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Establishing the Supremacy of European Law The Making of an International Rule of Law in Europe KAREN J ALTER OXFORD UNIVERSITY PRESS
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4 See generally KAREN J ALTER, ESTABLISHING THE SUPREMACY OF EUROPEAN LAW (2d ed 2001) 5 Case 106/77, Amministrazione delle Finanze dello Stato v Simmenthal SpA, 1978 ECR 629 6 For the sake of clarity, the terms "European Union" (EU), and "Europe" are used as synonyms

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direct effect and supremacy In both, the Court approached the problem from a general perspective and gave a general answer The arguments were largely similar and referred to the special nature of the Treaty establishing the European Economic Community In Van Gend & Loos, the Court declared that:

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938 EJIL 28 (2017), 935-957 2 The Fundamental Doctrines of European Law By far the most common approach to identifying the fundamental doctrines of the European legal order is to refer to the doctrines of 'direct effect' and 'supremacy'⁶ The doctrine of direct effect was first set out in the Van Gend en Loos judgment, on 5 February 1963, where the Court of Justice proclaimed that

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t A review of Karen J Alter, Establishing the Supremacy of European Law The Making of an International Rule of Law in Europe (Oxford: Oxford University Press, 2001); references in brackets within the text are to page numbers

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