spite of this commitment the EU did not even meet a quarter of this target and over 113 million people still were at risk of poverty and social exclusion by the end of 2020 This book addresses the incongruence between a quite developed EU policy strategy and a well embedded legal objective on the one hand and the lack of direct legal action on the other Analysing the role of social policy instruments fundamental rights and the constitutional framework of the European Union it makes a detailed case for a contribution of EU law to the policy objective of combating poverty and social exclusion Drawing on work in law politics social policy and economics this book will interest scholars and policymakers in the areas of EU law labour and social security human rights political science and social and public policy The Open Access version of this book available at www.taylorfrancis.com has been made available under a Creative Commons Attribution CC BY 4.0 license

European Union Law Damian Chalmers, Gareth Davies, Giorgio Monti, 2010-06-24 This eagerly awaited new edition has been significantly revised after extensive user feedback to meet current teaching requirements The first major textbook to be published since the rejuvenation of the Lisbon Treaty it retains the best elements of the first edition the engaging easily understandable writing style extracts from a variety of sources showing the creation interpretation and application of the law and comprehensive coverage In addition it has separate chapters on EU law in national courts governance and external relations reflecting the new directions in which the field is moving The examination of the free movement of goods and competition law has been restructured Chapter introductions clearly set out what will be covered in each section allowing students to approach complex material with confidence and detailed further reading sections encourage further study Put simply it is required reading for all serious students of EU law

European Union Law Alina Kaczorowska-Ireland, 2012-09-10 Now in its second edition *European Union Law* has been fully revised and updated following the entry into force of the Lisbon Treaty in December 2009 The book contains entirely new chapters on the Protection of Human Rights in the EU the Area of Freedom Security and Justice and the Common

Foreign and Security Policy Specifically written to give law students detailed up to date knowledge of all main areas of EU law the book provides an in depth and detailed examination of and commentary on the areas of institutional and of substantive EU law forming the syllabus of standard academic courses on EU law Unlike other texts this book successfully combines authoritative text with case summaries and judgments these being highlighted in colour tinted boxes for easy identification The author identifies the relevant points and key facts of the leading cases and discusses the judgments in detail often in the light of subsequent developments Student friendly features include short summaries at the beginning of each chapter outlining the topics and concepts covered an aide memoire at the end of each chapter to highlight and reflect the main points a recommended reading list at the end of each chapter to facilitate further research a map identifying EU Member States with accession dates and candidate states a Companion Website featuring updates twice yearly annotated links to online sources of interest and essay style self test questions with suggested answers This book is an essential resource for those studying EU law on both undergraduate and postgraduate courses and will be of interest to students of political science social science and business studies

European Union Law Alina Kaczorowska, Alina Kaczorowska-Ireland, 2013 Fully revised and updated the third edition of EU Law provides an exhaustive yet easily readable account of the complex and ever changing subject of EU law The author gives thorough authoritative and up to the minute treatment to the institutional constitutional and substantive elements of EU Law The book is unique in that it successfully combines depth of coverage with an excellent selection of supporting case law making this challenging subject accessible and easy to follow Case summaries and judgments are highlighted in colour tinted boxes for ease of reference and are accompanied by key facts and analysis often in the light of subsequent developments The student friendly approach is enhanced by market driven pedagogical features including Concise outlines at the beginning of each chapter describing its content An aide m moire often presented in diagrammatic form at the end of each chapter to highlight and reinforce key points End of chapter recommended reading lists to facilitate further research End of chapter problem and essay questions testing the students ability to apply what they have learnt and A map identifying EU Member States and their accession dates acceding States candidate States and potential candidate States The book s companion website offers a range of teaching and learning resources including an interactive timeline of the EU useful web links self test questions and much more This book is essential reading for those studying EU law on both undergraduate and postgraduate courses and will be of interest to students of political science social science and business studies It also provides comprehensive coverage of substantive and procedural EU competition law and thus has its place as a textbook for introductory courses on EU competition law

Advanced Introduction to European Union Law Jacques Ziller, 2023-12-11 This thoroughly updated second edition of Advanced Introduction to European Union Law provides an essential overview of the diverse fields of EU law and their relevant politics In precise but accessible language Jacques Ziller analyses the latest developments in EU law following Brexit

the Covid 19 pandemic and the Russia Ukraine war focusing on the main fields of action for the EU the internal market area of freedom security and justice and external action

European Union Law Robert Schütze, 2021 A comprehensive and critical textbook Schütze's *European Union Law* uses a distinctive three part structure to examine the constitutional foundations legal powers and substantive law of the European Union Written in a uniquely engaging style and full of illuminating analyses this book provides a thorough and modern guide to the study of the European law Visual and pedagogical support is offered by the book's numerous diagrams and tables that clarify key concepts and processes and a practical appendix helps students to find and read primary and secondary legal sources This third edition includes an updated dedicated chapter on the past present and future of Brexit Digital formats and resources The third edition is available for students and institutions to purchase in a variety of formats The e book offers a mobile experience and convenient access along with functionality tools navigation features and links that offer extra learning support www.oxfordtextbooks.co.uk/ebooks

European Union Law Margot Horspool, Matthew Humphreys, Michael Wells-Greco, 2021 The Care Text Series takes the reader straight to the heart of the subject providing focused and reliable guides for students of law at all levels Written with authority by leading academics and renowned for their dainty these invaluable texts provide a straightforward analysis of the subject and its challenges *European Union Law* provides an accessible introduction to the European institutions and offers thorough and wide ranging coverage of the key substantive law topics to serve as a strong basis for further study of the subject Insightful analysis of the underflying themes and principles of EU law is delivered in a clear and direct style accompanied by chapter summaries contextual examples critical questions and expertly selected further reading suggestions to help guide you through the subject and support further research Book jacket

Business Freedoms and Fundamental Rights in European Union Law Niall O'Connor, 2024-10-31 Article 16 of the EU Charter of Fundamental Rights recognizing the freedom to conduct a business in accordance with Union law and national laws and practices has been the subject of intense debate over the value of business freedoms within EU law Problematically the Court of Justice of the European Union CJEU relied on this provision in a series of highly deregulatory judgments invoking Article 16 to undermine the effectiveness of employee protective legislation *Business Freedoms and Fundamental Rights in European Union Law* assesses the value placed on the freedom to conduct a business as a fundamental right within the legal reasoning of the CJEU Arguing that this freedom can only properly be understood in relation to its wider constitutional and social rights functions it uses the employment law context as a case study given the tensions that exist between the economic rights of employers and the social rights of employees Examined holistically the book demonstrates that granting fundamental rights status to business freedoms is not inherently deregulatory with such freedoms also encapsulating social rights values and interests The freedom to conduct a business therefore emerges as a malleable fundamental rights concept dependent on the underlying constitutional context whether that be within national constitutional law the EU Charter of

Fundamental Rights general principles of EU law or in the arrangements governing the United Kingdom's departure from the EU This is an open access title available under the terms of a CC BY NC ND 4.0 International licence It is free to read on Oxford Scholarship Online and offered as a free PDF download from OUP and selected open access locations

The Oxford Handbook of European Union Law Anthony Arnall, Damian Chalmers, 2015 Since its formation the European Union has expanded beyond all expectations this seems set to continue as more countries seek accession and the scope of EU law expands touching more and more aspects of its citizens' lives The EU has never been stronger and yet it now appears to be reaching a crisis point beset on all sides by conflict and challenges to its legitimacy Nationalist sentiment is on the rise and the Eurozone crisis has had a deep and lasting impact The European Union has the complexity and depth of a mature legal system albeit one which is constantly in flux and whose content and foundations are constantly contested Its law has developed beyond the single market and institutional matters into many other fields including environmental fiscal labour immigration and criminal law It is studied at undergraduate and postgraduate level throughout the Member States and beyond an understanding of it is essential to those who study the EU from other disciplinary perspectives as well as to legal practitioners and policy makers The Oxford Handbook of European Union Law comprises eight sections examining how we are to conceptualise EU law the architecture of EU law making and administering EU law the economic constitution and the citizen regulation of the market place economic monetary and fiscal union the Area of Freedom Security and Justice and what lies beyond the regulatory state Each chapter summarises analyses and reflects on the state of play in a given area and suggests how it is likely to develop in the foreseeable future The resulting collection provides a vivid and provocative tapestry which will be widely used both inside and outside academia by those who are interested in the law underpinning the EU and its policies

General Principles of EU Civil Law Norbert Reich, 2014 General Principles of EU Civil Law focuses on a rapidly developing but still highly controversial area of EU law the emergence of general principles with constitutional relevance for EU civil law guiding its interpretation gap filling and legality control This study brings to light seven principles in the case law of the Court of Justice of the European Union and in the Charter of Fundamental Rights Principles 1 to 3 on framed autonomy protection of the weaker party and non discrimination are now part of substantive EU law mainly contract law Principle 4 on effectiveness together with the principle of equivalence is an old acquaintance of EU law and has mostly to do with procedures but can also be extended to cover substantive and remedial matters Principles 5 and 6 on balancing and proportionality are primarily concerned with methodological questions the first has to do with judicial interpretation and application of EU civil law the second with legal political questions on the future of a questionable codified or optional EU civil law in particular sales law Finally principle 7 on good faith is still an emerging principle but is gradually gaining importance This book will allow the reader to understand and to assess the current evolution of EU civil law in days where its autonomous character is increasingly recognised in the case law of the Court and where the Charter is having a growing

impact on its constitutional foundations About this book The topic is highly relevant these days and orders our case law in ways that only a proficient academic like Norbert Reich is capable of doing That effort will in turn be taken into account in the further development of the case law Koen Lenaerts Vice President of the Court of Justice of the European Union Professor Reich has written a book that is not merely rich and broad in ambition but in fact genuinely ground breaking In identifying explaining and analysing seven key principles of EU civil law he has drawn us a map that will help scholars to find their way through the forbiddingly dense jungle populated by EU Treaty provisions the legislative *acquis* and the Court's case law And in showing how proudly social much of the EU's protective regulation affecting private parties truly is he has set a tone that EU policymakers should embrace Stephen Weatherill Jacques Delors Professor of European Law University of Oxford For the private lawyer probably the most interesting recent d

General Principles of Law Stefan Vogenauer, Stephen Weatherill, 2017-06-15 Examining general principles of law provides one of the most instructive examples of the intersection between EU law and comparative law This collection draws on the expertise of high profile and distinguished scholars to provide a critical examination of this interaction It shows how general principles of EU law need to be responsive to national laws In addition it is clear that the laws of the Member States have no choice but to be responsive to the general principles which are developed through EU law Viewed through the perspective of proportionality legal certainty and fundamental rights the dynamic relationship between the ingenuity of the Court of Justice the legislative process and the process of Treaty revision is comprehensively illustrated

Wyatt and Dashwood's European Union Law Alan Dashwood, Michael Dougan, Barry J Rodger, Eleanor Spaventa, Derrick Wyatt, 2011-06-14 First published 30 years ago Wyatt and Dashwood's *European Union Law* was a landmark publication designed and written for students taking degree level courses in EU law In the intervening years new editions have appeared at regular intervals firmly establishing the book as a reliable and authoritative text Besides introducing generations of students to the intricacies of European law it has also been increasingly relied upon by scholars practitioners and the courts as a valuable source of reference on this complex and ever expanding body of law While the book cannot cover every aspect of the subject matter it nevertheless offers comprehensive coverage of those aspects of EU law most commonly studied at degree level Part I introduces the history and foundations of the Union's primary law Part II looks at the Union's institutions decision making procedures and competences It also deals with the Union judiciary focusing on direct actions before the Union courts and preliminary references from national courts The constitutional fundamentals of direct effect and supremacy effective judicial protection before national courts general principles of Union law and the Charter of Fundamental Rights are dealt with in Part III Part IV covers the internal market free movement of goods Union citizenship workers establishment and services the services directive mutual recognition of qualifications corporate establishment and company law harmonisation Part V deals with competition law Articles 101 and 102 TFEU the enforcement of Union competition rules and other related competition law issues Part VI then

includes a brand new chapter concerned with the EU's external relations together with treatment of the legal effects of international agreements entered into by the EU. As with previous editions the aim is to provide an accurate critical pragmatic and original account of the subject at times also offering unique insiders' insights. The book holds to its reputation as being both broad and profound the ideal foundation for gaining a deep understanding of EU law. This edition reflects the law post Lisbon. It has also been re-structured and re-designed so as to facilitate ease of use. Its original authors Derrick Wyatt and Alan Dashwood continue to make a significant contribution. Michael Dougan, Eleanor Spaventa and Barry Rodger complete the team of authors working on this invaluable textbook and reference work. The 6th edition has already been cited in the Northern Ireland High Court by The Honourable Mr Justice Bernard McCloskey 2011 NIQB 61. Principles of European Constitutional Law Armin von Bogdandy, Jürgen Bast, 2009-12-03. For the time being the political project of basing the European Union on a document entitled Constitution has failed. The second revised and enlarged edition of this volume retains its title nonetheless. Building on a scholarly rather than black letter law account it shows European constitutional law as it looks following the Treaty of Lisbon with the EU's foundational treaties mandating the exercise of public authority establishing a hierarchy of norms and legitimising legal acts providing for citizenship and granting fundamental rights. In this way the treaties shape the relations between legal orders between public interest regulation and market economy and between law and politics. The contributions demonstrate in detail how a constitutional approach furthers understanding of the core issues of EU law how it offers theoretical and doctrinal insights and how it adds critical perspective. From Reviews of the First Edition should be mandatory reading for anyone who wants to get a holistic perspective of the academic debate on Europe's constitutional foundations. It is impossible to present the richness of thought contained in the 833 pages of the book in a short review. Common Market Law Review an enduring scholarly work which gives an English speaking audience important and overdue access to the long standing and forever vigorous traditions of European constitutional law unhesitatingly recommended European Law Journal real scholarship in the profound sense of the word K Lenaerts Professor of European Law Leuven

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