The Legal Reasoning Of The European Court Of Justice: Toward A European Jurisprudence

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Can be started by the European Commission or another EU country. If the country is found to be at fault, it must put things right at once, or risk a second case being brought, which may result in a fine. annulling EU legal acts (actions for annulment) â€“ if an EU act is believed to violate EU treaties or fundamental rights, the Court can be asked to annul it â€“ by an EU government, the Council of the EU, the European Commission or (in some cases) the European Parliament. Private individuals can also ask the Court to annul an EU act that directly concerns them. ensuring the EU takes action (actio And Has the European Court of Justice ever Practiced It?, in SCRITTI IN ONORE DI G.F.MANCINI, 505 (Curti Gialdino ed., Milano 1998); T. Tridimas, The European Court of Justice and Judicial Activism, 21 EUR. L. REV.199 (1996); G.F. Mancini, Attivismo e Autocontrollo nella Giurisprudenza della Corte di Giustizia, RDE 229 (1990); Lord Slyn of Hadley, What is a European Community Judge?, 52 C.L.J. 234 (1993). In addition to the reasons which determine the judgesâ€™ general inclination towards law-making, there are, in the European context, particular explanations which emphasize the law-making attitude of the Court of Justice. The two main reasons are the European institutional framework and the Treatiesâ€™ language and nature.