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The transformation of the euro: law, contract, solidarity

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Stellingen behorende bij het proefschrift

The Transformation of the Euro: Law, Contract, Solidarity

van Vestert Borger

1. The euro has undergone a transformation, but only substantively, not institutionally.
2. A proper reading of the Union's constitution requires the understanding that the member states have not only committed themselves to the law of the Union, but to the Union itself.
3. Self-interest may require solidarity, but solidarity does not require self-interest.
4. The European Central Bank has been instrumental to the rescue of the euro, yet when it comes to the latter's transformation, it has not been calling the shots.
5. The Court of Justice played with history in *Pringle* by stating that financial stability has always been an aim of the ban on bailout.
6. The fact that the Court of Justice did not disapprove the euro's transformation in *Pringle* and *Gauweiler* cannot only be justified on pragmatic, but also on legal grounds, through the political question doctrine.
7. The possibility to hold the Commission liable for damage caused in the context of intergovernmental assistance operations should be welcomed from a fundamental rights perspective, yet is unsatisfactory institutionally speaking.
8. Courses on the law governing the euro nowadays cannot avoid discussing its constitutional dimension, just as courses on EU constitutional law cannot avoid discussing the euro.
9. European legal scholarship focuses too much on 'governance', and too little on 'government'.
10. Just like the euro crisis, the refugee crisis shows where ultimate political authority lies in the Union.

11. Publishing is overvalued in academia in terms of quantity, the reverse is true when it comes to reading.
12. 'Open office spaces' have no place at universities.
13. Those who keep predicting the end of the euro, would do better to invest their time and energy in trying to understand why this has not happened until now.