Contents

List of contributors vii

PART I INTRODUCTION – SOCIAL JUSTICE AND ACCESS
JUSTICE IN PRIVATE LAW

1 Introduction 3
Hans-W. Micklitz

PART II CORRECTIVE, COMMUTATIVE, PROCEDURAL AND
SOCIAL JUSTICE

2 Social justice and legal justice 61
Wojciech Sadurski

3 Can we make sense of commutative justice? A comment on
Professor Wojciech Sadurski 80
Christine Chwaszcza

4 Commutative, distributive and procedural justice: a response
to Professor Christine Chwaszcza 90
Wojciech Sadurski

5 A rejoinder 105
Christine Chwaszcza

PART III CONSTITUTIONAL VALUES AND PRIVATE LAW

6 Constitutional justice and the perennial task of ‘constitutionalizing’
law and society through ‘participatory justice’ 115
Ernst-Ulrich Petersmann

7 The constitutionalization of European private law as a path to
social justice? 133
Hugh Collins

8 The Nile Perch in European private law 167
Ugo Mattei
PART IV SOCIO-ECONOMIC DEVELOPMENTS AND SOCIAL JUSTICE

9 At the roots of European private law: social justice, solidarity and conflict in the proprietary order
   Alessandro Somma

10 Social justice in the welfare state from the perspective of the comparative history of institutions
    Cornelius Torp

11 A vision of social justice in French private law: paternalism and solidarity
    Ruth Sefton-Green

12 Meaning(s) of social justice in Nordic countries
    Pia Letto-Vanamo

13 The Europeanization of social justice and the judiciary: how will judges react in the EU Member States?
    Arthur Dyevre

PART V SOCIAL JUSTICE IN LABOUR, CONSUMPTION AND COMPETITION

Labour
14 Labour relations and the concept of social justice in the European Union
    Marie-Ange Moreau

Consumption
15 The transformation of contractual justice – a historical and comparative account of the impact of consumption
    Hannes Rösler

16 Social justice in the Office of Fair Trading versus commutative justice in the Supreme Court
    Chris Willett

17 Social peace via pragmatic civil rights – the Scandinavian model of consumer law
    Bastian Schüller

Competition
18 Towards a European model of economic justice: the role of competition law
    K.J. Cseres

Index