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Antitrust Federalism in the EU and the US

Firat Cengiz



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Antitrust Federalism in the EU and the US

The EU and the US are the world's preeminent examples of multi-level polities and both have highly developed competition policies. Despite these similarities, however, recent developments suggest that they are moving in different directions in the area of antitrust federalism. This book examines multi-level governance in competition policy from a comparative perspective. The book analyses how competition laws and authorities of different levels – the federal and the state levels in the US and the national and the supranational levels in the EU – interact with each other. Inspired by the increasingly divergent policy developments taking place on both sides of the Atlantic, the author asks whether the EU and the US can draw policy lessons from each other's experiences in antitrust federalism.

Antitrust Federalism in the EU and the US reveals the similarities and differences between the European and American models of antitrust federalism whilst employing policy network models in its comparative analysis of issues such as opacity and accountability in networks. The book is essentially multidisciplinary in its effort to initiate dialogue between the Law and Political Science literatures in this field. This book will be of particular interest to academics, students and practitioners of Competition Law, Constitutional Law and Political Science.

Firat Cengiz is assistant professor in the European and International Law Department of Tilburg Law School in the Netherlands and is a senior member of the Tilburg Law and Economics Center (TILEC).

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This book has been written in six years and six cities. I have worked on this book since 2005 on and off in Norwich, Washington DC, Florence, Tilburg, Istanbul and Ankara. This was an extremely rewarding and challenging period of my life at the same time. In the first half of this period I conducted a doctoral research project that eventually led to the writing of this book. In the second half, I faced the challenge of finding a job in a shrinking market under the global economic crisis. Eventually, I was lucky enough to start my very first position as a junior academic in a well-respected university. These six years were marked with various episodes of moving between countries and re-adaptation. Also, during this period my longing for my country and my family have not diminished in the slightest. Nevertheless, at the same time this was also potentially one of the most rewarding periods of my life marked with achievements not only in my professional life but also in my social life. This was the result of invaluable support and help that I have received from various institutions and people. Thanks to them, despite all the difficulties and challenges I faced, I can still see things from a positive perspective when I look back.

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Abbreviations

Am.	Amendment
AMC	Antitrust Modernization Commission
ATRR (BNA)	Antitrust and Trade Regulation Reports (Bureau of National Affairs)
Cl.	Clause
DOJ	Department of Justice
EC Treaty	Treaty Founding the European Community
EC	European Community
ECN	European Competition Network
ECR	European Court Reports
EEC Treaty	Treaty Founding the European Economic Community
EEC	European Economic Community
EU	European Union
EWGA	Executive Working Group of Antitrust
FTC	Federal Trade Commission
NAAG	National Association of Attorneys General
NCA	National Competition Authority
NCAs	National Competition Authorities
OJ	Official Journal of the European Union
State AG	State Attorney General
State AGs	State Attorneys General
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
US	United States of America

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