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THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES

Of the institutions common to the European Communities, probably none has had greater impact on European integration than the Court of Justice. Throughout its case law, the Court has consistently emphasized the federal character of Community law and the secondary importance of national law of the Member States in areas covered by the establishing treaties. Especially in recent years as economic expansion has slowed and Member States have reverted to national rather than federal solutions to fiscal and political dilemmas, the Court remains the most forceful exponent and practitioner of the Common Market and European policy.

In response to the rising interest in and recognition of the influence of the Court of Justice on Community affairs, the *Vanderbilt Journal of Transnational Law* has devoted this entire issue to the Court—its case law and philosophy. This special project is intended to add significantly to the growing body of literature in English about the Court of Justice and to provide a base for treatment of Court opinions and judicial development in forthcoming issues. In the future, the *Journal* will attempt to treat cases decided by the Court of Justice in the same manner as United States Supreme Court opinions; individual cases will be digested or receive comment, and more significant trends will be treated in contributed articles and long student material. As a foundation for those beginning or broadening a study of the Court of Justice, this issue seeks to survey existing literature concerning the Court and to bring up to date the Court's case law in some important areas.

In *Information on the Court of Justice of the European Communities*, Mr. J.A. Stoll, Chief of Press and Legal Information Service of the Court of Justice, has contributed a practical guide to information by and about the Court. He itemizes serial publications appearing in all official languages of the Communities, and provides addresses of the Community Information Offices from which that material may be obtained.

Professor Igor I. Kavass has compiled a thorough bibliography of the existing literature about the Court, published in English, French, German, Italian, Dutch, and Spanish. Individual entries are annotated and languages are indicated, and, as an aid to researchers, Professor Kavass has included a useful index of authors. Each entry in the work is numbered to facilitate periodic updates.

In their article, *The Community Court and Supremacy of Community Law: A Progress Report*, Professor Peter Hay, a respected authority in the area, and Ms. Vicki Thompson survey the crucial relationship between Community law and national law. The treatment by the Court of Justice of its relationship with the national courts, the applicability of Community law in the Member States, and the interface between national and Community law are discussed in historical and current perspective.

The present, with Member States questioning their relationship to and continuing participation in the European Communities, is a particularly fortuitous moment for a special project on the Court of Justice. Recently the United Kingdom has conducted a national referendum to advise Parliament on whether to withdraw from the Common Market; French wine growers and farm workers have lobbied and demonstrated vehemently against Community rules that allow Italian wine to displace domestic wine on the French market; and the OPEC oil embargo and price increases have placed divisive stress on the very foundations of European cooperation. Yet the Court of Justice continues to pursue the goal of economic and political integration and to espouse consistently Community law over national laws—a legally integrated Europe over legally independent European states.

Harold Van Morgan, Jr.
Editor in Chief