

1. Record Nr.	UNINA9911034941803321
Autore	Pantaleo Luca
Titolo	Abuse of Law in the European Union : The Rise of a Special General Principle / / by Luca Pantaleo
Pubbl/distr/stampa	The Hague : , : T.M.C. Asser Press : , : Imprint : T.M.C. Asser Press, , 2025
ISBN	94-6265-731-9
Edizione	[1st ed. 2025.]
Descrizione fisica	1 online resource (238 pages)
Collana	Law and Criminology Series
Disciplina	341.2422
Soggetti	Law - Europe International law European Law Sources and Subjects of International Law, International Organizations
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	1. At the Edge of the Law: Mapping the Terrain of Abuse in the EU Legal Order -- 2. Abuse of Law in Municipal Legal Orders and International Law: An Overview -- 3. Analysis of the Court of Justice's Case Law -- 4. The Scope of Application of the Principle of Abuse of Law in the EU Legal Order -- 5. The Purpose and Function of Abuse of Law in the Union Legal Order -- 6. Concluding Reflections: Abuse of Law and the Maturation of the EU Legal Order -- Index.
Sommario/riassunto	This book centres on the principle of abuse of law in the EU legal order. It deals with this subject from both a practical and theoretical perspective, as it provides a thorough assessment of the relevant case law of the Court of Justice as well as an in-depth analysis of the theoretical foundations of this principle. The monograph looks to provide a general, comprehensive examination of the topic in order to systematise it in a coherent framework. By doing so, it intends to fill a gap in the current literature. The book argues that abuse of Union law is a general principle of EU law with special features, which carries out two main functions: on the one hand, it ensures that EU rights are exercised in a manner that is consistent with the purpose for which they have been granted; on the other hand, it has a second and more fundamental function. For it is aimed at guaranteeing the systemic

coherence of the system, ultimately serving the universal notions of justice and fairness, contributing to the further development and progress of EU law over time. The monograph should prove beneficial primarily to those who conduct fundamental research in EU law but also to practitioners, given that the practical applications of this principle have significantly increased in recent years. Luca Pantaleo is an Associate Professor of EU Law in the Department of Political and Social Sciences at the University of Cagliari in Italy.
