

## Europe's Judicial Narratives

Criteria	Historical status	Development stage	Judicial nature	Position in CL	Attraction force	Consistency between CL and NP	Sample of landmark cases	Key Treaty provisions	Example of narrative practice
<i>Narratives</i> <i>Europe is a free market</i>	Inaugural	Crystallised	Predominant	Central	High	High	<i>Dassonville, Cassis de Dijon, Keck &amp; Mithouard, Alpine Investments, Bosman, Altmark</i>	Art. 3(3) TEU, 26-60 & 101-118 TFEU, 15-17 Charter	"Independent and non-uniform conduct by undertakings in the common market encourages the pursuit of one of the basic objectives of the treaty, namely the interpenetration of national markets and, as a result, direct access by consumers to the sources of production of the whole community." ( <i>Hoechst v. Commission</i> )
<i>Europe is based on shared values</i>	Inaugural	Extending	Ancillary	Drawn to the centre	High	High	<i>Stauder, Nold, Internationale Handelsgesellschaft, Cassis de Dijon, ERT, Kadi, Schrems, Melloni, N.S., Aranyosi, Opinion 2/13</i>	Art. 2, 3, 6, 7, 8, 21, 49 TEU, Charter	"This legal structure is based on the fundamental premiss that each Member State shares with all the other Member States, and recognises that they share with it, a set of common values on which the EU is founded, as stated in Article 2 TEU. That premiss implies and justifies the existence of mutual trust between the Member States that those values will be recognised and, therefore, that the law of the EU that implements them will be respected." (Opinion 2/13)
<i>Europe thrives on diversity</i>	Ancient	Recently pressing for growth	Ancillary	Pushed to the centre	Low	Low	<i>Van Duyn, Schindler, Omega, Gambelli, Sayn-Wittgenstein, Digibet, Akerberg Fransson</i>	Art. 4(2) TEU, 36, 67(1), 114(4-10) TFEU, 53 Charter	"It is true that the European Union is obliged to respect the constitutional identity of the Member States. That obligation has existed from the outset. It indeed forms part of the very essence of the European project initiated at the beginning of the 1950s, which consists of following the path of integration whilst maintaining the political existence of the States." (AG Maduro in <i>Michaniki</i> )
<i>Europe is an association of citizens</i>	Young	Growing but under pressure	Predominant	Drawn to the centre	High	Low	<i>Sala, Grzelczyk, Baumbast, Trojani, Ruiz Zambrano, Rottmann, Dano, Delvigne, Chavez-Vilchez</i>	Art. 9-11 TEU, 20-25 TFEU, 39-46 Charter	"Union citizenship is destined to be the fundamental status of nationals of the Member States, enabling those who find themselves in the same situation to enjoy the same treatment in law irrespective of their nationality, subject to such exceptions as are expressly provided for. (...) [EU law] thus accepts a certain degree of financial solidarity between nationals of a host Member State and nationals of other Member States, particularly if the difficulties which a beneficiary of the right of residence encounters are temporary." ( <i>Grzelczyk</i> )
<i>Europe has a social purpose</i>	Young	Embryonic	Ancillary	Marginal	Low	Low	<i>Albany, Lili Schröder, UEAPME, Viking, Laval</i>	Art. 2, 3(3) TEU, 106(2), 107(2), 151-166 TFEU, 27-38 Charter	"Article 2 EC states that the Community is to have as its task, inter alia, the promotion of 'a harmonious, balanced and sustainable development of economic activities' and 'a high level of employment and of social protection'. (...) [T]he Community has thus not only an economic but also a social purpose" ( <i>Laval</i> and <i>Viking</i> )