

Damian Chalmers, Christos Hadjiemmanuil, Giorgio Monti and Adam Tomkins. *European Union Law*. Cambridge: Cambridge University Press, 2006. Pp. 1,235. £35. Paperback. ISBN 0-521-52741-4.

Each year lecturers are faced with the decision of which books to adopt as textbooks for their courses. In the past, in the field of European Law, there were more or less two schools of thought regarding textbooks. The first favoured shorter texts, such as Hartley's *European Union Law in a Global Context* (2004) or Mathijsen's *A Guide to European Union Law* (2004), possibly supplemented by articles from major journals and recent cases. Lecturers opting for more concise textbooks often argue that students are reluctant to read longer works and that it is advisable in an introductory course to limit the material so as not to create confusion. In advanced courses, on the contrary, a general book is less likely to provide for in-depth analyses and studies. Furthermore, short books tend to be less expensive, which in turn increases the likelihood that students will purchase them.

The second school of instructors opts for more comprehensive textbooks, with ample additional materials such as article excerpts, secondary law and case law. This additional material can be used in lectures and therefore does not have to be provided by the lecturer. Moreover, books of this kind often present a perspective of their own, giving deeper insight into European integration. Their obvious advantage is that both beginners and advanced students can use the same book, and it may also serve as a reference for later studies. In this latter category, one book has been predominant, if not singular, during recent years: Paul Craig and Gráinne de Búrca's *EU Law*, 3rd edition (2003). Its 1,241 pages of text present European Law as a complex and dynamic process, with a certain logical progression towards the supranational, in which the European Court of Justice plays a key role.

However, it would now appear that the Craig and de Búrca volume has lost its claim

to exclusiveness in the category of comprehensive textbooks – Cambridge University Press has set out to challenge the leader with a similarly weighty tome. Four authors – Damian Chalmers, Christos Hadjiemmanuil, Giorgio Monti and Adam Tomkins – have combined their strengths to attack the giant with their volume entitled *European Union Law*. Approximately half of the book, notably the chapters on what now constitutes European constitutional law (institutions, law-making, fundamental rights, judicial relations and union citizenship) was written by Damian Chalmers, Reader in European Law at the London School of Economics. Christos Hadjiemmanuil, also Reader in Law at LSE, contributed two chapters on the economic and monetary union and financial services. The third author, Giorgio Monti, offered his knowledge on competition law. Last but not least, Adam Tomkins contributed three chapters on administrative law, mainly focusing on (legal) accountability. He also wrote the most up-to-date chapter in the introductory section, in which he commented on the 'failure' of the Constitutional Treaty.

One of the great advantages of this book compared with Craig and de Búrca is the choice of recent case law. A great number of interesting recent cases have been included, for instance, *Omega* C-36/02; *Kranemann* C-109/04; *Case C-304/02 Commission v. France*, or in the field of competition law *Case T-201/04 Microsoft, et al.* The same is true for recent developments in the field of Union citizenship. A definite advantage, as compared to the old master, is the discussion of the Constitutional Treaty, especially the EU Charter of Fundamental Rights, which has recently been cited by the European Court of Justice in *Case C-105/03*, dealing with family reunions.

So, the book is newer. But is it otherwise better? In this author's opinion, the answer is a negative one. It shares some of problems with its rival, but has additional weaknesses.

The cover of *European Union Law* claims that it sets out to teach European law in the face of the EU's current upheavals, placing

the law in its social, political, and economic contexts. In this respect, it shares an inherent problem with its rival: of course, all laws, but especially European Law, are a product of history, economic interests and politics. As a consequence, it is *de rigueur* to present law in its context. But the more one stresses context, the longer and complicated the story and the less visible the essence becomes. This is an inherent problem with books that seek to contextualize at the social, political and economic levels: although this approach is interesting and virtually compulsory for advanced students and researchers, it always runs the risk of blurring the overall picture for students taking their first course in EU law. In terms of reader-friendliness, the two publishing houses are head-to-head. Both give good summaries of cases and include academic comments. Craig and de Búrca may have nicer introductions to chapters which sum up the key points, whereas Chalmers *et al.* make a clearer distinction between the text body and case references by highlighting case law and other insertions. Be that as it may, both make good use of reference literature.

The 'advantage' of several experts pooling their knowledge to write a new piece also

carries a risk, namely, the danger of inconsistency. Generally speaking, the authors have done a good job of coordinating their efforts. A slight note of criticism may be directed at the description of legal remedies before the European Court of Justice and national courts – Craig and de Búrca seem to handle this important topic better by depicting the European Court of Justice as an active actor in Community Law. Another criticism concerns the chapter dealing with discrimination law, which is not up to the same standard as the rest of the book. It seems a bit lost between fundamental rights discourse and the non-discrimination logic of the single market and could have been a lot shorter. The same applies for the chapter on EU law and non-EU nationals, which is more than 50 pages long, while the section on state liability comprises only 17 pages.

In conclusion, Chalmers *et al.* may not equal its established competitor in all aspects just yet.

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