4. Principle of supremacy of EU law

This chapter examines the Court of Justice’s (CJ) case law on the supremacy of European Union (EU) law over national laws of Member States, analyses the question of priorities between directly effective EU law and domestic law, and also looks at this problem from the perspective of the national courts, including issues of human rights protection. It argues that the CJ’s introduction of the notion of supremacy, as part of EU law constituting a ‘new legal order’, was instrumental in providing a view of the Union as a body which went beyond what was normal for an international law organization. The chapter also describes how Member States developed their own constitutional rules as a response to EU law.

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4. Principle of supremacy of EU law

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