

GERMAN LAW JOURNAL

Developments in German, European and International Jurisprudence

Editors-in-Chief

Matthias Goldmann; Russell Miller; Jule Mulder; Emanuel Towfigh; Floris de Witte

Editors

Matej Avbelj; Jürgen Bast; Iris Canor; Patrycja Dabrowska; Victoria Daskalova;
Michèle Finck; Alexander Heinze; Jen Hendry; Agnieszka Janczuk-Gorywoda; Poul Kjaer; Nandor Knust;
David Kosař; Stefan Magen; Anna Katharina Mangold; Nora Markard; Jud Mathews; Joana Mendes;
Alexander Morell; Anna Katharina von Oettingen; Emanuela Orlando; Niels Petersen; Sara Poli;
Athanasios Psykcas; Christoph Safferling; Karsten Schneider; Maria Varaki

www.germanlawjournal.com

© Copyright 1999 – 2018 by German Law Journal, E.v. All rights reserved.

ISSN: 2071-8322 / ISSN-L: 2071-8322

Vol. 19 No. 04

Pages 665-1116

01 July 2018

Law & the new Economy

Michèle Finck

Blockchains: Regulating the Unknown 665-692

Robin F. Hansen

Taking More than They Give: MNE Tax Privateering and
Apple’s “Ocean” Income 693-726

Table of Contents

The rule of law, constitutionalism and the judiciary

Emilio Peluso Neder Meyer

- Judges and Courts Destabilizing Constitutionalism: The Brazilian Judiciary Branch's Political and Authoritarian Character 727-768

Anne Sanders & Luc von Danwitz

- Selecting Judges in Poland and Germany: Challenges to the Rule of law in Europe and Propositions for a new Approach to Judicial Legitimacy 769-816

Lasse Schuld

- Mixed Signals of Europeanization: Revisiting the NPD Decision in Light of the European Court of Human Rights' Jurisprudence 817-844

Hans Petter Graver

- Why Adolf Hitler Spared the Judges: Judicial Opposition Against the Nazi State 845-878

Alberto Vespaiani

- "Force Disguised as Reason": Law, Jurists, and Constituent Power in Boccaccio's Decameron 879-900

Table of Contents

Developments

Dennis Dixon

- | | |
|---|---------|
| Article 50 and Member State Sovereignty | 901-940 |
|---|---------|

Christian Schaller

- | | |
|--|---------|
| Strategic Surveillance and Extraterritorial Basic Rights Protection: German Intelligence Law After Snowden | 941-980 |
|--|---------|

Csongor István Nagy

- | | |
|--|----------|
| Intra-EU Bilateral Investment Treaties and EU Law After Achmea: “Know Well What Leads You Forward and What Holds You Back” | 981-1016 |
|--|----------|

Translation

Ewan McGaughey

- | | |
|---|-----------|
| Otto von Gierke: The Social Role of Private Law | 1017-1116 |
|---|-----------|