

1. Record Nr.	UNINA9910466661203321
Autore	Conant Lisa J.
Titolo	Justice contained : law and politics in the European Union / / Lisa Conant
Pubbl/distr/stampa	Ithaca, New York ; ; London : , : Cornell University Press, , [2002] ©2002
ISBN	1-5017-2264-6
Descrizione fisica	1 online resource (xvii, 250 pages) : illustrations
Disciplina	341.2422
Soggetti	Political questions and judicial power - European Union countries Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	Frontmatter -- Contents -- Figures -- Tables -- Preface -- Abbreviations -- 1. Introduction: Justice Contained -- 2. The Variable Reach of the Law: The European Court of Justice and the Politics of Legal Integration -- 3. Containing Justice: Institutional Constraints on Law in the European Union -- 4. From Jurisprudence to Policy: The Liberalization of European Telecommunications -- 5. European Law and What States Made of It: Intergovernmental Reform of Electricity -- 6. From Law to Policy and Practice? Nationality and Access to Public-Sector Employment -- 7. Justice Contained and Reversed: Nationality, Territory, and Access to Social Benefits -- 8. The European Court of Justice and Judicial Authority: Comparisons and Conclusions -- Index
Sommario/riassunto	In this probing analysis of the European Union's transnational legal system, Lisa Conant explores the interaction between law and politics. In particular, she challenges the widely held view that the European Court of Justice (ECJ) has, through bold judicial activism, brought about profound policy and institutional changes within the EU's member states. She argues convincingly that this court, like its domestic counterparts, depends on the support of powerful organized interests to gain compliance with its rulings. What, Conant asks, are the policy implications of the ECJ's decisions? How are its rulings applied in practice? Drawing on the rich scholarship on the U.S. Supreme Court, Conant depicts the limits that the ECJ and other tribunals have to face.

To illuminate these constraints, she traces the impact of ECJ decisions in four instances concerning market competition and national discrimination. She also proposes ways of anticipating which of this court's legal interpretations are likely to inspire major reforms. Justice Contained closes with a comparative analysis of judicial power, identifying the ECJ as an institution with greater similarities to domestic courts than to international organizations. The book advances a deeper understanding both of the court's contributions to European integration and of the political economy of litigation and reform.

---