Bibliography

- Ackermann, Bruce, 'The Emergency Constitution' (2004) 113 The Yale Law Journal 1029-91.
- Adler-Nissen, Rebecca, 'Opting Out of an Ever Closer Union: The Integration Doxa and the Management of Sovereignty' (2011) 34 West European Politics 1092–13.
- Albi, Anneli, 'Erosion of Constitutional Rights in EU Law: A Call for "Substantive Co-operative Constitutionalism" (2015) 9 Vienna Journal on International Constitutional Law 291–343.
- Alexy, Robert, A Theory of Constitutional Rights (Oxford, Oxford University Press, 2002).
- --- 'The Absolute and the Relative Dimensions of Constitutional Rights' (2017) 37 Oxford Journal of Legal Studies 31–47.
- Allan, TRS, Constitutional Justice: A Liberal Theory of the Rule of Law (Oxford, Oxford University Press, 2003).
- Amstutz, Marc, 'Eroding Boundaries: On Financial Crisis and an Evolutionary Concept of Regulatory Reform' in Poul F Kjaer, Gunther Teubner and Alberto Febbrajo (eds), The Financial Crisis in Constitutional Perspective: The Dark Side of Functional Differentiation (Oxford, Hart Publishing, 2011) 223-68.
- Anderson, David, and Cian C Murphy, 'The Charter of Fundamental Rights' in Andrea Biondi, Piet Eeckhout and Stefanie Ripley (eds), EU Law After Lisbon (Oxford, Oxford University Press, 2012) 155–79.
- Arendt, Hannah, On Violence (Orlando FL, Harcourt Brace & Company, 1970).
- Ari-Takahshi, Yutaka, 'Proportionality' in *The Oxford Handbook of International Human Rights Law*, Dinah Shelton (ed) (Oxford, Oxford University Press, 2015) 446-68.
- Arnull, Anthony, and Daniel Wincott (eds), Accountability and Legitimacy in the European Union (Oxford, Oxford University Press, 2002).
- Ashworth, Andrew, and Lucia Zedner, Preventive Justice (Oxford, Oxford University Press, 2014).
- Bachvarova, Mira, 'Non-domination's Role in the Theorizing of Global Justice' (2013) 9 Journal of Global Ethics 173-85.
- Bajaj Sameer and Rossi Enzo, 'Noumenal Power, Reasons and Justification: A Critique of Forst' chapter in E Herlin-Karnell and M Klatt (eds), Constitutionalism Justified (Oxford, Oxford University Press 2019), forthcoming.
- Baker, Estella, 'Criminal Justice and the "New, Deep and Special Partnership" between the EU and the UK: A Critical Test for the Area of Freedom, Security and Justice?' (2018) 26 European Journal of Crime, Criminal Law and Criminal Justice 1–19.
- Barak, Aharon, 'The Role of a Supreme Court in a Democracy and the Fight Against Terrorism' (2005) 35 Hong Kong Law Journal 287-308.
- Proportionality: Constitutional Rights and their Limitations (Cambridge, Cambridge University Press, 2012).
- Human Dignity: The Constitutional Value and the Constitutional Right (Cambridge, Cambridge University Press, 2015).
- 'On Constitutional Implications and Constitutional Structure' in David Dyzenhaus and Malcolm Thorburn (eds), *Philosophical Foundations of Constitutional Law* (Oxford, Oxford University Press, 2015) 53–74.
- Beatty, David M, The Ultimate Rule of Law (Oxford, Oxford University Press, 2005).
- Beck, Ulrich, and Edgar Grande, Cosmopolitan Europe (Cambridge, Cambridge University Press, 2007).
- Beetz, Jan Pieter and Rossi, Enzo, 'EU Legitimacy in a Realist Key', WZB Centre for Global Constitutionalism Discussion Paper 2015, SP IV 2015-802 (2015).

- Beitz, Charles R, The Idea of Human Rights (Oxford, Oxford University Press, 2009).
- Bellamy, Richard, Political Constitutionalism: A Republican Defence of the Constitutionality of Democracy (Cambridge, Cambridge University Press, 2007).
- Benhabib, Seyla, *The Rights of Others: Aliens, Residents, and Citizens* (Cambridge, Cambridge University Press, 2004).
- ---- 'Democratic Sovereignty and Transnational Law. On Legal Utopianism and Democratic Skepticism' (2014) available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2455436.
- Benvenisti, Eyal, 'Sovereigns as Trustees of Humanity: On the Accountability of States to Foreign Stakeholders.' (2013) 107 American Journal of International Law 295–333.
- Berlin, Isaiah, 'Two Concepts of Liberty' in Berlin, Four Essays of Liberty (Oxford, Oxford University Press, 1958).
- Bergström, Maria, 'The Many Uses of Anti-Money Laundering Regulation Over Time and into the Future' (2018) 19 German Law Journal 1149–67.
- Blake, Michael and Smith, Patrick Taylor, 'International Distributive Justice' *The Stanford Encyclopedia of Philosophy* (Spring 2015 edn), Edward N Zalta (ed), https://plato.stanford.edu/archives/spr2015/entries/international-justice.
- Bohman, James, 'Nondomination and Transnational Democracy' in Cécile Laborde and John Maynor (eds), *Republicanism and Political Theory* (Oxford, Blackwell, 2008) 190–218.
- 'A Response to my Critics: Democracy across Borders' (2010) 3 Ethics & Global Politics 71–84. Bongiovanni, Giorgio, Antonino Rotolo and Corrado Roversi, 'The Claim to Correctness and Inferentialism: Alexy's Theory of practical Reason Reconsidered' in George Pavlakos (ed), Law, Rights and Discourse: The Legal Philosophy of Robert Alexy (Oxford, Hart Publishing, 2007)
- Bongiovanni, Giorgio, Giovanni Sartor and Chiara Valentini (eds), Reasonableness and Law (Dordrecht, Springer, 2009).
- Bossung, Raphael, The Evolution of EU Counter-Terrorism: European Security Policy after 9/11 (Abingdon, Routledge, 2012).
- Brems, Eva, and Janneke Gerards (eds), Shaping Rights in the ECHR: The Role of the European Court of Human Rights in Determining the Scope of Human Rights (Cambridge, Cambridge University Press, 2014).
- Buchanan, Allen, 'Human Rights and the Legitimacy of the International Order' (2008) 14 Legal Theory 39-70.
- The Heart of Human Rights (Oxford, Oxford University Press, 2013).
- 'Why International Legal Human Rights?' in Rowan Cruft, S Matthew Liao and Massimo Renzo (eds), *The Philosophical Foundation of Human Rights* (Oxford, Oxford University Press, 2015) 244–62.
- Busuioc, Madalina, Curtin, Deirdre and Groenleer, Martijn, 'Agency Growth between Autonomy and Accountability: The European Police Office as a "Living Institution" (2011) 18 *Journal of European Public Policy* 848–67.
- Caney, Simon, Justice beyond Borders: A Global Political Theory (Oxford, Oxford University Press, 2005).
- Carens, Joseph H, The Ethics of Immigration (Oxford, Oxford University Press, 2013).
- Chacón, Jennifer, 'Immigration Detention: No Turning Back?' (2014) 113 South Atlantic Quarterly 621–28.
- Cherem, Max, 'Refugee Rights: Against Expanding the Definition of a 'Refugee' and Unilateral Protection Elsewhere' (2016) 24 *The Journal of Political Philosophy* 183–205.
- Cohen, Gerald A, Rescuing Justice and Equality (Cambridge MA, Harvard University Press, 2008).
- Cohen, Jean L, Globalization and Sovereignty: Rethinking Legality, Legitimacy, and Constitutionalism (Cambridge, Cambridge University Press, 2012).
- Cohen-Eliya, Moshe and Porat, Iddo, Proportionality and Constitutional Culture (Cambridge, Cambridge University Press, 2013).

- Colón-Ríos, Joel I, 'The Legitimacy of the Juridical: Constituent Power' (2010) 48 Osgoode Hall Law Journal 199–245.
- Weak Constitutionalism: Democratic Legitimacy and the Question of Constituent Power (Abingdon, Routledge, 2012).
- Conway, Gerard, 'Holding to Account a Possible European Public Prosecutor: Supranational Governance and Accountability across Diverse Legal Traditions' (2013) 24 Criminal Law Forum 371–401.
- Cooke, Maeve, 'Law's Claim to Correctness' in George Pavlakos (ed), Law, Rights and Discourse: The Legal Philosophy of Robert Alexy (Oxford, Hart Publishing, 2007) 225-48.
- Costello, Cathryn, (2016) The Human Rights of Migrants and Refugees in European Law (Oxford, Oxford University Press, 2016).
- Corradetti, Claudio, 'Constructivism in Cosmopolitan Law: Kant's Right to Visit', (2017) 6 Global Constitutionalism 412-41.
- Craig, Paul, 'Proportionality, Rationality and Review' (2010) New Zealand Law Review 265.
- 'Integration, Democracy and Legitimacy' in Paul Craig and Gráinne de Búrca (eds), The Evolution of EU Law (Oxford, Oxford University Press, 2011) 13-40.
- ___ EU Administrative Law (Oxford, Oxford University Press, 2012).
- --- 'Subsidiarity: A Political and Legal Analysis' (2012) 50 Journal of Common Market Studies 72-87.
- 'The Nature of Reasonableness Review' (2013) 66 Current Legal Problems 131-67.
- ---- 'Proportionality and Judicial Review: A UK Historical Perspective' in Stefan Vogenauer and Stephen Weatherill (eds), General Principles of Law, European and Comparative Perspectives (Oxford, Hart Publishing, 2017) 145–66.
- Craig, Paul and de Búrca, Gráinne (eds), The Evolution of EU Law, 2nd edn (Oxford, Oxford University Press, 2011).
- Criddle, Evan J and Fox-Decent, Evan, Fiduciaries of Humanity: How International Law Constitutes Authority (Oxford, Oxford University Press, 2016).
- Cromartie, Alan, 'Legitimacy' in Richard Bellamy and Andrew Mason (eds), *Political Concepts* (Manchester: Manchester University Press, 2003) 93–104.
- Crum, Ben, 'Public reason and Multi-layered Justice' (2017) 8 Transnational Legal Theory 42-58.
- Curtin, Deirdre, 'The Constitutional Structure of the Union: A Europe of Bits and Pieces', (1993) 30 Common Market Law Review 17–69.
- 'Overseeing Secrets in the EU: A Democratic Perspective' (2014) 52 Journal of Common Market Studies 684–700.
- Daly, Eoin, 'Freedom as Non-domination in the Jurisprudence of Constitutional Rights' (2015) 28 Canadian Journal of Law and Jurisprudence 289–316.
- Rousseau's Constitutionalism: Austerity and Republican Freedom (Oxford, Hart Publishing, 2017).
- Dawood, Yasmin, 'The Antidomination Model and the Judicial Oversight of Democracy' (2008) 96 The Georgetown Law Journal 1411–85.
- De Búrca, Gráinne, 'The Principle of Subsidiarity and the Court of Justice as an Institutional Actor' (1998) 36 Journal of Common Market Studies 217–35.
- 'Legal Principles as an Instrument of Differentiation? The Principles of Proportionality and Subsidiarity' in Bruno De Witte, Dominik Hanf and Ellen Vos (eds), *The Many Faces of Differentiation in EU Law* (Antwerp, Intersentia, 2001) 131–44.
- De Goede, Marieke, 'The SWIFT Affair and the Global Politics of European Security' (2012) 50 Journal of Common Market Studies 214–30.
- De Waele, Henri, 'Entrenching the Area of Freedom, Security and Justice: Questions of Institutional Governance and Judicial Control' in Maria Fletcher, Ester Herlin-Karnell and Claudio Matera (eds), The European Union as an Area of Freedom, Security and Justice (Abingdon, Routledge, 2016) 485–508.

- De Witte, Bruno, 'Old-fashioned Flexibility: International Agreements between Member States of the European Union' in Gráinne de Búrca and Joanne Scott (eds), Constitutional Change in the EU: From Uniformity to Flexibility? (Oxford, Hart Publishing, 2000) 31–58.
- De Witte, Floris, Justice in the EU: The Emergence of Transnational Solidarity (Oxford, Oxford University Press, 2015).
- Den Boer, Monica, 'Preventive Empires: Security Dynamics at Multiple Levels of Governance (2011) 3 Amsterdam Law Forum 102–13.
- Douglas-Scott, Sionaidh, 'Justice and Pluralism in the EU' (2012) 65 Current Legal Problems 83-118.
- ---- 'The Problem of Justice in the European Union' in Julie Dickson and Pavlos Eleftheriadis (eds),

 Philosophical Foundations of EU Law (Oxford, Oxford University Press, 2012) 412–48.
- Law after Modernity (Oxford, Hart Publishing, 2013).
- 'Human Rights as a Basis for Justice in the European Union', (2017) 8 Transnational Legal Theory 59–78.
- Durieux, Jean-François 'The Duty to Rescue Refugees' (2016) 28 International Journal of Refugee Law 637-55.
- Dworkin, Ronald M, 'Hard Cases' Harvard Law Review (1975), pp 1057-1109.
- Law's Empire (Oxford, Hart Publishing, 1998).
- Justice for Hedgehogs (Cambridge MA, Harvard University Press, 2011).
- ---- 'A New Philosophy for International Law' (2013) 41 Philosophy & Public Affairs 2-30.
- Dyzenhaus, David, The Constitution of Law: Legality in a Time of Emergency (Cambridge, Cambridge University Press, 2006).
- --- 'Consent, Legitimacy and the Foundation of Political and Legal Authority' in Jeremy Webber and Colin Murray McLeod (eds), Between Consenting Peoples: Political Community and the Meaning of Consent (Vancouver, UBC, 2010) 163-87.
- 'Process and Substance as Aspects of the Public Law Form' (2015) 74 The Cambridge Law Journal 284–306.
- Eleftheriadis, Pavlos, 'The Moral Distinctiveness of the European Union' (2011) 9 International Journal of Constitutional Law 695-713.
- Endicott, Timothy AO, 'Proportionality and Incommensurability', Oxford Legal Studies Research Paper No 40/2012 (2012).
- Estlund, David M, Democratic Authority: A Philosophical Framework (Princeton NJ, Princeton University Press, 2008).
- Faleg, Giovanni, 'European Security after the Paris Attack', CEPS commentary (2015), available at www.ceps.eu/system/files/GF%20European%20Security%20after%20Paris.pdf.
- Farmer, Lindsay, *The Making of Modern Criminal Law: Criminalization and Civil Order* (Oxford, Oxford University Press, 2016).
- Feinberg, Myriam, Sovereignty in the Age of Global Terrorism: The Role of Organisations (Leiden, Brill, 2016).
- --- 'Terrorism Inside Out: Legislating for Humanity to Cooperate Against Terrorism' (2017) 42 North Carolina Journal of International Law 505-43.
- Ferrarini, Guido and Moloney, Niamh, 'Reshaping Order Execution in the EU and the Rule of Interest Groups: From MiFID I to MiFID II' (2012) 13 European Business Organization Review 557–97.
- Fichera, Massimo and Herlin-Karnell, Ester, 'The Margin of Appreciation Test and Balancing in the Area of Freedom Security and Justice: A Proportionate Answer for a Europe of Rights?' (2013) 19 European Public Law 759–87.
- Fichera, Massimo and Kramer, Jens (eds), Law and Security in Europe: Reconsidering the Security Constitution (Cambridge, Intersentia, 2013).
- Fichera M, 'Sketches of a Theory of Europe as an Area of Freedom, Security and Justice', in: M. Fletcher, E. Herlin-Karnell and C. Matera (eds), *The EU as an Area of Freedom, Security and Justice*, (Abingdon: Routledge, 2016), Chapter 3, pp. 34–56.
- Fletcher, Maria, Herlin-Karnell, Ester and Matera, Claudio (eds) The EU as an Area of Freedom, Security and Justice (Abingdon, Routledge, 2016).

- Flikschuh, Katrin, 'A Regime of Equal Private Freedom? Individual Rights and Public Law in Ripstein's Force and Freedom' in Sari Kisilevsky and Martin J Stone (eds), Freedom and Force: Essays on Kant's Legal Philosophy (Oxford, Hart Publishing, 2017) 55–74.
- Føllesdal, Andreas, 'Appreciating the Margin of Appreciation' in Adam Etinson (ed), *Human Rights: Moral or Political?* (Oxford, Oxford University Press, 2018) 269–312.
- Føllesdal, Andreas and Hix, Simon, 'Why there is a Democratic Deficit in the EU: A Response to Majone and Moravcsik' (2006) 44 *Journal of Common Market Studies* 533–62.
- Forst, Rainer, The Right to Justification: Elements of a Constructivist Theory of Justice (Chichester-New York, Columba University Press, 2012).
- 'Transnational Justice and Democracy: Overcoming Three Dogmas of Political Theory' in Eva Erman and Sofia Näsström (eds), *Political Equality in Transnational Democracy* (Basingstoke, Palgrave Macmillan, 2013) 41–59.
- Justification and Critique: Towards a Critical Theory of Politics (Cambridge-Malden MA, Polity Press, 2014).
- —— 'Legitimacy, Democracy and Justice', paper presented at VU Centre for European Legal Studies/ Access Europe, Amsterdam, 6–7 November 2014, 'Towards a Grammar of Justice in EU Law'.
- 'Justice, Democracy and the Right to Justification: Reflections on Jürgen Neyer's Normative Theory of the European Union' in Dimitry Kochenov, Gráinne de Búrca and Andrew Williams (eds), Europe's Justice Deficit? (Oxford, Hart Publishing, 2015) 227–34.
- 'Noumenal Power' (2015) 23 The Journal of Political Philosophy 111-27.
- Normativity and Power: Analyzing Social Orders of Justification (Oxford, Oxford University Press, 2017).
- Foucault, Michel, The Archeology of Knowledge: And the Discourse on Language (New York, Vintage Books, 1972).
- Fox-Decent, Evan, 'Constitutional Legitimacy Unbound' in: David Dyzenhaus and Malcolm Thorburn (eds), *Philosophical Foundations of Constitutional Law* (Oxford University Press, 2016) 119–40.
- Frankenberg, Günter, 'Human Rights and the Belief in a Just World' (2013) 12 I-CON 35-60.
- Freeman, Samuel, 'Congruence and the Good of Justice' in Freeman (ed), *The Cambridge Companion to Rawls* (Cambridge, Cambridge University Press, 2003) 277–315.
- Fuller, Lon L, The Morality of Law (New Haven CT, Yale University Press, 1964).
- Ganesh, Aravind, 'Rightful Relations with Distant Strangers: A Kantian Critique of the Law of the European Union in the Wider World' (2018) unpublished PhD thesis draft, VU University Amsterdam.
- Gardbaum, Stephen, 'Human Rights as International Constitutional Rights' (2008) 19 European Journal of International Law 749-68.
- Gaus, Gerald, The Tyranny of the Ideal: Justice in a Diverse Society (Princeton NJ: Princeton University Press, 2016).
- Geelhoed, Willem, Erkelens, Leendert H and Meij, Arjen WH (eds), Shifting Perspectives on the European Public Prosecutor's Office (Berlin-Heidelberg, Springer Verlag, 2018).
- Gibney, Matthew J, 'Refugees and Justice between States' (2015) 14 European Journal of Political Theory 448-63.
- Gómez-Jara Díez, Carlos and Herlin-Karnell, Ester, 'Prosecuting EU Financial Crimes: The European Prosecutor's Office in Comparison to the US Federal Regime' (2018) 19 German Law Journal 1191–220.
- Grimm, Dieter, 'Proportionality in Canadian and German Constitutional Jurisprudence' (2007) 57 University of Toronto Law Journal 383–97.
- Grossman, Emiliano and Leblond, Patrick, 'European Integration: Finally the Great Leap Forward?' (2011) 49 Journal of Common Market Studies 413–35.
- Habermas, Jürgen, Between Facts and Norms: Contributions and Discourse Theory Law and Democracy (Cambridge-Malden MA, Polity Press, 1996).
- The Crisis of the European Union: A Response (Cambridge, Polity Press, 2013).

- Halberstam, Daniel, "It's the Autonomy, Stupid!" A Modest Defence of Opinion 2/13 on EU Accession to the ECHR, and the Way Forward' (2015)16 German Law Journal 105–46.
- Harel, Alon, Why Law Matters (Oxford, Oxford University Press, 2014).
- ----- 'Robust Constitutionalism' in Ester Herlin-Karnell and Matthias Klatt (eds), Constitutionalism Justified (Oxford, Oxford University Press, forthcoming).
- Hart, HLA (2012) The Concept of Law, 3rd edn (Oxford, Clarendon Press 2012).
- Hayek, Friedrich August von (1944) The Road to Serfdom (London: Routledge, 2001 reprint).
- Herlin-Karnell, Ester, 'The Development of EU Precautionary Criminalization' (2011) 2 European Criminal Law Review 149–69.
- —— The Constitutional Dimension of European Criminal Law (Oxford, Hart Publishing, 2012).
- —— 'The EU as a Promoter of Values and the European Global Project' (2012) 13 German Law Journal 1225.
- —— 'Denmark and the European Area of Freedom, Security and Justice: A Scandinavian Arrangement' (2013) 5 Amsterdam Law Forum 95–105.
- —— 'Europe's Area of Freedom, Security and Justice Through the Prism of Constitutionalism: Why the EU Needs a Grammar of Justice to Improve its Legitimacy', WZB, discussion paper, SP IV 2014-801 (Berlin, 2014).
- ---- 'Two Conceptions of Justice in EU Constitutionalism. The Shaping of Security Law in Europe' (Amsterdam, VU University of Amsterdam, 2014).
- —— 'The Domination of Security and the Promise of Justice: On Justification and Proportionality in Europe's "Area of Freedom, Security and Justice" (2017) 8 Transnational Legal Theory 79–102.
- ---- 'The European Court of Justice as a Game Changer: Fiduciary Obligations in the Area of Freedom, Security and Justice' in Ariadna Ripoll Servent and Florian Trauner (eds), Routledge Handbook of Justice and Home Affairs Research (Abingdon, Routledge, 2017) 396–408.
- ---- 'Between Flexibility and Fragmentation: The Example of Criminal Law' in Bruno de Witte, Andrea Ott, Ellen Vos (eds), Between Flexibility and Disintegration: The State of EU law today (Cheltenham, Edward Elgar, 2017).
- —— "On constitutional law parameters and EU Security regulation" Boston University International Law Journal, forthcoming, 2018.
- —— 'The Concepts of Non-Domination and Justification in EU security-related context' in Ester Herlin-Karnell and Matthias Klatt (eds), Constitutionalism Justified (Oxford, Oxford University Press, 2019), forthcoming.
- "Understanding Trafficking in Human Beings as Mixed Migration: The European "Area of Freedom, Security and Justice" and its Global Width' in Haverkamp, Herlin-Karnell and Lernestedt (eds), What is Wrong with Human Trafficking? Critical Perspectives on the Law (Oxford, Hart, 2019).
- Herlin-Karnell, Ester and Kjaer, Poul F, 'Dimensions of Justice and Justification in EU and Transnational Contexts' (2017) 8 Transnational Legal Theory 1–7.
- Herlin-Karnell, Ester and Konstadinides, Theodore 'The Rise and Many Expressions of Consistency in EU Law: Legal and Strategic Implications for European Integration' (2013) 15 Cambridge Yearbook of European Legal Studies 139–67.
- Hinsch, Wilfried, 'Justice, Legitimacy, and Constitutional Rights' (2010) 13 Critical Review of International Social and Political Philosophy 39-54.
- Huscroft, Grant, Miller, Bradley W and Webber, Grégoire (eds), Proportionality and the Rule of Law: Rights, Justification, Reasoning (New York, Cambridge University Press, 2014).
- Jackson, Vicki C, 'Constitutional Law in an Age of Proportionality' (2015) 124 The Yale Law Journal 3094-196.
- Jacobs, Francis G, 'The Lisbon Treaty and the Court of Justice' in Andrea Biondi, Piet Eeckhout and Stefanie Ripley (eds), EU Law after Lisbon (Oxford, Oxford University Press, 2012) 197–212. Jaklic, Klemen, Constitutional Pluralism in the EU (Oxford, Oxford University Press, 2015).
- Janssens, Christine, The Principle of Mutual Recognition in EU Law (Oxford, Oxford University Press, 2013).

- Jenkins, David, Jacobsen, Amanda and Henriksen, Anders, *The Long Decade: How 9/11 Changed the Law* (Oxford, Oxford University Press, 2014).
- Jimeno-Bulnes, Mar, 'Brexit and the Future of European Criminal Law a Spanish Perspective' (2017) 28 Criminal Law Forum 325–47.
- Kaunert, Christian, Léonard, Sarah and Pawlak, Patryk (eds), European Homeland Security: A European Strategy in the Making? (Abingdon, Routledge, 2012).
- Kaye, Nicholas, 'Freezing and Confiscation of Criminal Proceeds' (2006) 77 Revue Internationale de Droit Penal 323-31.
- Kjaer, Poul F, 'Between Integration and Compatibility' in Paulius Jurčys, Poul F Kjaer and Ren Yatsunami (eds), Regulatory Hybridization in the Transnational Sphere (Leiden, Nijhoff, 2013).
- Constitutionalism in the Global Realm: A Sociological Approach (Abingdon, Routledge, 2014).
- --- 'The Function of Justification in Transnational Governance', WZB Berlin Social Science Center Discussion Papers, SP IV 2015-808 (2015).
- —— 'Why Justification? The Structure of Public Power in Transnational Contexts' (2017) 8

 Transnational Legal Theory 8-21.
- Kjaer, Poul F, Teubner, Gunther and Febbrajo, Alberto (eds), The Financial Crisis in Constitutional Perspective: The Dark Side of Functional Differentiation (Oxford, Hart Publishing, 2011).
- Klatt, Matthias, 'Positive Rights: Who Decides? Judicial Review in Balance' (2015) 13 I-CON 354-82.
- Klatt, Matthias and Meister, Moritz, The Constitutional Structure of Proportionality (Oxford, Oxford University Press, 2012).
- Klip, André 'Europeans First!: Petruhhin, an Unexpected Revolution in Extradition Law', European Journal of Crime (2017) 25 Criminal Law and Criminal Justice 195–204.
- Kochenov, Dimitry, de Búrca, Gráinne and Williams, Andrew (eds) Europe's Justice Deficit? (Oxford, Hart Publishing, 2015).
- Kolodny, Niko 'Being Under the Power of Others' (2017), available at http://sophos.berkeley.edu/kolodny/BeingUnderThePowerOfOthers2.pdf.
- Koskenniemi, Martti 'Constitutionalism as Mindset: Reflections on Kantian Themes about International Law and Globalization' (2007) 8 Theoretical Inquiries in Law 9–36.
- Kukathas, Chandran, 'Are Refugees Special?' in Sarah Fine and Lea Ypi (eds), Migration in Political Theory: The Ethics of Movement and Membership (Oxford, Oxford University Press, 2016) 249–68.
- Kumm, Mattias, 'Democracy is not Enough: Proportionality and the Point of Judicial Review' (2009), NYU School of Law, Public Law Research Paper No 09-10 available at http://ssrn.com/abstract=1356793.
- ---- 'How does European Union Law Fit into the World of Public Law? Costa, Kadi, and Three Conceptions of Public Law' in Jürgen Neyer and Antje Wiener (eds), Political Theory of the European Union (Oxford-New York, Oxford University Press, 2010) 111–38.
- ----- 'The Idea of Socratic Contestation and the Right to Justification: The Point of Rights-based Proportionality Review' (2010) 4 Law & Ethics of Human Rights 141–75.
- —— 'Alexy's Theory of Constitutional Rights and the Problem of Judicial Review' in Matthias Klatt (ed), *Institutionalized Reason: The Jurisprudence of Robert Alexy* (Oxford, Oxford University Press, 2012) 201–17.
- ---- 'Constitutionalism and the Moral Point of Constitutional Pluralism' in Julie Dickson and Pavlos Eleftheriadis (eds), *Philosophical Foundations of EU Law* (Oxford, Oxford University Press, 2012) 216–46.
- --- 'Constitutionalism and the Cosmopolitan State: An Integrated Conception of Public Law' (2013) 20 Indiana Journal of Global Legal Studies 605-28.
- —— 'Constituent Power, Cosmopolitan Constitutionalism, and Post-positivist Law' (2016) 14 I-CON 697–711.

- —— 'Sovereignty and the Right to be Left Alone: Subsidiarity, Justice-sensitive Externalities and the Proper Domain of the Consent Requirement in International Law' (2016) 79 Law and Contemporary Problems 239–58.
- —— 'The Turn to Justification: On the Structure and Domain of Human Rights Practice' in Adam Etinson (ed), *Human Rights: Moral or Political?* (Oxford, Oxford University Press, 2018) 238–61.
- Laborde, Cécile, and Ronzoni, Miriam 'What is a Free State? Republican Internationalism and Globalisation' (2015) 64 Political Studies 279–96.
- Lafont, Cristina, 'Philosophical Foundations of Judicial Review' in David Dyzenhaus and Malcolm Thorburn (eds), *Philosophical Foundations of Constitutional Law* (Oxford, Oxford University Press, 2016) 265–81.
- Larmore, Charles, 'What is Political Philosophy?' (2013) 10 Journal of Moral Philosophy 276–306. Lazarus, Liora, 'The Right to Security' in Rowan Cruft, Matthew Liao and Massimo Renzo (eds), The Philosophical Foundations of Human Rights (Oxford, Oxford University Press 2015) 423–41.
- Lenearts, Koen (2015) 'The Principle of Mutual Recognition in the Area of Freedom, Security and Justice', talk delivered at the Fourth Annual Sir Jeremy Lever lecture, All Souls College, University of Oxford, 30 January 2015 (on file with the author).
- Lenaerts, Koen, and Gutiérrez-Fons, José, 'The European Court of Justice and Fundamental Rights in the Field of Criminal Law' in Valsamis Mitsilegas, Maria Bergström and Theodore Konstadinides (eds), Research Handbook on EU Criminal Law (Cheltenham, Edward Elgar Publishing, 2016) 7–28.
- Lindahl, Hans (ed), A Right to Inclusion and Exclusion? Normative Fault Lines of the EU's Area of Freedom, Security and Justice (Oxford, Hart Publishing, 2009).
- Lindseth, Peter L, Power and Legitimacy: Reconciling Europe and the Nation-State (Oxford, Oxford University Press, 2010).
- Locke, John, An Essay Concerning Human Understanding: Second Treatise of Civil Government (Ware, Wordsworth Editions, 2014).
- Loughlin, Martin, 'The Concept of Constituent Power' (2014) 13 European Journal of Political Theory 218-37.
- Maffettone, Sebastiano, 'Global Legitimation and Reasonableness' in Giorgio Bongiovanni, Giovanni Sartor and Chiara Valentini (eds), Reasonableness and Law (Dordrecht-Heidelberg-London-New York, Springer, 2009) 147–62.
- Mann, Itamar, Humanity at Sea: Maritime Migration and the Foundations of International Law (Cambridge, Cambridge University Press, 2016).
- Margalit, Avishai, The Decent Society (Cambridge MA, Harvard University Press, 1988).
- Mastor, Wanda, 'The French Intelligence Act: "The French Surveillance State?" (2017) 23 European Public Law 707–22.
- Matera, Claudio, 'The Influence of International Organisations on the EU's Area of Freedom, Security and Justice: A First Inquiry' in Ramses A Wessel and Steven Blockmans (eds), Between Autonomy and Dependence: The EU Legal Order under the Influence of International Organisations (The Hague, Assser Press, 2013) 269–96.
- Mathews, Jud, and Stone Sweet, Alec, 'All Things in Proportion? American Rights Review and the Problem of Balancing' (2010) 60 Emory Law Journal 797–876.
- McCrudden, Christopher (ed), *Understanding Human Dignity* (Oxford, Oxford University Press, 2013).
- Michelman, Frank, 'Rawls on Constitutionalism and Constitutional Law' in Samuel Freeman (ed), The Cambridge Companion to Rawls (Cambridge, Cambridge University Press, 2003) 394–425. Mill, John Stuart, On Liberty (London, Parker, 1859).
- Miller, David, Strangers in our Midst: The Political Philosophy of Immigration (Cambridge MA, Harvard University Press, 2016).
- Mitsilegas, Valsamis, Money Laundering Counter-Measures in the EU: A New Paradigm of Security Governance versus Fundamental Legal Principles (The Hague, Kluwer Law Publishing, 2003).
- Möller, Kai, The Global Model of Constitutional Rights (Oxford, Oxford University Press, 2012).

- 'Dworkin's Theory of Rights in the Age of Proportionality' (2018) 12 Law & Ethics of Human Rights, forthcoming.
- Moloney, Niamh, EU Securities and Financial Markets Regulation (Oxford, Oxford University Press, 2014).
- Monar, Jörg, 'Experimentalist Governance in Justice and Home Affairs' in Charles F Sabel and Jonathan Zeitlin (eds), Experimentalist Governance in the European Union: Towards a New Architecture (Oxford, Oxford University Press, 2010) 237–60.
- Moon, J Donald, 'Cohen vs. Rawls on Justice and Equality' (2015) 18 Critical Review of International Social and Political Philosophy 40-56.
- Muller, Julian F, 'The Ethics of Commercial Human Smuggling' (2018) 17 European Journal of Political Theory 1–19.
- Murphy, Cian C, EU Counter-Terrorism: Pre-Emption and the Rule of Law (Oxford, Hart Publishing, 2012).
- Nagel, Thomas, 'The Problem of Global Justice' (2005) 33 Philosophy and Public Affairs 113-47.
- Neal, Andrew W, 'Foucault in Guantánamo: Towards an Archaeology of the Exception' (2006) 37 Security Dialogue 31-46.
- Neyer, Jürgen, *The Justification of Europe: A Political Theory of Supranational Integration* (Oxford, Oxford University Press, 2012).
- Neyer, Jürgen and Wiener, Antje (eds), *Political Theory of the European Union* (Oxford-New York, Oxford University Press, 2010).
- Nicolaïdes, Kalypso, 'The Idea of European Demoicracy' in Julie Dickson and Pavlos Eleftheriadis (eds), *Philosophical Foundations of European Union Law* (Oxford, Oxford University Press, 2012) 247–74.
- Niesen, Peter, 'What Kant would have said in the Refugee Crisis', Danish Yearbook of Philosophy 50, 2017, 83–106.
- 'European Demoicracy and its Crisis' (2013) 51 Journal of Common Market Studies 351-69.
- Nili, Shmuel, 'Between Domestic and Global Justice' (2015) 12 Journal of Moral Philosophy 55–81.
- 'The Moving Global Everest: A New Challenge to Global Ideal Theory as a Necessary Compass' (2016) 17 European Journal of Political Theory 87–108.
- Nussbaum, Martha C, Frontiers of Justice: Disability, Nationality, Species Membership (Cambridge MA, Harvard University Press, 2007).
- Öberg, Jacob, Limits to EU Powers: A Case Study of EU Regulatory Criminal Law (Oxford, Hart Publishing 2017).
- O'Neill, Maria, 'EU Cross-border Policing Provisions: The View from One of the Schengen Opt-out States' (2010) 18 European Journal of Crime, Criminal Law and Criminal Justice 73–89.
- Olsthoorn, Johan 'Why Justice and Injustice have no Place outside the Hobbesian State' (2014) 14 European Journal of Political Theory 19–36.
- Orgad, Liav, The Cultural Defense of Nations: A Liberal Theory of Majority Rights (Oxford, Oxford University Press, 2015).
- Ott, Andrea, 'EU Constitutional Boundaries to Differentiation: How to Reconcile Differentiation with Integration?' in Andrea Ott and Ellen Vos (eds), Fifty Years of European Integration: Foundations and Perspectives (The Hague, TMC Asser Press, 2009) 113–38.
- Pasquino, Pasquale, 'Constitutionalizing Emergency Power in a Time of Jihadist Terrorism: France 2016 as a Case of Misunderstanding and Failure' (2018) 19 German Law Journal 251–65.
- Pech, Laurent and Lane Scheppele, Kim, 'Illiberalism Within: Rule of Law Backsliding in the EU' (2017) 19 Cambridge Yearbook of European Legal Studies 3-47.
- Peers, Steve (2015) EU Justice and Home Affairs, vols 1 and 2 (Oxford, Oxford University Press, 2015).
- Pettit, Philip, Republicanism: A Theory of Freedom and Government (Oxford, Oxford University Press, 1997).
- ---- 'A Republican Law of Peoples' (2010) 9 European Journal of Political Theory 70-94.
- On the People's Terms: A Republican Theory and Model of Democracy (Cambridge, Cambridge University Press, 2012).

- ---- Just Freedom: A Moral Compass for a Complex World (New York, Norton, 2014).
- ---- 'Justice: Social and Political' in David Sobel, Peter Vallentyne and Steven Wall (eds), Oxford Studies in Political Philosophy, vol 1 (Oxford, Oxford University Press, 2015) 9-35.
- Plaw, Avery, 'Does Justice Stand Alone?' (2015) 18 Critical Review of International and Social Philosophy 57-73.
- Pogge, Thomas (1997) 'Migration and Poverty' in Veit Bader (ed), Citizenship and Exclusion (Basingstoke, Macmillan, 1997) 12-27.
- Poli, Sara, 'The EU External Anti-terrorism Policy in its External AFSJ Policy' in Maria Fletcher, Ester Herlin-Karnell and Claudio Matera (eds), *The EU as an Area of Freedom, Security and Justice* (Abingdon, Routledge, 2016) 389–416.
- Posner, Elliot, 'The Lamfalussy Process: Polyarchic Origins of Networked Financial Rule-Making in the EU' in Charles F Sabel and Jonathan Zeitlin (eds), Experimentalist Governance in the European Union: Towards a New Architecture (Oxford, Oxford University Press, 2010) 43–60.
- Quaglia, Lucia, *The EU and Global Financial Regulation* (Oxford, Oxford University Press, 2014). Quong, Jonathan, 'On the Idea of Public Reason' in Jon Mandle and David A Reidy (eds), A Companion to Rawls (Chichester, Wiley, 2014) 265–80.
- Rawls, John, A Theory of Justice (Cambridge MA, Harvard University Press, 1971).
- —— Political Liberalism (Ithaca NY, Columbia University Press, 1993).
- ---- Justice as Fairness: A Restatement (Cambridge MA, Harvard University Press, 2001).
- ---- 'The Idea of Public Reason Revisited' in John Rawls, Collected Papers, Samuel Freeman (ed) (Cambridge MA, Harvard University Press, 2011) 573-615.
- Raz, Joseph, The Morality of Freedom (Oxford, Oxford University Press, 1986).
- Rijmpa, Jorrit J, 'Frontex and the European System of Border Guards: The Future of European Border Management' in Maria Fletcher, Ester Herlin-Karnell and Claudio Matera, *The European Union as an Area of Freedom, Security and Justice* (Abingdon, Routledge, 2016) 217–45.
- Ripstein, Arthur, 'Foundationalism in Political Theory' (1987) 16 Philosophy & Public Affairs 115-37.
- ---- 'Authority and Coercion' (2004) 32 Philosophy & Public Affairs 2-35.
- ---- 'Justice and Responsibility' (2004) 17 Canadian Journal of Law and Jurisprudence 361-86.
- ---- Ronald Dworkin (Cambridge, Cambridge University Press, 2007).
- —— Force and Freedom: Kant's Legal and Political Philosophy (Cambridge MA, Harvard University Press, 2009).
- —— Private Wrongs (Cambridge MA, Harvard University Press, 2016).
- ---- 'Property and Sovereignty: How to Tell the Difference' (2017) 18 Theoretical Inquiries in Law 243-68.
- ---- 'Reclaiming Proportionality' (2017) 34 Journal of Applied Philosophy 1-18.
- —— 'The Innate Right of Humanity and the Right to Justification' in Ester Herlin-Karnell and Matthias Klatt (eds), Constitutionalism Justified (Oxford, Oxford University Press, forthcoming).
- Risse, Mathias, 'Taking up Space on Earth: Theorizing Territorial Rights, the Justification of States and Immigration from a Global Standpoint' (2015) 4 Global Constitutionalism 81–113.
- Rosas, Allan and Armati, Lorna, EU Constitutional Law: An Introduction (Oxford, Hart Publishing, 2010).
- Rosenfeld, Michel 'Constitutional versus Administrative Ordering in an era of Globalization and Privatization, Reflections on Sources of Legitimation in the Post Westphalian Polity' (2011) 32 Cardozo Law Review 2339–68.
- Rossi, Enzo, 'Justice, Legitimacy and (Normative) Authority for Political Realists' (2012) 15 Critical Review of International Social and Political Philosophy 149–64.
- Rostbøll, Christian F, 'Non-domination and Democratic Legitimacy' (2015) 18 Critical Review of International Social and Political Philosophy 424–39.
- 'Kant, Freedom as Independence, and Democracy' (2016) 78 The Journal of Politics 792-805.
- Roth, Brad, Sovereign Equality and Moral Disagreement: Premises of a Pluralist International Legal Order (Oxford, Oxford University Press, 2011).

Saadé, Eliane, The Concept of Justice and Equality: On the Dispute between John Rawls and Gerald Cohen (Berlin-Boston MA, Walter de Gruyter, 2015).

Sadurski, Wojciech, 'Reason of State and Public Reason' (2014) 27 Ratio Juris 21-46.

Sangiovanni, Andrea, 'Justice and the Priority of Politics to Morality' (2008) 16 The Journal of Political Philosophy 137-64.

— 'The Irrelevance of Coercion, Imposition, and Framing to Distributive Justice' (2012) 40 Philosophy & Public Affairs 79–110.

---- 'Solidarity in the European Union' (2013) 33 Oxford Journal of Legal Studies 213.

— 'On the Relation Between Justice and Legitimacy: A Framework for the EU', paper presented at the workshop 'Towards a Grammar of Justice in EU Law', 6–7 November 2014, at the VU Centre for European Legal Studies and Access Europe Workshop.

---- 'Human Rights, Interests, and Variation' in Ester Herlin-Karnell and Matthias Klatt (eds), Constitutionalism Justified (Oxford, Oxford University Press, 2018), forthcoming.

Santos Vara, Juan, 'The EU's Agencies: Ever more Important for the Governance of the Area of Freedom, Security and Justice' in Ariadna Ripoll Servent and Florian Trauner (eds), The Routledge Handbook of Justice and Home Affairs Research (Abingdon, Routledge, 2017) 445–57.

Saul, Ben, 'Terrorism as a Transnational Crime', Sidney Law School working paper (2014).

Schammo, P, 'The European Union Securities and Market Authority: Lifting the Veil on the Allocation of Powers' (2011) 48 Common Market Law Review 1887–913.

Schapiro, Martin, 'The Giving Reasons Requirement' (1992) The University of Chicago Legal Forum 179–220.

Scharia, David, Judicial Review of National Security (Oxford, Oxford University Press, 2015).

Schlink, Bernard, 'Proportionality in Constitutional Law: Why Everywhere but here?' (2012) 22 Duke Journal of Comparative and International Law 291–302.

Schmitt, Carl, The Concept of the Political, G Schwab (trans) (Chicago IL, University of Chicago Press, 2007).

—— Political Theology: Four Chapters on the Concept of Sovereignty (Cambridge MA, The MIT Press, 1985 trans).

Schotel, Bas, On the Right of Exclusion: Law, Ethics and Immigration Policy (Abingdon, Routledge, 2012).

Schuppert, Fabian, 'Non-domination, Non-alienation and Social Equality: Towards a Republican Understanding of Equality' (2015) 18 Critical Review of International Social and Political Philosophy 440–55.

Schutze, Robert, From Dual to Cooperative Federalism: The Changing Structure of European Law (Oxford, Oxford University Press, 2003).

Sen, Amartya, The Idea of Justice (Cambridge MA, Harvard University Press, 2009).

Senden, Linda, Soft Law in European Community Law (Oxford, Hart Publishing, 2004).

Shachar, Ayelet, 'New Borders and Citizenship Constellations' (draft conference paper presented at WZB Berlin, December 2015, on file with the author).

Shany, Yuval, 'Toward a General Margin of Appreciation Doctrine in International Law?' (2005) 16 European Journal of International Law 907-40.

Shapiro, Ian, 'On Non-Domination' (2012) 62 University of Toronto Law Journal 293-336.

Shapiro, Martin, 'The Giving Reasons Requirement' (1992) 8 The University of Chicago Legal Forum 179-220.

Shapiro, Scott J, 'The "Hart-Dworkin" Debate: A Short Guide for the Perplexed' in Arthur Ripstein (ed), Ronald Dworkin (Cambridge, Cambridge University Press, 2007) 22–55.

Simester, AP and von Hirsch, Andreas, Crimes, Harms and Wrongs: On the Principles of Criminalisation (Oxford, Hart Publishing, 2011).

Simmons, A John, 'Justification and Legitimacy' (1999) 109 Ethics 739-71.

'Human Rights World Citizenship: The Universality of Human Rights in Kant and Locke' in Simmons, *Justification and Legitimacy: Essays on Rights and Obligations* (Cambridge, Cambridge University Press, 2001) 179–96.

- Justification and Legitimacy: Essays on Rights and Obligations (Cambridge, Cambridge University Press, 2001).
- Sleat, Matt, 'Legitimacy in Realist Thought: Between Moralism and Realpolitik' (2014) 42 *Political Theory* 314–37.
- Somek, Alexander, 'What is Political Union' (2013) 14 German Law Journal 561-80.
- —— The Cosmopolitan Constitution (Oxford, Oxford University Press, 2014).
- Stanford Encyclopedia, available at: https://plato.stanford.edu/entries/authority.
- Statman, Daniel 'Two Concepts of Dignity' (2001) 24 Tel Aviv University Law Review 541-603.
- Stiltz, Anna, 'Nations, States and Territory' (2011) 121 Ethics 572-601.
- Stone Sweet, Alec, and Brunell, TL, 'Trustee Courts and the Judicialization of International Regimes: The Politics of Majoritarian Activism in the ECHR, the EU, and the WTO', Faculty Scholarship Series. Paper 4625 (2013), available at http://digitalcommons.law.yale.edu/fss_papers/4625.
- Stone Sweet, Alec and Ryan, Clare, A Cosmopolitan Legal Order (Oxford, Oxford University Press, 2018) ch 2 (with Eric Palmer).
- Stubb, Alexander C-G, 'A Categorization of Differentiated Integration' (1996) 34 Journal of Common Market Studies 283–95.
- Sunstein C, One Case at a Time: Judicial Minimalism on the Supreme Court (Cambridge MA, Harvard University Press, 2001).
- Tan, Kok-Chor, *Justice without Borders: Cosmopolitanism*, *Nationalism and Patriotism* (Cambridge, Cambridge University Press, 2004).
- ---- 'Why Global Justice Matters' (2014) 10 Journal of Global Ethics 128-34.
- ---- 'Humanitarian Intervention as a Duty' (2015) 7 Global Responsibility to Protect 121-41.
- What is this thing called Global Justice? (Abingdon, Routledge, 2017).
- Taylor, Charles, The Ethics of Authenticity (Cambridge MA, Harvard University Press, 1992).
- Teitel, Ruti, Humanity's Law (Oxford, Oxford University Press, 2011).
- Teubner, Gunther, Constitutional Fragments: Societal Constitutionalism and Globalization (Oxford, Oxford University Press, 2012).
- Thompson, Michael J, 'Reconstructing Republican Freedom. A Critique of the Neo-republication Concept of Freedom as Non-domination' (2013) 39 Philosophy and Social Criticism 277–98.
- Thorburn, Malcolm, 'Proportionality' in David Dyzenhaus and Malcolm Thorburn (eds), *Philosophical Foundations of Constitutional Law* (Oxford, Oxford University Press, 2016) 305–21.
- Tomkins, Adam, Our Republican Constitution (Oxford, Hart Publishing, 2005).
- Tridimas, Takis, General Principles of EU Law (Oxford, Oxford University Press, 2012).
- Tuckness, Alex, 'Locke's Political Philosophy' in *The Stanford Encyclopedia of Philosophy* available at https://plato.stanford.edu/archives/spr2016/entries/locke-political.
- Tuori, Kaarlo 'Ultima Ratio as a Constitutional Principle' (2013) 3 Oñati Socio-legal Series 6-20.
- —— 'A European Security Constitution?' in David Jenkins, Amanda Jacobsen and Anders Henriksen (eds), *The Long Decade: How 9/11 Changed the Law* (Oxford, Oxford University Press, 2014).
- Tushnet, Mark, Advanced Introduction to Comparative Constitutional Law (Cheltenham, Edward Elgar Publishing, 2014).
- Tyler, Tom R, Why People Obey the Law (Princeton NJ, Princeton University Press, 2006).
- Valentini, Laura, Justice in a Globalized World: A Normative Framework (Oxford, Oxford University Press, 2011).
- Vibert, Frank, 'Better Regulation and the Role of Agencies' in Stephen Weatherill (ed), Better Regulation (Oxford, Hart Publishing, 2007) 387–403.
- von Bogdandy, Armin and Bast, Jürgen, European Constitutional Law (Munich-Oxford, Hart Publishing-Ch Beck-Nomos, 2009).
- Waldron, Jeremy, Law and Disagreement (Oxford, Oxford University Press, 1999).
- ---- 'Safety and Security' (2006) 85 Nebraska Law Review 454-507.
- ---- 'Exclusion: Property Analogies in the Immigration Debate' (2017) 18 Theoretical Inquiries in Law 469-89.

- Walker, Neil, 'The Problem of Trust in an Enlarged Area of Freedom, Security and Justice: A Conceptual Analysis' in Malcolm Anderson and Joanna Apap (eds), *Police and Justice Cooperation and the New European Borders* (The Hague, Kluwer Law International, 2002) 19–34.
- --- 'Justice in and of the European Union' in Dimitry Kochenov, Gráinne de Búrca and Andrew Williams (eds), Europe's Justice Deficit? (Oxford, Hart Publishing, 2015) 247–78.
- Walzer, Michael, Spheres of Justice: A Defense of Pluralism and Equality (Chicester, Wiley-Blackwell, 1983).
- Ward, Ian, 'Identifying the European Other' (2001) 14 International Journal of Refugee Law 219–37. Weatherill, Stephen, 'If I'd Wanted you to Understand I would have Explained it Better: What is the Purpose of the Provisions on Closer Co-operation Introduced by the Treaty of Amsterdam?' in David O'Keeffe and Patrick Twomey (eds), Legal Issues of the Amsterdam Treaty (Oxford, Hart Publishing, 1999) 21–38.
- —— Law and Values in the European Union (Oxford, Oxford University Press, 2016).
- Webber, Grégoire CN, The Negotiable Constitution: On the Limitation of Rights (Cambridge, Cambridge University Press, 2009).
- Weber, Max, *Economy and Society*, vol 1 (Berkeley-Los Angeles CA, University of California Press, 2013).
- Weiler, Joseph HH, 'The Transformation of Europe' (1991) 100 The Yale Law Journal 2403-83.
- ---- 'Journey to an Unknown Destination: A Retrospective and Prospective of the European Court of Justice in the Arena of Political Integration' (1993) 31 Journal of Common Market Studies 417–46.
- Weinrib, Jacob, Dimensions of Dignity: The Theory and Practice of Modern Constitutional Law (Cambridge, Cambridge University Press, 2016).
- Wesseling M, "A European Terrorist Finance System", policy paper 2016, Occasional Paper Royal United Services Institute, available at https://rusi.org/sites/default/files/op_wesseling_an_eu_terrorist_finance_tracking_system.1.pdf.
- Wieczorek, Irene, 'Understanding JHA Agencies in Context: Where does Eurojust lie in the Constitutional Architecture of the Area of Freedom, Security and Justice?' in Maria Fletcher, Williams, Andrew, *The Ethos of Europe: Values, Law and Justice in the EU* (Cambridge, Cambridge University Press, 2010).
- Williams, Bernard, 'Realism and Moralism in Political Theory' in Williams (ed), In the Beginning was the Deed: Realism and Moralism in Political Argument (Princeton NJ: Princeton University Press, 2005) 1–17.
- Wolf, Sofie, 'The Netherlands will Join the European Public Prosecutor's Office' (2018) available at www.maastrichtuniversity.nl/blog/2018/05/netherlands-will-join-european-public-prosecutors-office-eppo.
- Wolthuis, Bertjan 'Principles of Economic Union: An Extension of John Rawls's Theory of Justice' (2017) 23 European Law Journal 454-66.
- Yovel, Yirmiyahu, Spinoza and Other Heretics: The Marrano of Reason, vol 1 (Princeton NJ, Princeton University Press, 1989).
- Ypi, Lea, Global Justice and Avant-Garde Political Agency (Oxford, Oxford University Press, 2011).
- Zedner, Lucia, Security (Abingdon, Routledge, 2009).
- Ziegler, Katja, 'Strengthening the rule of law but fragmenting international law: the Kadi decision of the ECJ from the perspective of human rights' (2009) 9 Human Rights Law Review 288.
- Zumbansen, Peer, 'Defining the Space of Transnational Law: Legal Theory, Global Governance and Legal Pluralism' in Günther Handl, Joachim Zekoll and Peer Zumbansen (eds), Beyond Territoriality: Transnational Legal Authority in an Age of Globalization (Leiden, Martinus Nijhoff, 2012) 53–86.
- Zylberman, Ariel, 'Why Human Rights? Because of You' (2016) 24 The Journal of Political Philosophy 321-43.

Other Sources

Enregistré à la Présidence de l'Assemblée nationale le 5 juillet 2017, available at www.assemblee-nationale.fr/15/ya-commission/r0017-a0.asp.

European Commission, 'State of the Union 2018: A reinforced European Public Prosecutor's Office to fight cross-border terrorism, press release (2018), available at http://europa.eu/rapid/press-release_IP-18-5682_en.htm.

European Commission, 'Fact Sheet: Questions and Answers on the EU-US Data Protection "Umbrella Agreement", available at http://europa.eu/rapid/press-release_MEMO-16-4183_en.htm?locale=en.

European Commission, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20180612_agenda-on-security-factsheet-sis_en.pdf.

European Commission, http://www.europarl.europa.eu/legislative-train/theme-area-of-justice-and-fundamental-rights/file-revision-of-the-anti-money-laundering-directive-(aml).

European Security Union, http://europa.eu/rapid/press-release_IP-17-5202_en.htm.

Financial Action Task Force, http://www.fatf-gafi.org/.

UNHCR, 'Mixed Migration', available at: www.unhcr.org/pages/4a16aac66.html.

United Nations Office on Drugs and Crime: Global Report on Trafficking in Persons, available at www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf.