abductive methods, Eurolitigation research and, 101
abortion rights, media coverage of decisions on, 323–25
accessibility of legal materials ECJ barriers to, 106–7
ethical issues in, 112–15
activism/deference framework, CJEU case law interpretations and, 133
actors EU litigation
anonymisation of, in legal research, 114
critical practices of, 149–50
in Eurolitigation, 90–93, 102
lobbying of privileged applicants, 115–22
national, rank and political affiliation of, 119–21
Adenauer, Konrad, 213, 226–27
Administrative Court, for staff cases, 243–44
Advocates Generals collaborative process of, 183–86
corpus linguistics analysis of opinions of, 174–81
decolonization scholarship and, 343–44
judicial formations and role of, 203–7
lawyer-linguists and, 167–74
linguistic aspects in role of, 163–64
perceptions vs. reality in drafted opinions of, 166–71
persuasiveness of, 181–83
preliminary report and, 205–7
purpose of opinion and language of, 181–83
role of, 4–6, 161–64, 181–83
significance of language for, 159–64
Alter, Karen J., 40, 45–46, 88–90, 143–45, 212
American Bar Association, 352–53
Amsterdam Treaty, Article 13, 65–68
Andor, László, 280–81
anti-dumping cases, Court of First Instance and, 254–57
Arblade case, 264–65, 284–85
archival sources
for cases, 106–7
on CJEU, 218–23
on Court of First Instance, 241–42
on EU integration, 220–21
EU litigation strategies, 16–17
Foreign and Justice Ministry archives, 221
inaccessibility of, 106–7, 218–23
scarcity of, for CJEU judges, 232–34
Arestis, George, 194–95
Arnholz, Jens, 20, 51, 100–1, 107, 146–47, 261–85
Asian trade wars, anti-dumping cases and, 254–57
associationism, EU colonized territories and, 346–48
attorney-client privilege, accessibility of legal materials and, 112–15
authority of case law, development of, 49–52, 79–80, 326–28
Avril, Lola, 19–20, 237–60
Azoulai, Loïc, 150–51
Baker, Mona, 177
Balance of Payments assistance, ESM and, 308–9
INDEX

Banakar, Reza, 92–93
Barber case, 62–65
  citation history of, 65–68
  equal pay principle in, 71
  retirement age and pension entitlement, sex discrimination in, 74–75
Barnes, Barry, 145–46
Barroso, José Manuel, 119–22
Barrot, Jacques, 119–21
Beck, Gunnar, 142
Belgium, surname recognition laws in, 151–53
Benford, Robert, 127–28
Bengoetxea, Joxerramon, 142
Bercusson, Brian, 123–27
binding effect of precedent, limits on, 52–53
biographical approach in CJEU research, 18–19, 213–18
descendants’ contributions to, 221–22
institutional context of judicial decisions and, 223–32
limitations of, 232–34
methodology in, 218–23
Black European population decolonization scholarship and, 345–46, 351–53
lack of research on, 350–51
Black Live Matter movement, 351–53
Black women, EU law and, 343–52
Bloor, David, 145–46
Bodson, Victor, 226–27
Boitanski, Luc, 143–45
Borg Barthet, Anthony, 197–98
Bosman case, in-degree scoring in CJEU case law network of, 62
bottom-up approach by actors in Eurolitigation, 90–93
EU law and perspective of, 15–16
limitations of, 100–3
national tax law and, 84–85
trade union judicial lobbying and, 117
Bourdieu, Pierre, 4–6, 214–15
Brandorn, Robert, 134–35, 149
Brasserie du Pêcheur Case, 191
Bredimas, Anna, 142
Bremer, Georg, 249–50
Brown case, 76–78
bureaucratic silence
  EU law and, 14
  national courts and, 29–31
  national judicial practice and, 41
Burley, Anne-Marie, 40, 46–48, 105–6
Butterfield, Herbert, 143n.30
cabinet ministers, trade union lawyers meetings with, 119–21
Carbonell, Mauve, 213
Caribbean colonies, European rebuilding and role of, 348
case assignment
  collective decision and, 205–7
  critique of ECJ practices, 187–208
  elite judge selection and, 197–98
  functions of, 188–89
  Grand Chamber (ECJ), 193–98
to judge-rapporteur, 190–202
case assignment and systematizing of, 188–89
case attributes
  inter-institutional conflict and, 323–25, 337
  media coverage of court decisions and, 321
case-bound model of precedent, 53–54
case law
  Advocate General role in development of, 161–64
  binding vs. non-binding dichotomy in, 52
  case assignment and systematizing of, 188–89
  citation analysis of, 50
  CJEU case increase, 314–17
  CJEU impact on, 70–79, 224–25, 314–17
  CJEU judges’ political affiliations and, 229–30
  CJEU precedents in, 14–15, 49–52
corpus linguistics analysis of, 174–81
case law (cont.)
Court of First Instance and
expansion of, 238–39
doctrinal analysis of, 58–59
dominance in CJEU jurisprudence, 55–57
judicial use and citation and status
of, 54
legal authority of, 49–52, 79–80, 326–28
legal concepts and technicalities and, 147–48
legal controversy and, 142–43
national courts’ acceptance of CJEU
rulings on, 228–29
network analysis of, 57–60
quantitative analysis and thick
descriptions of, 14–17
temporal relevance of, 65–68
Cassis de Dijon case, 284
Catalano, Nicola, 225, 228–29
Centre of Excellence for International
Courts (Danish National Research
Foundation), 57–58
change agents, national judicial
practices and, 45–48
Chatham House Rules, interview data
and, 166
Christian Democrats, pro-European
international federation of, 220–21
Christophersen, Henning, 258
Citations
in case law analysis, 50
CJEU internal guidelines for, 51, 57
history of, in network analysis, 65–68
network analysis of, 59
paragraph-to-paragraph distribution
of, in network analysis, 68–79
Citizenship in EU
conceptual framework for, 150–53
non-contributory social benefits and,
76–78
non-discrimination and free
movement linked to, 145–48
reform framework in cases involving,
154
separation from freedom of
movement in case law of, 155–56
Civil law, precedent in, 52
Civil rights, media coverage of, 323–25
Clinton-Davies, Stanley, 258
Cockroft, David, 127
Cohen, Antonin, 215, 292–93
collaboration, case assignment in ECJ
and, 188–89
collective action in ECJ litigation,
127–28
AG opinions and, 183–86
case assignment and, 205–7
College of Commissioners, 237–38,
240–41
colonialism
in EU law, 345–46
silencing of history of, 346–48
common law, precedent in, 52
community law, human rights and
anti-discrimination initiatives in,
72
competence of EU law, conceptual
framework and interpretation of,
151–53
competition law cases
anti-dumping cases, 254–57
Court of First Instance and, 240–41
criticism of implementation in,
245–46
specialized tribunals for, 242, 257–59
third court proposed for, 245–47
Conant, Lisa, 102–3
conceptual framework. See also legal
concepts and technicalities
analysis and assessment of, 139–40
controversy over, 135–36
embeddedness in legal knowledge of,
148–57
institutive dimensions of legal
controversy and, 142–48
knowledge work and, 140–41
limits of, 153–57
satellite concepts, 156–57
strengths of, 150–53
Confederation of Swedish Enterprise,
129–30
Conseil des barreaux européens, 247–50
constitutional review
legal controversy and, 143–45
surname recognition laws and, 151–53
constitutive aspects of EU law
Advocate General influence on, 161–64
CJEU interpretations and, 55–57, 133
EJC judgments and, 85–87
equal pay principle and, 71–80
uniformity of case law authority and, 79–80
constructivist process, in *Laval* case, 270–72
Conway, Gerard, 142
corpus linguistics analysis
future research issues and, 183–86
research on language in ECJ jurisprudence and, 158–61
role of language in ECJ and, 174–81
*Costa vs. ENEL*, 223–28, 284
Council of Ministers of Justice, Administrative Court for staff cases and, 243–44
Council Staff Regulations Committee, Administrative Court for staff cases, 243–44
country variables, in national media coverage of CJEU, 330–32
court behavior, media coverage of court decisions and, 321
court behavior, media coverage of court decisions and, 321
Court of First Instance (CFI)
creation of, 19–20, 314–17
crumbling of coalition for, 254–59
European business lawyers support for, 250–54
European legal profession allies of, 247–50
expansion of case law and role of, 238–39, 314–17
gap between proposal and creation of, 247
genesis and history of, 237–42
Member State equilibrium vs. specialized tribunals, 257–59
political rationale for, 259–60
Court of Justice of the European Union (CJEU)
analysis of jurisprudence of, 5–6
archival scarcity in biographical research and, 218–23
biographical approach in research on, 213–18, 232–34, 292–93
case law development at, 70–79, 229, 286–87
case load expansion at, 314–17, 326–32
citation practices of, 51
conceptual practices of, 17, 149–50
Court of First Instance and, 237–43, 254–57, 259–60
criticism of judges at, 229
decolonization scholarship and, 343–46
dominance of case law in jurisprudence of, 55–57
ESM Treaty case and, 290, 311–13
EU law and, 5–6, 9–11, 49–52, 55–57, 217–18, 307–11
Eurozone crisis and, 289–90
financial and monetary law and, 20–21
historical scholarship on, 209–13
institutive dimensions of legal controversy in, 142–48
internal citation guidelines of, 57
international influence of, 319–21
judicial appointments to, 7–8, 218, 220, 224–28
legal and political dynamics in, 18–19
legitimacy with national decision-makers of, 228–29
limits in judicial decisions at, 230–32
mainstream scholarship on, 1–4
media coverage of, 314–42
Member States' acceptance of decisions by, 217–18, 224–25
Member States' conflict with, 324–25, 337
multidisciplinary methodologies of, 6–7
multilingualism in jurisprudence of, 158–61
multinational staffing of, 56–57
national court referral process, 31–34
### INDEX

- decision-making process at ECJ, case assignment and, 187–90
- De Clerq, Willy, 255–56
- decolonization scholarship
  - CJEU jurisprudence and, 22, 345–46
  - EU law and, 343–53
  - European silencing of colonial history and, 346–48
- Dederke, Julian, 21–22, 314–42
- Defremy cases (I, II and III), 65–68
  - paragraph-to-paragraph distribution of, in network analysis, 70–79
- degree-centrality metric, in CJEU case law network, 61–62
- Delors, Jacques, 256–57
- Delvaux, Louis, 225–28
  - political affiliations of, 228–29
- Dewey, John, 156
- Dewost, Jean-Louis, 256–57
- Dezalay, Yves, 214–15
- DG Competition
  - archives of, 241
  - criticism of, 246
  - European Competition Bar and business lawyers’ support for, 250–51
  - specialized tribunals advocacy of, 257–59
  - third court proposal for competition cases and, 245–47
- DG ECFIN, 298–99
- Eurozone crisis and, 300–7
- DG External Relations, 255–56
- D’Hoop case, 150
  - direct effect principle, cases involving Equal Treatment Directive and, 73–74
- Directorates-General (DG) (European Commission), 116–17
  - political disagreements in, 118–22
  - discrimination (occurrence of word)
    - age-based discrimination and employment conditions, 78–79
    - citation histories and, 65–68

---

### Court of Justice of the European Union (CJEU) (cont.)

- national decision-making relationship in, 223–32
- national judges’ knowledge deficits about, 35–37
- pathbreaking decisions by, 223–24
  - political networks, judicial affiliations with, 224–32
  - precedent system of, 53–54, 57–58
  - public communication tools of, 319–21, 325–26, 330–38, 340
  - quantitative analysis limitations with, 338–40
  - race and racial integration issues and, 348–50
  - research methodology in analysis of, 9–11
  - salience of judgments by, 317–19, 328–30
  - structure and practices of, 18, 56–57
- Cramer, Katherine, 47–48
- critical legal studies
  - indeterminacy of law in, 266–69
  - sociological indeterminacy and, 266–68
- critical race theory, legal scholarship and, 351–53
- cross-border activities, tax law cases and, 82–85
- cultural context
  - ECJ processes and institutional culture, 167–74
  - legal controversy in, 148–50
  - multilingualism in EU law and, 159n.3
  - perceptions vs. reality in drafted opinions and, 166–71
- CURIA database, 56–57

### databases

- Eurolitigation research and, 97–98, 100–1
- référendaire’s use of, 56–57
- Davies, Bill, 144–45
- death penalty, media coverage of decisions on, 323–25
free movement of workers cases, 75–78
as network analysis case selection parameter, 63–65
against non-residents, 82–85
paragraph-to-paragraph distribution of, in network analysis, 68–79
social advantage concept and, 76
tax law cases and, 82–85
Diversity Charters of Member States, 349–50
doctrinal analysis of case law, 58–59
doctrinal principles, in CJEU jurisprudence, 230–32
domestic courts of Member States
cases of CJEU conflicts with, 330–32, 337
CJEU jurisprudence and, 7–8
Donner, Andreas, 225–28, 320–32
Donner, Jan, 226
DORIE archives, 241
drafting of judgments
collective character in CJEU of, 56–57
language impact on, 181–83
perceptions vs. reality in AG drafted opinions, 166–71
droit perspectif, language of AG opinions and, 161–64, 182–83
dual nationals, surnames of both parents for, 133
Due, Ole, 191–92
Dworkinian scholarship, on ECJ, 2–3
Economic and Monetary Union
(EMU), 20–21
construction of, 289–90
Eurozone crisis and, 287–89
legal and policy context for, 297–300
Maastricht Treaty and, 297–98
economic freedoms, in Viking and
Laval cases, 23–29
economic issues, CJEU decisions on, 323–25
economic policy, lack of EU law in, 297–300
Eleventh Annual Report on Competition Policy, 245–46
Elias, Norbert, 266–68
elite judges
case assignment and selection of, 197–98
formation of group, 201–2
emancipatory potential in EU judicial arena, 16n.64
employers, mobilisation in Viking and Laval cases of, 129–30
empowerment-through-law, case selection in research on, 94–95
English language versions of judgments, in corpus linguistics analysis, 176–81
environmental law, EU law and, 286–87
Epstein, Lee, 317–18, 328–30
equal pay, sex discrimination and paragraph-to-paragraph distribution of, in network analysis, 70–72
retirement and pension discrimination, 74–75
equal rights law, EU law and, 286–87
Equal Treatment Directive
lawfulness of dismissal under, 73–74
paragraph-to-paragraph distribution of, in network analysis, 72
retirement and pension discrimination, 74–75
equal treatment principle, paragraph-to-paragraph distribution of, in network analysis, 70–79
ERTA case, 223–24
ESM Treaty, 290–91, 302–3
legal framework and competences in, 307–11
essentialism, legal thought and, 139–40
ethical issues in ECJ research, Viking and Laval cases, 112–15
ethnographic analysis in ECJ research, 112
EU Charter on Fundamental Rights
Article 51, 204n.55
EUI, 9–11
EU law
EU law (cont.)
Advocate General role in
development of, 161–64
citizenship case law, CJEU
interpretations of, 133
CJEU jurisprudence and, 5–6, 49–52,
CJEU pathbreaking decisions and,
223–24
colonial perspective in, 345–46
conceptual practices in, 136–38
conscious resistance in national
judges to, 42–45
contestedness of, 268
courses for national judges on, 43–45
Court of Justice of the European
Union impact on, 209–13
decolonization scholarship on,
343–53
economic policy and absence of,
297–300
embeddedness of, 11–13
Eurozone crisis and, 287–89, 291
inter-institutional conflict and,
323–25
international law and, 305
judicialization and, 319–21
lack national training in, 35–37
Laval case impact on, 261–62
legal controversy over citizenship in,
143
legal developments in, 286–87
legal forms and concepts in, 133–36
litigation strategies in, 16–17
multilingualism in, 158–61
national courts and, 27–48, 151–53
network analysis of legal principles
in, 57–58
preliminary reference procedure and,
85–87
quantitative analysis of, 338–40
race and racial integration and,
348–50
resistance to lived experience of,
31–34
secondary law, CJEU interpretation
of, 49–52
silencing of colonialism in, 346–48
social networks in, 297–300
social rights vs. economic freedoms
in, 121–22
sociological indeterminacy in, 266–68
EU Law Stories (Davies & Nicola),
144–45
EU Market Law, trade union rights and,
129–30
EU Regulation No. 1049/2001, 114–15
EUR-LEX database, 63–65
Eurocentrism, decolonization
scholarship and reduction of,
351–53
euro-crisis law
construction of, 290–91
emergence of, 288–89
Eurogroup, ECOFIN Council and,
299–300
Eurolegalism, emergence of, 286–87
Eurolitigation. See also integration-
through-case law narrative
assumptions and open questions
concerning, 87–90
case selection in research on, 94–95
diversity of litigants in, 102
extra-legal analysis of cases in,
97–98
interviews in research on, 95–96
national policy and, 84
process of, 93–98
research methodology on, 98–103
European Bar, 241
European Commission alliance with,
249–50
European business lawyers, Court of
First Intance and support of,
250–54
European Central Bank
Economic and Monetary Union and,
297–98
sovereign debt crisis and, 289–90
European Civil Service Tribunal, 237
European Commission
administrative court for staff cases
and, 243–44
administrative procedures of, 116–17
anti-dumping cases and, 254–57
biographical research on, 213
<table>
<thead>
<tr>
<th>Index</th>
<th>361</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court of First Instance and, 241–42, 248, 254–59</td>
<td>interviews in research on, 95–96</td>
</tr>
<tr>
<td>DG ECFIN and, 298–99</td>
<td>judge-rapporteur’s position in, 191–92</td>
</tr>
<tr>
<td>Eurolitigation and, 98–100</td>
<td>judicial formations in, 203–7</td>
</tr>
<tr>
<td>Eurozone crisis and, 300–7</td>
<td>judicial power and, 2–3, 266–68</td>
</tr>
<tr>
<td>interpretation of ECJ rulings by, 266–68</td>
<td>Laval case and, 276–77, 280–85</td>
</tr>
<tr>
<td>labour litigation strategies and, 107–8</td>
<td>mainstream scholarship on, 1–2</td>
</tr>
<tr>
<td>Laval case and, 277–83</td>
<td>multilingualism in jurisprudence of, 158–61</td>
</tr>
<tr>
<td>legal practice development and, 295–96</td>
<td>preliminary reference and, 85–87</td>
</tr>
<tr>
<td>Services Directive and, 273–74</td>
<td>processes and institutional culture within, 167–74</td>
</tr>
<tr>
<td>tax law cases and, 82–85</td>
<td>prosopographical research on, 215</td>
</tr>
<tr>
<td>third court proposal for competition cases and, 245–47</td>
<td>Services Directive and, 274</td>
</tr>
<tr>
<td>trade union influence on, 115–22</td>
<td>tax law cases, 82–85</td>
</tr>
<tr>
<td>Viking and Laval cases and, 111, 114–15</td>
<td>third court proposal for competition cases and, 245–47</td>
</tr>
<tr>
<td>European Competition Bar, Court of First Instance and, 250–51, 253–54</td>
<td>underrepresentation of women judges, 195n.42</td>
</tr>
<tr>
<td>European Convention, 292–93</td>
<td>European Economic Community Article 48, 75–77</td>
</tr>
<tr>
<td>European Court of Human Rights (ECtHR)</td>
<td>Article 119, 70–79</td>
</tr>
<tr>
<td>biographical research on, 215</td>
<td>European Economic Community (EEC), colonized territories and, 346–48</td>
</tr>
<tr>
<td>case assignment in, 203n.48</td>
<td>European Financial Stability Facility (EFSF), 290, 301–3, 311–13</td>
</tr>
<tr>
<td>decolonization scholarship and, 343–46</td>
<td>European Financial Stability Mechanism (EFSM), 290, 301–3</td>
</tr>
<tr>
<td>Grand Chamber, 205–7</td>
<td>TFEU and, 307–11</td>
</tr>
<tr>
<td>Laval case and, 280–81</td>
<td>European governance EU law in context of, 286–87</td>
</tr>
<tr>
<td>media coverage of decisions, 323–25</td>
<td>legal practice development and, 291–96</td>
</tr>
<tr>
<td>network analysis of precedent and cases in, 57</td>
<td>European integration CJEU role in, 10–11, 143–45</td>
</tr>
<tr>
<td>racial justice and, 8–9</td>
<td>historical meta-narrative on, 1–2</td>
</tr>
<tr>
<td>European Court of Justice (ECJ) Advocate General role in, 161–64</td>
<td>integration-through-case law narrative, 85–87</td>
</tr>
<tr>
<td>barriers to primacy of, 28–29</td>
<td>multidisciplinary approach to, 103–4</td>
</tr>
<tr>
<td>case assignment in, 187–208</td>
<td>national judicial practice and, 45–46</td>
</tr>
<tr>
<td>case selection in research on, 94–95</td>
<td>preliminary reference mechanism and, 15–16</td>
</tr>
<tr>
<td>corpus linguistics analysis in research on, 174–81</td>
<td>European Labour Law Journal, 261</td>
</tr>
<tr>
<td>Court of First Instance and, 242</td>
<td>European legal profession common code of conduct for, 250</td>
</tr>
<tr>
<td>Eurolitigation and, 87–90</td>
<td>Court of First Instance and, 247–50</td>
</tr>
</tbody>
</table>
European legal profession (cont.)
research focus on, 90–93

European Monetary Union (EMU)
governance structure of, 291
legal construction and, 300–7, 311–13

European Parliament, Services
Directive and, 273

European Plan, national tax law and,
82–85

European Stability Mechanism (ESM),
20–21, 290
collection of, 302–3
EU law and, 305, 311–13

European Trade Union Confederation
(ETUC), 16–17, 107–8
intervention in Viking and Laval
cases by, 123–29
Laval case and, 277–83
locus standi of, 127–28
Secretariat, 109, 112–15, 123–29
Task Force Viking-Laval and, 109–12

European Trade Union Institute
(ETUI), 109–12, 124–25

European Transport Workers' Federation (ETF), 111

European Union (EU)
citizenship in, 76–78
CJEU role in constitutionalization of, 55–57
dominance of legal profession in,
27–31
internal market expansion in, 286–87
new political sociology of, 214–15
race and racial integration in, 348–50
Services Directive and enlargement of,
272–75

European Union Agency for
Fundamental Rights (FRA), 345–46
European University Institute, 106–7, 349
Euro stability, ESM and, 311

Eurozone crisis
EU law and, 287–89
legal practice development and, 294,
300–7
policy response to, 20–21, 289–90
expectations, citizenship cases in EU and role of, 153–57

Factiva newspaper data base, 316–17,
326–28

Favoreu, Louis, 228–29

Fenno, Richard, 33–34
Ferry, John, 246, 248–50
fieldwork
on CJEU case law, 14
holistic approach to, 34–42
as iterative process, 34
knowledge gaps in, 35–37

Finalarte case, 265, 284–85
financial and monetary law, CJEU and,
20–21

Finnish Seamens Union (FSU), 125–26

Finnish trade unions, 113, 123–29
first-person accounts, Eurolitigation
research and, 101

Fischer-Boel, Marianne, 119–21

flags of connivance (FOC) in maritime
transport sector, 128

Florès, Philippe, 36–37

Floyd, George, 351–53

fluency parameters, in corpus
linguistics analysis, 175

Foreign and Justice Ministry archives, 221
formalist legal thought, 139–40

Fowler, James, 57

Framework Directive 2000/78 (EC),
65–68, 78–79

France, colonial citizens in, 346–48

freedom of movement
EU citizenship cases and principle of,
145–48, 150–53
Laval case and, 278–82
separation of citizenship jurisprudence from, 155–56
for workers, CJEU case law on, 75–78

French language versions of judgments,
in corpus linguistics analysis, 176–81

Frese, Amalie, 14–15, 49–81, 146–47
Friedman, Lawrence M., 89–90
Fritz, Vera, 18–19, 134–35, 209–34,
292–93
fundamental rights, Member States' violations of, 154
funded research, methodological shift in, 9–11
**INDEX**

<table>
<thead>
<tr>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garcia Arvello case, 133, 151–53</td>
</tr>
<tr>
<td>Garland case, equal pay discrimination, 74–75</td>
</tr>
<tr>
<td>Garth, Bryant, 214–15</td>
</tr>
<tr>
<td>Gebhardt, Evelyne, 273–74</td>
</tr>
<tr>
<td>General Court (GC), Court of First Instance and, 237–42, 259–60</td>
</tr>
<tr>
<td>Georgakakis, Didier, 214–15</td>
</tr>
<tr>
<td>German national courts</td>
</tr>
<tr>
<td>Court of First Instance and, 251–54</td>
</tr>
<tr>
<td>judicial workload in, 37–40</td>
</tr>
<tr>
<td>Germany, racial scholarship in, 350–51</td>
</tr>
<tr>
<td>Gerring, John, 271</td>
</tr>
<tr>
<td>Gibson, James L., 324–25</td>
</tr>
<tr>
<td>Goebel, Robert, 274</td>
</tr>
<tr>
<td>The Golden Bough (Fraser), 139</td>
</tr>
<tr>
<td>Grand Chamber (ECJ), 193–98</td>
</tr>
<tr>
<td>case assignment in, 201–2</td>
</tr>
<tr>
<td>Granger, Marie-Pierre, 108n.12</td>
</tr>
<tr>
<td>Grzelczyk case, 76–78</td>
</tr>
<tr>
<td>Guide Traitement des Affaires, 189, 203</td>
</tr>
<tr>
<td>preliminary report and, 203–7</td>
</tr>
<tr>
<td>Guiot case, 264–65</td>
</tr>
<tr>
<td>Haagensen, Nicholas, 20–21, 286–313</td>
</tr>
<tr>
<td>habitus of non-referral, in national court judges, 39–40</td>
</tr>
<tr>
<td>Hammes, Charles-Léon, 225–28, 230–32</td>
</tr>
<tr>
<td>health and safety, media coverage of decisions on, 323–25</td>
</tr>
<tr>
<td>hierarchical rank, of European Commissioners, lobbying based on, 119–21</td>
</tr>
<tr>
<td>High Authority of the European Coal and Steel Community, 213</td>
</tr>
<tr>
<td>Hirschl, Ran, 322–25</td>
</tr>
<tr>
<td>historical process, legal concepts and technicalities and, 145–48</td>
</tr>
<tr>
<td>Hoevenaars, Jos, 15–16, 28, 82–104, 108–9</td>
</tr>
<tr>
<td>holism, in fieldwork, 41</td>
</tr>
<tr>
<td>horizontal direct effect of directives, 73–74</td>
</tr>
<tr>
<td>in trade union law, 105–9</td>
</tr>
<tr>
<td>horizontal precedent, 54</td>
</tr>
<tr>
<td>human rights, media coverage of decisions on, 323–25</td>
</tr>
<tr>
<td>hypotactic structures, fluency in corpus linguistics analysis, 179–80</td>
</tr>
<tr>
<td>Iglesias, Rodriguez, 191</td>
</tr>
<tr>
<td>immigration to EU, colonialism and, 346–48</td>
</tr>
<tr>
<td>immutability principle, surname recognition laws and, 151–53</td>
</tr>
<tr>
<td>in-degree scoring, in CJEU case law network, 62</td>
</tr>
<tr>
<td>indeterminacy of law, Laval case and, 266–69, 281–82</td>
</tr>
<tr>
<td>individual motivations, in biographical research, 216–17</td>
</tr>
<tr>
<td>ingoing citations</td>
</tr>
<tr>
<td>histories of, 65–68</td>
</tr>
<tr>
<td>mathematical to judicial authority progression for, 68–79</td>
</tr>
<tr>
<td>as network analysis case selection parameter, 63–65</td>
</tr>
<tr>
<td>in-house theories, in CJEU jurisprudence, 149–50</td>
</tr>
<tr>
<td>institutional consciousness</td>
</tr>
<tr>
<td>judicial behavior and, 29–31</td>
</tr>
<tr>
<td>of national court judges, 42–45</td>
</tr>
<tr>
<td>integration-through-case law approach. See also Eurolitigation</td>
</tr>
<tr>
<td>assumptions and open questions concerning, 87–90</td>
</tr>
<tr>
<td>conceptual practices and, 136–38</td>
</tr>
<tr>
<td>Court of Justice of the European Union and, 212</td>
</tr>
<tr>
<td>decolonization scholarship on CJEU and, 345–46</td>
</tr>
<tr>
<td>interviews in research on, 95–96</td>
</tr>
<tr>
<td>limitations of, 100–3</td>
</tr>
<tr>
<td>neo-institutionalist and neo-functionalist paradigms in, 105–6</td>
</tr>
<tr>
<td>preliminary reference procedure and, 85–87</td>
</tr>
<tr>
<td>research methodology on, 98–103</td>
</tr>
<tr>
<td>silencing of colonialism in, 346–48</td>
</tr>
<tr>
<td>inter-court competition, national judicial practices and, 46–48</td>
</tr>
<tr>
<td>Intergovernmental Conference (IGC), 250–51</td>
</tr>
</tbody>
</table>
Index

internal market framework
EU citizenship cases, 150–53
in Laval and Viking cases, 125–26
International Bar Association, 245–46
International Handelsgesellschaft case, 223–24
international law
EU law and, 305
globalization of judicial politics and, 319–21
International Market Commission, Laval case and, 277–83
International Transport Workers Federation (ITF), 113, 123–24
Interpreting Precedents (MacCormick & Summers), 52–53
interview data
ECJ processes and institutional culture, 167–74
Eurolitigation research using, 95–96
research on language in ECJ jurisprudence and, 160–61, 165–66
Italian national courts, judicial workload in, 38–39
Jacob, Marc, 53–54, 146–47
Jacobs, Francis, 126–27
Jalloh, Oury, 345
Joana, Jean, 214–15
joint deliberation process, judicial formations and, 203–7
Jones, Charisse, 343
Jones, Eddie Bruce, 8–9
judge-rapporteur
case assignment to, 190–202
duties and functions of, 190–92
ECJ Court President’s selection of, 187–208
elections to top positions and, 195–96
Grand Chamber case assignments, 193–98
new judge appointments and, 202
public identification of, 191
stability, integration and independence of, 201–2
judicial archives, inaccessibility of, 106–7, 218–23, 232–34
judicial authority
case assignment and stability of, 188–89
CJEU case law as source of, 49–52, 61–62
constitution of, 51
expansion in EU of, 314–17, 326–28
mathematical progression to, in network analysis, 68–79
network analysis of, 59
politicalization of, 322, 338–40
temporal development of, 65–68
use of case as reflection of, 54
judicial empowerment thesis
challenges to, 10–11
national judicial practice and, 46–48
judicial formation
overview of, 203–7
preliminary report and selection of, 203–5
judicialization
international law and acceleration of, 319–21
salience of court judgments and, 322
judicial lobbying, as trade union strategy, 115–22
judicial practices
case assignment as training for, 188–89
corpus linguistics analysis of, 174–81
in EU law, 263–65
EU law and, 28–29
European Court of Justice and, 2–3
European integration and, 28
limits of field research on, 45–48
overview of research on, 17–19
jurisdictional view, CJEU process for, 18
Juhász, Endre, 197–98
jurisprudence
case assignment and stability of, 188–89
decolonization scholarship and, 344
network analysis of, 57–58
Kaba I and II cases, 146–47
Kahn, Paul W., 154
Kelemen, R. Daniel, 47–48, 89–90
<table>
<thead>
<tr>
<th>Index</th>
<th>365</th>
</tr>
</thead>
</table>
legal concepts and technicalities (cont.)
as social and historical process, 145–48

legal controversy
context for, 148–50
institutive dimensions of, 142–48
judicial decision-making analysis and, 143–45

legal experts
Laval case social construction by, 278–82
trade union mobilisation and, 123–29

legal knowledge in EU law
deficits of national judges, 35–37
embeddedness of conceptual practices in, 148–57
fieldwork and gaps in, 35–37
legal concepts research and, 140–41

legal practice
development of, 291–96
Eurozone crisis and construction of, 300–7, 311–13
sociological approach to, 19–20
Legal Services (European Commission), 256–57
legislative model of precedent, 53–54
Lemieux, Cyril, 143–45
Leniaerts, Koen, 277–80, 280–28
Lévi-Strauss, Claude, 137
LexisNexis, 326–28
Lijhart, Arend, 322
Lindholm, Johan, 53–54, 57–58
linguistics, Advocate General’s role in ECJ and, 163–64, 183–86
Lisbon Treaty (2009), 305–7
Court of Justice of the EU (CJEU) and, 1–2
litigants
academic lack of interest in, 105–6
anonymisation of, in legal research, 114
diversity in Eurolitigation of, 102
judicial lobbying by, 115–22
political framing of EU law and, 108–9
self-interested litigants, 88–93
litigation strategies in EU law. See also Eurolitigation

archival research on, 16–17
dynamics of, 107–8
trade union judicial lobbying, 115–22
LLECJ project, 165–66, 169–70n.31
Louis, Julien, 16–17, 84–85, 105–30
Lundby-Wedin, Wanja, 277–83
Lupo, Yonatan, 57
Luxembourg case, 279–80

Maastricht Treaty
Economic and Monetary Union and, 297–98
ESM and, 310
MacCormick, Neil, 52–53
Mackenzie-Stuart, Alexander, 251, 256–57
macro-politics of European integration, national judicial practice and, 47–48
Madsen, Mikael Rask, 1–24, 28, 215, 343–44
Malinowski, Bronislaw, 33
Mansholt, Sicco, 226n.44
Marshall case, lawfulness of dismissal in, 73–74
Martinez Sala case, 75–78, 146–47, 150
mathematical authority in network analysis, progression to judicial authority, 68–79
Mattioli, Virginia, 158–86
Mattli, Walter, 40, 46–48, 105–6
McAuliffe, Karen, 17–18, 148, 158–86
McCarthy case, 155–56
McCormick, Neil, 2–3
McGreety, Charlie, 119–21, 277–83
media coverage of CJEU
analysis of judgments, 21–22, 314–17
case attributes and inter-institutional conflict, 323–25, 337
CJEU public communication tools and, 319–21, 325–26
data and analysis of, 332–38
domestic media coverage of CJEU decisions, 322–23
explanatory factors in, 330–32
judicialization trends and, 322
politicalization of decisions and, 332–38
preliminary reference cases and, 337
research methodology in analysis of, 330–32
salience of CJEU judgments measured by, 317–19
salience of decisions and, 328–30
US Supreme Court coverage comparisons, 317–18, 321, 323–25
Meghji, Ali, 353
Members of the European Parliament (MEP), EU Services Directive and, 273–75
Member States
acceptance of CJEU decisions by, 224–25
Administrative Court for staff cases and, 244
biographical research on CJEU judges and role of, 218–19, 232–34
CJEU conflicts with, 324–25, 330–32, 337
cleavage between old and new states, 121–22
competence of EU and compliance by, 151–53
decolonization scholarship and role of, 350–51
Diversity Charters of, 349–50
ECJ curtailment of sovereignty of, 85–87
Economic and Monetary Union and, 287–89, 297–98, 300–7
ESM Treaty and, 290, 311–13
EU law precedence over, 133
European Financial Stability Mechanism and, 301–3
Eurozone crisis and political bargaining by, 305
free movement of workers within, 75–77
fundamental rights violations of, 154
Laval case and mobilisation of, 276–77
legal profession representatives of, CFI alliance with, 247–50
non-interference in CJEU judicial appointments by, 225
Services Directive and, 272–75
sovereign debt crisis and, 289–90
Mertens de Wilmars, Josse, 227–30
Metzgar, T., 321
micro-level analysis
integration-through-case law narrative and, 98–100
litigation strategies and, 129–30
in national judicial practice, 47–48
preliminary reference in ECJ case law, 93–98
migration issues, media coverage of, 323–25
Monaco, Riccardo, 227–32
Monks, John, 124–25, 127, 277–83
Monnet, Jean, 213
mother tongue in corpus linguistics analysis, 176–81
language aspects of EU law and role of, 163n.23
Mouvement européen archives, 220–21
integration advocacy by, 229–30
multilingualism, CJEU jurisprudence and, 158–61
Muntean, Liana, 17–18, 148, 158–86
national courts
CJEU judges’ affiliations with, 218–19, 232–34
competence of EU in relation to, 151–53
constitutional courts, CJEU resemblance to, 228–29
demands of judicial practice in, 37–40
ECJ dialogue with, 85–87
EU influence on litigation in, 27–31
knowledge deficits on EU law in, 35–37
media coverage of CJEU decisions and role of, 322–23
political standing of judiciary in, 330–32
regional patterns in referrals to ECJ, 31–34
nationality
CJEU prohibition of discrimination, 75–77
Index

nationality (cont.)
  of European Commissioners, 119–21
  non-contributory social benefits and, 76–78
national law, EU law primacy over, 225–28
national minimum wage, Laval case and, 278–82
National Training School (École Nationale de la Magistrature), 43–45
natural evolution of case law, CJEU presentation of, 142–43
neo-functionalist paradigm, integration-through-law scholarship and, 105–6
neo-institutionalist paradigm, integration-through-law scholarship and, 105–6
Netherlands
  Donner’s political affiliations with, 223–32
  empowerment-through-law cases and, 94–95
tax laws in, 83n.1
network analysis
citation histories in, 65–68
  of CJEU case law, 49–52
  limitations of, 59–60
  mathematical to judicial authority progression in, 68–79
  methodology of, 57–60
  sample case selection, 63–65
  sample case selection parameters, 63–65
Newman, Karl, 252
new political sociology of the EU, 214–15
newspaper coverage
  of CJEU decisions, 21–22
  data and analysis of, 332–38
  explanatory factors in CJEU coverage, 330–32
  journalistic practice regarding court decisions, 338–40
  judicialization linked to increase in, 322
  of Member State-CJEU conflicts, 324–25, 337
research methodology in analysis of, 326–32
salience of CJEU decisions and, 328–30
newspapers, salience of CJEU judgments measured by, 317–18
Nicola, Fernanda G., 1–24, 28, 106–7, 144–45
no-bailout clause (TFEU) Economic and Monetary Union and, 297n.56
ESM Treaty violation of, 307–11
non-citing judgments, in CJEU case law network, 61n.23
non-contributory social benefits, CJEU case law on, 76–78
non-governmental organizations (NGOs), EU Services Directive and, 273
non-litigation interests, Eurolitigation and role of, 88–90
non-referral, national court judges default to, 39–40
non-residents, tax discrimination against, 82–85
Novelles Equipes Internationales, 220–21
‘Observations du juge rapporteur’ (preliminary report), 205
occupational social security, sex discrimination in, paragraph-to-paragraph distribution of, in network analysis, 70–79
Olsen, Henrik Palmer, 57–58
On justification: economies of worth (Boltanski & Thévenot), 143–45
Oslo University, 9–11
Östros, Thomas, 277–83
outgoing citations, as network analysis case selection parameter, 63–65
paragraph-to-paragraph network mathematical to judicial authority progression for citations using, 68–79
network analysis of, 58
Party of European Socialists (PSE), 273–74
INDEX

Paulin, Bernard, 248
Paunio, Elina, 142
Pavone, Tommaso, 14, 27–48, 84–85
pension policies, sex discrimination and, 74–75
persuasion, by Advocates General (ECJ), 181–83
Pescatore, Pierre
CJEU appointment, 220, 227–28
integration supported by, 229
judicial decisions of, 205
political affiliations of, 228–29
Piebalgs, Andris, 119–21
Pilotti, Massimo (Judge), 220
pivot languages regime
CJEU opinions and, 17–18
ECJ processes and institutional culture and, 167–74
introduction of, 164
perceptions vs. reality in AG drafted opinions and, 166–71
plurality in CJEU legal culture, 56–57
of precedent, 53–54
police violence, decolonization scholarship on EU law and, 345
political parties, CJEU judges’ affiliation with, 225–34
political sociology of law, 214–15
anti-dumping cases and, 254–57
authority of political and societal institutions and, 314–17
biographical approach in, 215–16
CJEU judges’ political affiliations and, 223–34
Court of First Instance and, 240–41, 254–58
Laval case and, 261–62, 269, 274–75
legal practice development and, 291–96
political influence of CJEU case law, 319–21
politicalization theory
bureaucratic silence of national courts and, 29–31
CJEU political influence and, 319–21
judicial authority and, 2–3, 322, 338–40
legal concepts and technicalities and, 137
media coverage of CJEU and role of, 332–38
nationality of cabinet and, 119–21
salience of CJEU decisions and, 328–30
social and economic freedoms in conflict with, 127–28
trade union judicial lobbying and, 118–22
Pollack, Mark, 108–9
Poos, Jacques, 251
positivist scholarship on ECJ, 2–3
process tracing and, 271–72
posted workers
colonialism and, 346–48
labour law cases involving, 263–64, 282–85
post-structuralism, European law in context of, 4–6
Pottage, Alain, 141
Pouliot, Vincent, 271–72, 293–94
pragmatic sociology, legal controversy and, 143–45
precedent
case-bound vs. legislative model of, 53–54
in CJEU case law, 14–15, 49–52
historical scholarship on, 52–54
mathematical to judicial authority progression for, 68–79
network analysis of, 57–60
non-uniform authority of, 79–80
plurality of, 53–54
tacit precedents, 59–60
terminology of, 54
preliminary reference mechanism
bottom-up perspective on, 15–16
case selection in research on, 94–95
CJEU jurisprudence and, 7–8, 49–52, 55
European integration and, 85–87
media coverage of CJEU decisions and, 337
micro-level analysis of, 98–100
preliminary reference mechanism (cont.)
regional patterns in, 31–34
tax law jurisprudence and, 82–85
trade union judicial lobbying and, 115–22
preliminary report
case assignment based on, 203–5
collective decision following, 205–7
judicial formations and, 203–7
President of a Chamber of Five Judges, election of, 195–96
President of ECJ
case assignment powers, 191–207n.68
election of, 195–96
Pringle case, 20–21, 290
CJEU jurisprudence on, 296, 307–13
ESM and, 305–7
legal practice development and, 293–94
privacy issues, ethics of legal research and, 112–15
procedural and organization law, case assignment in ECJ and, 188–89
process tracing, in legal research, 271–72
processual approach to EU law, Laval case and, 266–69, 272, 282–85
prosopographical research, legal practice and, 292–93
Protestant Christian Democratic Party (ARP, Netherlands), 226
qualitative analysis of CJEU opinions, 17
sample case selection for, 63–65
quantitative analysis of EU case law, 14–17
of inter-institutional conflict at CJEU, 323–25, 337
limitations of, in citation research, 59–60
of media coverage of CJEU, 314–17, 338–40
racial justice
decolonization scholarship on CJEU and, 345–46
EU integration history and, 348–50
lack CJEU jurisprudence on, 8–9
Rasmussen, Hjalte, 2–3, 142–45
rational choice theory, Eurolitigation and, 87–88
reductivism in legal scholarship, 137
référendaires (CJEU) drafting procedure of, 56–57
perceptions vs. reality in drafted opinions and, 166–71
role of language in work of, 165–66, 183–86
referrals to CJEU holism in, 41
national court process for, 31–34
non-referral habit of national court judges, 39–40
Registries (CJEU), word assignment by, 63–65
Regulation 17/62, 254–57
DG Competition application of, 246
Regulation 1612/68 (Reg. 492/2011), 75–77
Rehn, Olli, 119–21
Reinfeldt, Fredrik, 275
relative clauses, fluency in corpus linguistics analysis, 179–80
reporting judges. See judge-rapporteur retained power formula, in EU citizenship cases, 150–51
retirement policy, sex discrimination and, 74–75
Réunion Générale (final CJEU judicial meeting), 56–57
Reveillère, Vincent, 17, 51, 133–57
reverse discrimination, citizenship cases in EU and, 154
Riese, Otto (Judge), 220
Riles, Annelise, 133, 137, 153
Roman law doctrine, 139–40
Rome Treaty Article 168, 247–57
European legal integration and, 1–2
race and racial discrimination in, 348–50
silencing of colonialism in, 346–48
Single European Act amendments, 239
### Index

<table>
<thead>
<tr>
<th>Page Range</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>78–79</td>
<td>Rosenbladt case</td>
</tr>
<tr>
<td>221–22, 225–28</td>
<td>Rossi, Rino</td>
</tr>
<tr>
<td>321</td>
<td>Rouse, M.</td>
</tr>
<tr>
<td>279–81</td>
<td>Rüffert case</td>
</tr>
<tr>
<td>155–56</td>
<td>Ruiz Zambrano case</td>
</tr>
<tr>
<td>263–64</td>
<td>Rush Portuguesa case, Laval case compared to</td>
</tr>
<tr>
<td>57–58, 146–47</td>
<td>Šadl, Urska</td>
</tr>
<tr>
<td>133, 150–53</td>
<td>Sayn-Wittgenstein case</td>
</tr>
<tr>
<td>245–46</td>
<td>Schlieder, Willie</td>
</tr>
<tr>
<td>273–74</td>
<td>Schulz, Martin</td>
</tr>
<tr>
<td>213</td>
<td>Schuman, Robert</td>
</tr>
<tr>
<td>345</td>
<td>Schwundek, Christy</td>
</tr>
<tr>
<td>176–81</td>
<td>science, technology and society studies (STS)</td>
</tr>
<tr>
<td>137</td>
<td>EU law research and</td>
</tr>
<tr>
<td>143–45</td>
<td>legal controversy and,</td>
</tr>
<tr>
<td>145–46</td>
<td>symmetry in,</td>
</tr>
<tr>
<td>143n.30</td>
<td>Whig interpretations and,</td>
</tr>
<tr>
<td>46–48</td>
<td>scope condition, national judicial practices and,</td>
</tr>
<tr>
<td>44–45</td>
<td>Scott, James</td>
</tr>
<tr>
<td>49–52</td>
<td>secondary EU law, CJEU interpretation of,</td>
</tr>
<tr>
<td>163n.23</td>
<td>second language in corpus linguistics analysis,</td>
</tr>
<tr>
<td>317–18, 328–30</td>
<td>Segal, Jeffrey A.</td>
</tr>
<tr>
<td>226–27</td>
<td>Segni, Antonio</td>
</tr>
<tr>
<td>213</td>
<td>Seidel, Katja</td>
</tr>
<tr>
<td>88–93</td>
<td>self-interested litigants, Eurolitigation and,</td>
</tr>
<tr>
<td>54</td>
<td>self-precedent,</td>
</tr>
<tr>
<td>226n.44</td>
<td>Serrarens, Petrus</td>
</tr>
<tr>
<td>242</td>
<td>Services Directive for competition law and staff cases,</td>
</tr>
<tr>
<td>272–75</td>
<td>Services Directive, negotiations in Viking and Laval by,</td>
</tr>
<tr>
<td>277–83</td>
<td>Swedish opposition to,</td>
</tr>
<tr>
<td>109–12</td>
<td>Sociological research, European law in context of,</td>
</tr>
<tr>
<td>4–6</td>
<td>Solanke, Iyiola</td>
</tr>
<tr>
<td>16n.64, 22, 343–53</td>
<td>sovereign debt crisis, EMU and,</td>
</tr>
<tr>
<td>289–90, 297–98</td>
<td>specialized tribunals for competition law and staff cases,</td>
</tr>
<tr>
<td>242</td>
<td>Member State equilibrium vs.,</td>
</tr>
<tr>
<td>257–59</td>
<td>Špidla, Vladimír</td>
</tr>
<tr>
<td>119–21, 275–76</td>
<td>Sociology, secularism in,</td>
</tr>
</tbody>
</table>
INDEX

staff cases
administrative court for, 243–44
specialized tribunals for, 242, 257–59
stare decisis
binding effect of, 54
civil law and absence of, of 52
state law, ECJ primacy over, 28–29
statistical analysis, Eurolitigation and, 102–3
Statute of the ECJ, Article 20, 162–63
statutory security schemes, sex discrimination in, paragraph-to-paragraph distribution of, in network analysis, 70–79
Stone Sweet, Alec, 105–6, 143–45
Strauss, Walter, 220, 225–30
strict conditionality, ESM and, 311–13
Summers, Robert S., 52–53
supranational law, perceptions of threat in, 35–37
surname recognition
CJEU case law on, 133
conceptual framework in cases of, 150–53
Sweden, Laval case and, 275–78
Swedish Co-determination law, 121–22
Swedish government, Laval case impact on, 117n.29
Swedish legal team, opposition to third-party intervention in Viking and Laval, 123–29
Swedish Permanent Representation, 117
Swedish Trade Union Confederation (LO-S), 109–13
Swedish trade unions, 123–29
symmetry principle, STS studies and, 145–46
tacit precedents, absence of citation for, 59–60
Tai, Hsuan-Yu, 177
Task Force Viking-Laval. See Viking-Laval Task Force
tax law, preliminary reference procedure in, 82–85
Temple-Lang, John, 245–46
temporal effect of judgments
case citations, 59–60, 74–75
citation histories and, 65–68
media coverage of CJEU decisions and, 330–32, 337
reliability of research and, 101–2
temporary workers
colonialism and, 346–48
Laval case and, 263–65
termination, age-based discrimination and employment conditions, 78–79
textual indeterminacy in Laval, 270–72
of meaning in legal text, 266
textured perspective, on national judicial ECJ referrals, 41
Thévenot, Laurent, 143–45
thickening of time, for national lower court judges, 37–40
third party intervention, in Viking and Laval cases, 123–29
Thomas, Craig, 271
Thomas, Yan, 139–40, 144–45
three-judge chamber decisions, judge-rapporteurs and, 193–98
time of delivery, as network analysis case selection parameter, 63–65
top-down research perspective, CJEU jurisprudence and, 13
Trabucchi, Alberto, 220, 225–28, 230–32
Trade Union Congress, 124–25
trade unions
ethical issues in litigation involving, 112–15
EU law and, 105–9
Laval case and, 275–76, 282–85
legal experts and mobilisation of, 123–29
meetings with Cabinet ministers, 119–21
mobilisation for litigation of, 107–25
mobilisation for litigation of, 107–25
politicalization of Laval case and, 121–22
Services Directive and, 272–75
Translation Universal’s hypothesis, corpus linguistics analysis and, 177
INDEX

Vajda, Christopher, 191–92
Valasidis, William, 325–26
Vallée Poussin, Etienne de la, 220–21
Valverde, Mariana, 38, 137, 147–48
Vander Elst case, 264–65
Van Gend en Loos case, 223–24, 284
Van Kleffens, Adrianus (Judge), 220
Van Lancker, Anne, 273–74
Van Zeeland, Paul, 220–21
Verheugen, Günther, 119–21
vertical direct effect defined, 71
equal pay and sex discrimination cases, 70–72
vertical precedent, 54
Yesterdorf, Bo, 259–60
Vice-President, election of, 195–96
Vike-Freiberga, Vaira, 277–83
Viking case, 16–17, 105–9
access to materials, 109–12
archives in, 106–7
ethical issues in research on, 112–15
ETUC intervention in, 123–29
Laval case comparison with, 278–82
Viking-Laval Task Force ethics in litigation and, 112–15
intervention in Viking and Laval cases, 123–29
judicial lobbying by, 115–22
negotiations in Viking and Laval cases by, 109–12
Voeten, Eric, 57
Von Bogdandy, Armin, 154
Von Danwitz, Thomas, 191, 281
Voss, Reimer, 45–46
Wallström, Margot, 119–21
Warner, J.-P., 162n.16
Weiler, J. H. H., 46–48, 105–6
Werener, Pierre, 227–30
Whig interpretations of case law, 135–36, 142–43
legal controversy and, 147
whiteness, in EU scholarship, 346, 350–51
Windrush scandal, 348

transnational justice model, self-interested litigants and, 90–93
Transnational Trade Union Rights Network (TTUR), 124–25
treaty law
CJEU interpretation of, 49–52, 55–56, 133
EU law and, 284
Treaty on the Functioning of the European Union (TFEU)
Article 19, 348–50
Article 21, 133
Article 48(6), 305–7
Article 122, 307–11
Article 122(2), 300–7
Article 123, 308–9
Article 125, 307–11
Article 122(2), 300–7
Article 123, 308–9
Article 136, 305–11
Article 143, 308–9
Article 157, 70–72
Article 252, 181–83
ESM Treaty and, 303–4
no-bailout clause in, 297n.56
triangulation, in national court ECJ referrals, 42
Tridimas, George, 87–88, 161–82n.56
Tridimas, Takis, 87–88
Troper, Michel, 144–45
Tryfonidou, Alina, 143
Two-Pack regulation, ESM Treaty and, 303–4
uniform analysis assumption, Eurolitigation and, 88–90
Union citizenship, concept of, 154
United Kingdom, racial scholarship in, 350–51
University of Amsterdam, 9–11
University of Copenhagen, 9–11
U.S. scholarship
Court of Justice of the European Union and, 212
diversity research in, 352–53
U.S. Supreme Court
CJEU precedent compared to, 57–58
media attention on, 317–18, 321, 338–40
network analysis of precedent in, 57

© in this web service Cambridge University Press & Assessment

www.cambridge.org
**INDEX**

Wittgenstein, Ludwig, 139

women judges, underrepresentation in ECJ of, 195n.42

workers’ rights, Laval case and challenge to, 282–85

working conditions, sex discrimination and, paragraph-to-paragraph distribution of, in network analysis, 72

workload of national court judiciary, 37–40

World Trade Organization, media coverage of decisions by, 323–25

XXIV FIDE report (2014), 295

Zambrano criterion, citizenship in EU and, 155–56