

1. Record Nr.	UNINA9910462301703321
Autore	Syrpis Phil
Titolo	The Judiciary, the legislature and the EU internal market // edited by Phil Syrpis [[electronic resource]]
Pubbl/distr/stampa	Cambridge : , : Cambridge University Press, , 2012
ISBN	1-139-41138-1 1-107-22843-3 1-280-68294-9 9786613659880 1-139-42274-X 1-139-41972-2 0-511-84568-5 1-139-42177-8 1-139-41767-3 1-139-42381-9
Descrizione fisica	1 online resource (xi, 373 pages) : digital, PDF file(s)
Disciplina	341.242/24
Soggetti	Political questions and judicial power - European Union countries Judicial power - European Union countries Legislative power - European Union countries European Union countries Economic integration Political aspects European Union countries Economic policy
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Title from publisher's bibliographic system (viewed on 05 Oct 2015).
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Theorising the relationship between the judiciary and the legislature in the EU internal market / Phil Syrpis -- A competence to protect : the pursuit of non-market aims through internal market legislation / Bruno De Witte -- Free movement of goods and EU legislation in the Court of Justice / Laurence W. Gormley -- Minimum harmonisation, free movement and proportionality / Nina Boeger -- Legislatures, courts and the unfair terms directive / Gert Straetmans and Caroline Cauffman -- The unfair commercial practices directive : a successful example of legislative harmonisation? / Amandine Garde -- The EU media market

and the interplay between the legislature and the judiciary / Dimitrios Doukas -- The EU social security co-ordination system : a close interplay between the EU legislature and judiciary / Herwig Verschueren -- Internal market architecture and the accommodation of labour rights : as good as it gets? / Claire Kilpatrick -- The interactions between the legislature and the judiciary in EU external relations / Geert De Baere and Panos Koutrakos -- Changing treaty and changing economic context : the dynamic relationship of the legislature and the judiciary in the pursuit of capital liberalisation / Ryan Murphy -- The judiciary, the legislature and the evolution of union citizenship / Ferdinand Wollenschlager -- The third age of EU citizenship : directive 2004/38 in the case law of the court of Justice / Niamh Nic Shuibhne.

---

Sommario/riassunto

By tracing the way in which the CJEU and national courts react to legislation and Treaty reform, and the way in which the Member States, Commission and other actors in the legislative process react to judicial interventions, this collection of essays explores the nature of the dynamic relationship between courts and legislatures within the EU. It is clear that the boundaries between the legal and political realms are contested and that the judiciary and the legislature are engaged in a struggle, not so much about the substantive contours of the internal market project, but rather about their relative institutional positions. The contributors consider all aspects of the internal market project, from goods to capital and citizenship, examining areas where there has been significant Treaty change as well as those in which the Treaty framework has remained substantially unaltered.

---