

## Bibliography (special bibliography for this course)<sup>1</sup>

### A. Law reports and casebooks

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| Court of Justice of the European Communities/Union [Eiropas Kopienū/Savienības Tiesa] (editor) | Reports of Cases before the Court of Justice and the Court of First Instance, Part I: Court of Justice, Part II: Court of First Instance (official reports of the jurisprudence of the Court of Justice and of the General Court [formerly the Court of First Instance]), 1954 ff.   |
| Court of Justice of the European Communities/Union Eiropas Kopienū/Savienības Tiesa] (editor)  | Case-law, <a href="http://curia.europa.eu">http://curia.europa.eu</a> (database of the jurisprudence of the Court of Justice, the General Court [formerly the Court of First Instance] and the Civil Service Tribunal and also of the opinions of the Advocates General in the different official languages; see in particular the subsite " <i>Important pre-accession case-law</i> " with its translations of important judgements in the languages of the new member states; see also the subsite " <i>Digest of the case-law</i> ", a comprehensive database of headnotes and summaries [in French only]). |
| EuR-Lex  | Case-law, <a href="http://eur-lex.europa.eu/JURISIndex.do?ihmlang=en">http://eur-lex.europa.eu/JURISIndex.do?ihmlang=en</a> (database of the jurisprudence of the Court of Justice, the General Court [formerly the Court of First Instance] and the Civil Service Tribunal and also of the opinions of the Advocates General in the different official languages)   |
| Amato, Giuliano<br>Ziller, Jacques   | The European Constitution: Cases and Materials in EU and Member States' Law, 2007  |
| Barents, René (editor)   | Directory on EC Case Law on Competition, 2007  |
| Barents, René (editor)   | Directory of EC Case Law on State Aids, 2008   |
| Barents, René  | Directory of EU Case Law on the Preliminary Ruling Procedure, 2009   |
| Hummer, Waldemar<br>Vedder, Christoph (editors)  | Europarecht in Fällen, 5 <sup>th</sup> edition 2010 [coming soon]  |
| Kaczorowska, Alina (editor)  | Law of the European Union. 150 Leading Cases, 3 <sup>rd</sup> edition 2004   |
| Levasseur, Alain A.<br>Scott, Richard F.<br>Raynouard, Arnaud<br>Wathelet, Melchior            | The Law of the European Union, volume 2: Economic Law and Common Policies: Cases and Materials, 2006, supplement 2007  |
| Masclat, Jean-Claude   | Les grands arrêts de droit communautaire, 3rd edition 2007   |
| Pechstein, Matthias  | Entscheidungen des Europäischen Gerichtshofs. Kommentierte Studienauswahl, 5th edition 2009  |
| Rambaud, Patrick   | Les grandes décisions de la jurisprudence communautaire, 2007  |
| Sudre, Frédéric<br>Tinière, Romain   | Droit communautaire des droits fondamentaux. Recueil de décisions de la Cour de Justice des Communautés européennes, 2008  |
| Turner, Chris  | EU Law. Key Cases, 2006  |

<sup>1</sup> See also the general bibliography on European law (from this course). See for further references the comprehensive bibliography at the internet compendium "Jurisprudence on European integration", <http://lehrstuhl.jura.uni-goettingen.de/tschmitz/Lehre/Jurisprudence-on-integration-bibliography.htm>.

Weatherill, Stephen                      Cases and materials on EU law, 9th edition 2010 [coming soon]

## **B. Special literature** (for scientific research)

### *I. On the position, the role and the methods of the European Court of Justice (and the national courts)*

- Arnulf, Anthony                      The European Union and its Court of Justice, 2<sup>nd</sup> edition 2006
- Bauer, Lukas                          Der Europäische Gerichtshof als Verfassungsgericht?, 2008
- Beach, Derek                         Between Law and Politics. The Relationship between the European Court of Justice and EU Member States, 2001
- Búrca, Gráinne de  
Weiler, Joseph H. H.                 The European Court of Justice, 2001
- Dauses, Manfred                     Die Rolle des Europäischen Gerichtshofes als Verfassungsgericht der Europäischen Union, Integration 1994, 215
- Dederichs, Mariele                  Die Methodik des Gerichtshofes der Europäischen Gemeinschaften, Europarecht 2004, 345
- Everling, Ulrich                      Richterliche Rechtsfortbildung in der Europäischen Gemeinschaft, Juristenzeitung 2000, 217
- Herzog, Roman  
Gerken, Lüder                         Stop the European Court of Justice, EU Observer, 10.09.2008, <http://euobserver.com/9/26714/?rk=1> [German Version: Frankfurter Allgemeine Zeitung, 08.09.2008, p. 8, [www.cep.eu/fileadmin/user\\_upload/Pressemappe/CEP\\_in\\_den\\_Medien/Herzog-EuGH-Webseite.pdf](http://www.cep.eu/fileadmin/user_upload/Pressemappe/CEP_in_den_Medien/Herzog-EuGH-Webseite.pdf)] (the authors call for the institution of an ECJ independent court for competence issues)
- Höreth, Marcus                        Stille Revolution im Namen des Rechts? Zur Rolle des Europäischen Gerichtshofes (EuGH) im Prozess der europäischen Integration, ZEI Discussion Paper C 78 (2000), [www.zei.de/download/zei\\_dp/dp\\_c78\\_hoereth.pdf](http://www.zei.de/download/zei_dp/dp_c78_hoereth.pdf)
- Lasser, Mitchel                        Anticipating Three Models of Judicial Control, Debate and Legitimacy: The European Court of Justice, the Cour de cassation and the United States Supreme Court, Jean Monnet Working Paper (JMWP) 1/2003, [www.jeanmonnetprogram.org/papers/03/030101.html](http://www.jeanmonnetprogram.org/papers/03/030101.html)
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- Mähner, Tobias                         Der Europäische Gerichtshof als Gericht, 2005
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- Rodríguez Iglesias, Gil Carlos     Der EuGH und die Gerichte der Mitgliedstaaten - Komponenten der richterlichen Gewalt in der Europäischen Union, Neue Juristische Wochenschrift 2000, 1889
- Rösler, Hannes                        Die Zukunft des Gerichtssystems der EU. Entwicklungstendenzen des EuGH zum Supreme Court Europas, Zeitschrift für Rechtspolitik 2000, 52
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### *II. On the constitutional jurisprudence in the member states concerning the participation in the process of European integration*

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- Europarecht als französisches Verfassungsrecht, WHI-Paper 1/2005, [www.whi-berlin.de/documents/whi-paper0105.pdf](http://www.whi-berlin.de/documents/whi-paper0105.pdf)
- Poland: The Constitutional Tribunal on the implementation of the European Arrest Warrant, *International Journal of Constitutional Law* 2008, 162
- "Solange, chapter 3": Constitutional Courts in Central Europe - Democracy - European Union, *EUI Working Paper Law* 2006/40, <http://hdl.handle.net/1814/6420>
- Courts and Compliance in the European Union: The European Arrest Warrant in National Constitutional Courts, *Jean Monnet Working Paper* 05/08, [www.jeanmonnetprogram.org/papers/08/080501.html](http://www.jeanmonnetprogram.org/papers/08/080501.html)
- The position of Constitutional Courts following integration into the European Union (proceedings of an international conference in Bled [Slovenia] in 2004), [www.us-rs.si/media/zbornik.pdf](http://www.us-rs.si/media/zbornik.pdf)
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- See also the materials from the symposiums "Verfassungsrechtsprechung zwischen Souveränität und Integration" / "Konstitucionālo tiesu prakse. Ceļā no suverenitātes uz integrāciju" at the University of Latvia (2009, 2008 and 2007 at [www.lanet.lv/~tschmit1](http://www.lanet.lv/~tschmit1) (in Latvian and German).

*Special literature on the Lisbon judgements:*

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- The German Constitutional Court and the Future of European Unification, *The Federalist* LI (2009), Nr. 2, [www.euraction.org/federalist/ed2\\_09.htm](http://www.euraction.org/federalist/ed2_09.htm).
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III. On the controversial relationship between the European Court of Justice and the national constitutional courts

- Boom, Steve J. The European Union after the Maastricht Decision: Is Germany the "Virginia of Europe?", JMWP 5/1995, [www.jeanmonnetprogram.org/papers/papers95.html](http://www.jeanmonnetprogram.org/papers/papers95.html)
- Bröhmer, Jürgen Das Bundesverfassungsgericht und sein Verhältnis zum Gerichtshof der Europäischen Gemeinschaften, <http://archiv.jura.uni-saarland.de/projekte/Bibliothek/text.php?id=34> (Saarbrücker Bibliothek)
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- Mattli, Walter  
Slaughter, Anne-Marie Constructing the European Community Legal System from the Ground up: The Role of Individual Litigants and National Courts, JMWP 6/1996, [www.jeanmonnetprogram.org/papers/96/9606ind.html](http://www.jeanmonnetprogram.org/papers/96/9606ind.html)
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Haltern, Ulrich Who in the Law is the Ultimate Judicial Umpire of European Community Competences? The Schilling - Weiler/Haltern Debate, JMWP 10/1996, [www.jeanmonnetprogram.org/papers/96/9610.html](http://www.jeanmonnetprogram.org/papers/96/9610.html)
- See also the much discussed article of *Herzog/Gerken* (see above, B.I.), the literature on the Lisbon judgements and the numerous publications from the nineties on the so-called "cooperation relationship" ["Kooperationsverhältnis"] between the European Court of Justice and the constitutional courts of the member states.

**E. Internet sources**

- Homepage of the ECJ <http://curia.europa.eu>
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Homepage of the Corte costituzionale (I)	<a href="http://www.cortecostituzionale.it">www.cortecostituzionale.it</a>
Homepage of the Bundesverfassungsgericht (D)	<a href="http://www.bundesverfassungsgericht.de">www.bundesverfassungsgericht.de</a>
Homepage of the Conseil constitutionnel (F)	<a href="http://www.conseil-constitutionnel.fr">www.conseil-constitutionnel.fr</a>
Homepage of the Riigikohus (EE)	<a href="http://www.nc.ee/?lang=en">www.nc.ee/?lang=en</a>
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More references at [www.jura.uni-goettingen.de/schmitz](http://www.jura.uni-goettingen.de/schmitz) (at "Links", "A. Europarecht" / "IV. Rechtsprechung").

More Informations on this course at [www.lanet.lv/~tschmit1](http://www.lanet.lv/~tschmit1). For any questions, suggestions and criticism please contact me via e-mail at [tschmit1@gwdg.de](mailto:tschmit1@gwdg.de).