

Contents

<i>Acknowledgements</i>	<i>page xi</i>
<i>Table of Cases</i>	xiii
<i>Table of Legislation</i>	xxi
<i>List of Abbreviations</i>	xxvii
Introduction	1
1.1 The Problem	1
1.2 The Argument	6
1.3 Structure of the Book	11
1 The Normative Framework of Legal Accountability	14
1.1 Introduction	14
1.2 A Normative Proposal of Legal Accountability	16
1.2.1 Equality	17
1.2.2 Solidarity	19
1.2.3 The Equilibrium	22
1.3 Applying the Framework to the EMU	24
1.3.1 On Concepts	26
1.3.2 The Individual	27
1.3.3 Equality	32
1.3.4 Solidarity	37
1.3.5 The Common Interest	41
1.4 Concluding Remarks	45
2 Theorising Judicial Review in the Economic and Monetary Union	48
2.1 Introduction	48
2.2 Problems with Judicial Review in the EMU	52

2.2.1	Financial Assistance	53
2.2.2	The European Central Bank	56
2.2.3	Soft Law Instruments	61
2.3	Judicial Review as a Tool for Achieving the Political Equality of Citizens in the EMU	66
2.3.1	Theoretical Inspiration	66
2.3.2	On Discretion	70
2.3.3	What Type of Judicial Review?	73
2.3.4	On the Division of Judicial Labour	79
2.4	Conclusion	80
3	Financial Assistance Mechanisms	82
3.1	Introduction	82
3.2	The Legal Framework of Financial Assistance	85
3.3	Judicial Review at the National Level	87
3.3.1	Access and Remedies	88
3.3.2	Solidarity and Equality	92
3.4	Judicial Review at the EU Level	94
3.4.1	Access and Remedies	95
3.4.2	Solidarity and Equality	100
3.5	On Judicial Interactions	104
4	The Monetary Policy of the European Central Bank	107
4.1	Introduction	107
4.2	Monetary Policy and the European System of Central Banks	110
4.3	Judicial Review at the EU Level	117
4.3.1	Access and Remedies	117
4.3.2	Solidarity and Equality	119
4.4	Judicial Review at the National Level	124
4.4.1	Access and Remedies	124
4.4.2	Solidarity and Equality	128
4.5	On Judicial Interactions	133
5	The Single Supervisory Mechanism	138
5.1	Introduction	138
5.2	The Legal Framework of the SSM	140
5.3	Judicial Review at the EU Level	144
5.3.1	Access and Remedies	144
5.3.2	Solidarity and Equality	155

<i>Contents</i>	ix
5.4 Judicial Review at the National Level	159
5.4.1 Access and Remedies	159
5.4.2 Solidarity and Equality	163
5.5 On Judicial Interactions	168
Conclusion	171
C.1 Introduction	171
C.2 Financial Assistance Mechanisms	173
C.3 Monetary Policy of the European Central Bank	176
C.4 The Single Supervisory Mechanism	179
C.5 The Common Interest before Courts and Beyond	181
Epilogue	183
The NGEU: Structure and Constitutional Issues	184
Judicial Review at the National Level	189
Judicial Review at the EU Level	195
Final Thoughts	201
<i>Bibliography</i>	203
<i>Index</i>	219