1. Record Nr. UNINA9910816602803321 Convergence and divergence in European public law / / edited by Paul **Titolo** Beaumont, Carole Lyons and Neil Walker Pubbl/distr/stampa Oxford;; Portland, Oregon:,: Hart Publishing,, 2002 **ISBN** 1-4725-6254-2 1-280-80759-8 9786610807598 1-84731-014-1 Edizione [1st ed.] Descrizione fisica 1 online resource (288 p.) Disciplina 341.2422 Law - European Union countries Soggetti Public Law - European Union countries Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia "The collection grew out of a symposium held at the School of Law of Note generali the University of Aberdeen in May 2000."--pages viii. Includes bibliographical references and index. Nota di bibliografia Nota di contenuto PART I: THE TERRITORIAL DIMENSION -- 1. Europe's Changing Political Landscape: Territorial Restructuring and New Forms of Government --Michael Keating -- 2. Member States and Regions in Community Law: Convergence and Divergence -- Joanne Scott -- PART II: THE CONSTITUTIONAL DIMENSION -- 3. The Closest Thing to a Constitutional Conversation in Europe: The Semi-Permanent Treaty Revision Process -- Bruno de Witte -- 4. The Constitutional Structure of the European Union: Some Reflections on Vertical Unity-in-Diversity --Deirdre Curtin and Ige Dekker -- 5. Perspectives on Convergence within the Theatre of European Integration -- Carole Lyons -- PART III: THE ADMINISTRATIVE LAW DIMENSION -- 6. Convergence and Divergence in Administrative Law -- Chris Himsworth -- 7. Towards Homogeneity in the Field of Legal Remedies: Convergence and Divergence -- Ton Heukels and Jamila Tib -- PART IV: THE HUMAN RIGHTS DIMENSION -- 8. Convergence and Divergence in European Public Law: The Case of Human Rights -- Grainne de Burca -- 9. Human Rights: Some Recent Developments and their Impact on

Convergence and Divergence of Law in Europe -- Paul Beaumont -- 10.

The European Union and Fundamental Rights: Well in Spirit but

Considerably Rumpled in Body? -- Niamh Nic Shuibhne -- PART V: THE PUBLIC -- PRIVATE DIMENSION -- 11. Voices of Difference in a Plural Community -- Carol Harlow -- 12. Public Law, Europeanisation and Convergence: Can Comparatists Contribute? -- Pierre Legrand -- 13. Culture, Democracy and the Convergence of Public Law: Some Scepticisms about Scepticism -- Neil Walker

## Sommario/riassunto

This book grew out of a symposium held in the University of Aberdeen in May 2000. It examines the extent to which the European Union has brought about and should bring about convergence of law in Europe, in particular, but not exclusively, public law in Europe. Rather than focusing narrowly on the Intergovernmental Conference process, the book engages those who wish a detached and, at times, theoretical examination of the politics of institutional reform in the EU (Michael Keating and Joanne Scott); of the legal techniques for accommodating diversity within the Union and the process of treaty making or constitution building in the EU (Deirdre Curtin, Ige Dekker, Bruno de Witte and Carole Lyons); the cross-fertilisation of administrative law concepts between the EU level and the national level (Chris Himsworth, Ton Heukels and Jamila Tib); the need for and legitimacy of a European Union competence on human rights (Grainne de Burca, Paul Beaumont and Niamh NicShuibhne); and whether private law and public law differ in the extent to which they go to the heart of (reflect) national culture and therefore in the extent to which they are amenable to convergence (Carol Harlow, Pierre Legrand and Neil Walker)