

CONTENTS

SERIES PREFACE.....	v
EDITOR'S PREFACE.....	ix
LIST OF CASES.....	xv
LIST OF ABBREVIATIONS.....	xxxix
LIST OF AUTHORS.....	li
§1. European Legal Methodology: Introduction and Overview Karl RIESENHUBER	1

PART 1. FOUNDATIONS

§2. Legal Methods in Ancient Rome Jan Dirk HARKE.....	11
§3. Judging Statutes and the 19th Century: Judicial Compliance with Statutes, Interpretation and Analogy Christian BALDUS and Lena KUNZ	31
§4. Comparative Law Andreas SCHWARTZE	61
§5. Law-Making and Adjudication for the Internal Market: The Role of Economic Reasoning Jens-Uwe FRANCK.....	87

PART 2. GENERAL SECTION

CHAPTER 1.

SOURCES OF LAW	117
§6. The Sources of European Private Law Johannes KÖNDGEN and Oliver MÖRSDORF	117

CHAPTER 2.	
EU PRIMARY LAW	157
§7. Interpretation and Development of EU Primary Law Rudolf STREINZ	157
§8. Interpretation in Conformity with Primary Law Stefan LEIBLE and Ronny DOMRÖSE	181
CHAPTER 3.	
EU SECONDARY LAW	211
§9. System (<i>Systemdenken</i>) and System Building Stefan GRUNDMANN	211
§10. Interpretation of EU Secondary Law Karl RIESENHUBER	249
§11. Concretisation of General Clauses Florian MÖSLEIN and Anne RÖTHEL	283
§12. Judicial Development of Law Jörg NEUNER	313
CHAPTER 4.	
EFFECTS ON THE NATIONAL LAW OF THE MEMBER STATES	341
§13. Interpretation in Conformity with Directives Wulf-Henning ROTH and Christian JOPEN	341
§14. Gold-Plating: The Implementation of Directives Through National Provisions with a Wider Scope of Application Mathias HABERSACK and Christian MAYER	375
§15. The Advance Effect of Directives Christian HOFMANN	405
§16. Temporal Effects of CJEU Judgments Frank ROSENKRANZ	435
PART 3. SPECIAL SECTION	
CHAPTER 1.	
METHODOLOGICAL ISSUES IN SELECTED BRANCHES	469
§17. European Labour Law Robert REBHAHN and Martin FRANZEN	469
§18. European Capital Market Law Susanne KALSS	499

§19. European Competition Law	
Thomas ACKERMANN	527
CHAPTER 2.	
NATIONAL PERSPECTIVES	551
§20. Germany	
Johanna SCHMIDT-RÄNTSCH	551
§21. France	
Ulrike BABUSIAUX	581
§22. United Kingdom	
Michael SCHILLIG	621
§23. Spain	
Klaus Jochen ALBIEZ DOHRMANN and Sixto SÁNCHEZ LORENZO	649
§24. Poland	
Thomas RAFF	675
INDEX	703