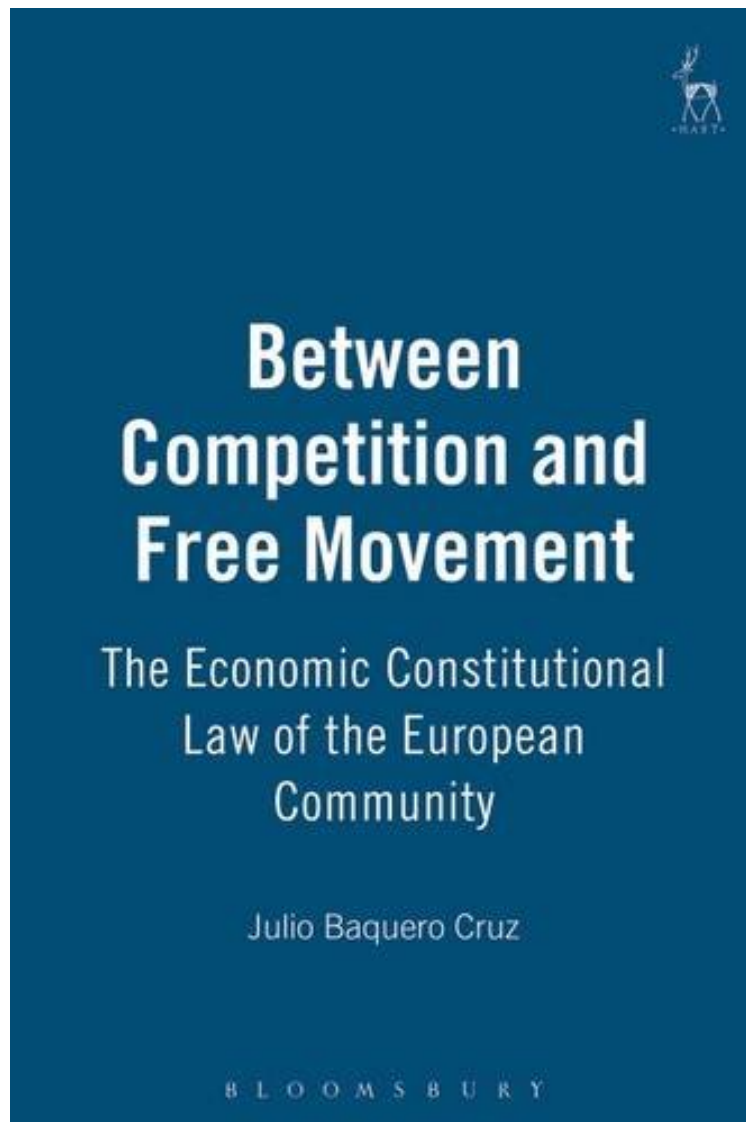


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Between Competition and Free Movement: Economic Constitutional Law of the European Community

Julio Baquero Cruz

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This book takes as its starting point the interaction and gaps between the free movement and competition rules of the EC Treaty, and is the first book-length treatment of the topic. Competition and free movement are well known as fundamental elements of the Community legal order and are normally treated separately by different specialists. Hence their interaction has received less doctrinal analysis. This work bridges the gap and examines the interaction of these disparate rules using a framework which is defined by the author as the economic constitutional law of the European Community. The book then examines specific issues such as the economic orientation of the constitution of the Community, the structure and principles of interpretation relating to it, or the gaps presented by this structure and the ways in which they have been filled by the European Court of Justice. Particular attention is given to two important topics: the possible extension of the application of the free movement rules to protectionist private conduct and that of the competition rules or principles extracted from them to State action. The problem of the public/private divide, a pressing one for contemporary constitutionalism and societies, is a major concern for the chapters devoted to these topics, and it is seen by the author as the central question of the economic constitutional law of the Community.

Here we face the work of a learned scholar, a former referendaire at the ECJ, who risks new perspectives in a field few scholars dare to plough. His often inspired line of thinking and surprising insights make the book a perfect read. a major contribution to the debate beyond competition and free movement. Yearbook of European Law Stephan Wernicke 2006 This authoritative book...is a very welcome addition to the literature in all three spheres of law. Imelda Maher JCMS 2004 ...comprehensive restatement of the law and legal doctrine in the field of free movement and competition, enriched by fresh ideas. Vassilis Hatzopoulos European Law 2004 .this book is an invaluable and timely contribution to fill a gap existing in the literature on European economic constitutional law. It will be a useful reference book to policy makers I recommend Between Competition and Free Movement as an essential purchase to legal scholars, academics, and political scientists who are interested in tracking the future course of the EU in the constitutional sphere. It will also be an excellent library addition to support any graduate or post-graduate courses Sideek Mohamed, Stockholm University, Sweden The Law and Politics Book May 2003 .highly recommended provides a concise but nevertheless rich, comprehensive and most readable synthesis of the core part of the European constitution. Christoph U. Schmid, San Domenico di Fiesole Common Market Law September 2003 About the Author Julio Baquero Cruz is a referendaire at the Chambers of Mr Gil Carlos Rodriguez Iglesias, President of the Court of Justice of the European Communities.