

# The Coherence of EU Law



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The EU legal order sits above a diverse mix of 27 national legal systems, with some 23 different languages. Amongst such diversity, how can the unity and coherence of the European legal system be guaranteed? Is there a common understanding between lawyers from different national backgrounds as to the meaning and application of EU law? In addressing these issues the idea of 'common concepts' has played a crucial role - it is argued that the unity of the system is guaranteed by the consistent application of certain core principles shaping the law. To what extent can these concepts be trusted to provide a firm basis for the coherence of the EU legal order? Believers in common concepts argue that there is a relatively clear, shared and accepted framework of ideas, providing an understanding of the system that is ultimately unified in spite of all apparent divergence. Sceptics hold that there is no such framework; 'common concepts' turn out to be additional sources of misunderstanding, confusion and, subsequently, legal divergence. According to a third thesis, there is indeed no common conceptual core, but the necessary unity and coherence of EU law can be articulated and even reinforced through the use of divergent concepts. The contributors to this collection of essays address these issues from different disciplinary perspectives - legal sociology, linguistics, comparative law, European legal scholarship, legal theory and practical experience. The research group focused on the application of two general themes: the protection of rights and judicial discretion. In addition to the thematic research, case studies from core policy sectors are featured, including energy regulation and social policy.

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目录:

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