

Contents

<i>List of contributors</i>	vii
-----------------------------	-----

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

1 Introduction	3
<i>Hans-W. Micklitz</i>	

PART II CORRECTIVE, COMMUTATIVE, PROCEDURAL AND SOCIAL JUSTICE

2 Social justice and legal justice	61
<i>Wojciech Sadurski</i>	
3 Can we make sense of commutative justice? A comment on Professor Wojciech Sadurski	80
<i>Christine Chwaszcza</i>	
4 Commutative, distributive and procedural justice: a response to Professor Christine Chwaszcza	90
<i>Wojciech Sadurski</i>	
5 A rejoinder	105
<i>Christine Chwaszcza</i>	

PART III CONSTITUTIONAL VALUES AND PRIVATE LAW

6 Constitutional justice and the perennial task of ‘constitutionalizing’ law and society through ‘participatory justice’	115
<i>Ernst-Ulrich Petersmann</i>	
7 The constitutionalization of European private law as a path to social justice?	133
<i>Hugh Collins</i>	
8 The Nile Perch in European private law	167
<i>Ugo Mattei</i>	

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 <i>Alessandro Somma</i>	187
10	Social justice in the welfare state from the perspective of the comparative history of institutions <i>Cornelius Torp</i>	214
11	A vision of social justice in French private law: paternalism and solidarity <i>Ruth Sefton-Green</i>	237
12	Meaning(s) of social justice in Nordic countries <i>Pia Letto-Vanamo</i>	257
13	The Europeanization of social justice and the judiciary: how will judges react in the EU Member States? <i>Arthur Dyevre</i>	277

PART V SOCIAL JUSTICE IN LABOUR, CONSUMPTION AND COMPETITION

Labour

14	Labour relations and the concept of social justice in the European Union <i>Marie-Ange Moreau</i>	303
----	--	-----

Consumption

15	The transformation of contractual justice – a historical and comparative account of the impact of consumption <i>Hannes Rösler</i>	327
16	Social justice in the Office of Fair Trading versus commutative justice in the Supreme Court <i>Chris Willett</i>	359
17	Social peace via pragmatic civil rights – the Scandinavian model of consumer law <i>Bastian Schüller</i>	384

Competition

18	Towards a European model of economic justice: the role of competition law <i>K.J. Cseres</i>	405
----	---	-----