



Europeanisation of Public Law

J.H. Jans, R. de Lange, S. Prechal, R. Widdershoven

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Europeanisation of Public Law is a study about the relation between European and national public law and, in particular, how EU law is changing some of the fundamental aspects of public and administrative law of its Member States. Well known EU legal doctrines on procedural autonomy, direct effect, consistent interpretation, ex officio application of European law, and state liability are used as a starting point for looking into the consequences of those doctrines in the various Member States. Attention is also given to important questions on the enforcement of European law in the national legal order, the organization of the judiciary, and the influence of European law on fundamental principles of public law such as legal certainty, non-discrimination, and the proportionality principle. For such purposes, case law stemming from more than 15 different jurisdictions is analyzed, as well as how European law is actually being applied by the various national courts. The study presents a dynamic picture on the inter-relationships between national and European law. Because of the many examples of national case law, the book should be most welcome by any practitioner dealing with European law in a national context.

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