

Select Bibliography

- Alexander, L and Sherwin, E, *The Rule of Rules: Morality, Rules and the Dilemmas of Law* (Duke University 2001)
- Alter, K, *Establishing the Supremacy of European Law: The Making of an International Rule of Law in Europe* (Oxford University Press 2001)
- Alter, K, *The European Court's Political Power* (Oxford University Press 2009)
- Alter, K, 'The New International Courts: A Bird's Eye View' (2009) Buffett Centre for International and Comparative Studies Working Paper Series No. 09-001
- Alter, K, *The New Terrain of International Law* (Princeton University Press 2014)
- Arnall, A, *The European Union and Its Court of Justice* (Oxford University Press 2006)
- Avril, P and Gicquel, J, *Le Conseil constitutionnel* (Montchrestien 2005)
- Balandier, M, *Le Conseil supérieur de la magistrature—De la révision constitutionnelle du 27 Juillet 1993 aux enjeux actuels* (Editions Le Manuscrit 2006)
- Bates, E, *The Evolution of the European Convention on Human Rights: From Its Inception to the Creation of a Permanent Court of Human Rights* (Oxford University Press 2010)
- Bates, E, 'The Birth of the European Convention on Human Rights—and the European Court of Human Rights' in J Christoffersen and M Rask Madsen (eds), *The European Court of Human Rights between Law and Politics* (Oxford University Press 2011)
- Baum, L, *Judges and Their Audiences: A Perspective on Judicial Behavior* (Princeton University Press 2006)
- Bell, J, *Judiciaries within Europe: A Comparative Review* (Cambridge University Press 2006)
- Bellamy, R, *Political Constitutionalism: A Republican Defence of the Constitutionality of Democracy* (Cambridge University Press 2007)
- Benvenisti, E and Downs, G, 'Prospects for the Increased Independence of International Tribunals' (2011) 12 German Law Journal 1057
- Bernier, A, 'Constructing and Legitimizing: Transnational Jurist Networks and the Making of a Constitutional Practice of European Law, 1950–70' (2012) 21 Contemporary European History 399
- Besson, S, 'European Human Rights, Supranational Judicial Review and Democracy. Thinking Outside the Judicial Box' in P Popelier, C Van de Heyning, and P Van Nuffel (eds), *Human Rights Protection in the European Legal Order: The Interaction Between the European and the National Courts* (Intersentia 2011)
- Bickel, A, *The Least Dangerous Branch* (Yale University Press 1962)
- Bobek, M, 'Learning to Talk: Preliminary Rulings, the Courts of the New Member States and the Court of Justice' (2010) 45 Common Market Law Review 1611
- Bobek, M, *Comparative Reasoning in European Supreme Courts* (Oxford University Press 2013)
- Bobek, M, 'Of Feasibility and Silent Elephants: The Legitimacy of the Court of Justice through the Eyes of National Courts' in M Adams et al (eds), *Judging Europe's Judges: the Legitimacy of the Case Law of the European Court of Justice* (Hart 2013)
- Bobek, M, 'Landtová, Holubec, and the Problem of an Uncooperative Court: Implications for the Preliminary Rulings Procedure' (2014) 10 European Constitutional Law Review 54

- Bobek, M, 'Legal Reasoning of the Court of Justice of the EU' (2014) 39 European Law Review 418
- Boerger-De Smedt, A, 'La Cour de justice dans les négociations du traité de Paris instituant la CECA' (2008) 14 Journal of European Integration History 7
- Bork, R, *Coercing Virtue: The Worldwide Rule of Judges* (AEI Press 2003)
- Bossuyt, M, 'Should the Strasbourg Court Exercise More Self-restraint? On the Extension of the Jurisdiction of the European Court of Human Rights to Social Security Regulations' (2007) 28 Human Rights Law Journal 321
- Bossuyt, M, 'Judges on Thin Ice: The European Court of Human Rights and the Treatment of Asylum Seekers' (2010) 3 Inter-American and European Human Rights Journal 3
- Bourdieu, P, *Le sens pratique* (Minuit 1980)
- Bourdieu, P, 'The Force of Law: Toward a Sociology of the Juridical Field' (1987) 38 The Hastings Law Journal 80
- Brown, N and Kennedy, T, *The Court of Justice of the European Communities* (5th edn, Sweet & Maxwell 2000)
- Buergenthal, T, 'Proliferation of International Courts and Tribunals: Is It Good or Bad?' (2001) 14 Leiden Journal of International Law 267
- Bühlmann, M and Kunz, R, 'Confidence in the Judiciary: Comparing the Independence and Legitimacy of Judicial Systems' (2011) 34 West European Politics 317
- Burbank, S, 'Judicial Independence, Judicial Accountability, and Interbranch Relations' (2007) 95 The Georgetown Law Journal 909
- Çali, B, Koch, A, and Bruch, N, 'The Social Legitimacy of Human Rights Courts: A Grounded Interpretivist Theory of the Elite Accounts of the Legitimacy of the European Court of Human Rights' (2013) 35 Human Rights Quarterly 955
- Çali, B, Koch, A, and Bruch, N, 'The Legitimacy of Human Rights Courts: A Grounded Interpretivist Analysis of the European Court of Human Rights' (2013) 35 Human Rights Quarterly 955
- Caflisch, L, 'Independence and Impartiality of Judges: The European Court of Human Rights' (2003) 2 The Law and Practice of International Courts and Tribunals 169
- Caldeira, G, 'Public Opinion and the US Supreme Court' (1987) 81 American Political Science Review 1139
- Caldeira, G, 'The Etiology of Public Support for the Supreme Court' (1992) 36 American Journal of Political Science 635
- Caldeira, G, 'The Legitimacy of the Court of Justice in the European Union' (1995) 89 The American Political Science Review 356
- Caldeira, G, and Gibson, J, 'Democracy and Legitimacy in the European Union' (1997) 49 International Social Science Journal 209
- Cardwell, M, *Milk Quotas: European Community and United Kingdom Law* (Oxford University Press 1996)
- Carrubba, C, Gabel, M, and Hankla, C, 'Judicial Behavior under Political Constraints: Evidence from the European Court of Justice' (2008) 102 American Political Science Review 435
- Cartier, S and Hoss, C, 'The Role of Registries and Legal Secretariats in International Judicial Institutions' in C Romano, K Alter, and Y Shany (eds), *Oxford Handbook of International Adjudication* (Oxford University Press 2013)
- Chalmers, D, 'The Positioning of EU Judicial Politics within the United Kingdom' (2000) 23 West European Politics 169

- Chalmers, D, 'The Reference Points of EU Judicial Politics' (2012) 19 *Journal of European Public Policy* 25
- Chalmers, D, *European Union Law* (3rd edn, Cambridge University Press 2014)
- Chalmers, D and Barroso, L, 'What Van Gend en Loos Stands For' (2014) 12 *International Journal of Constitutional Law* 105
- Chalmers, D and Chaves, M, 'EU Law-Making and the State of Democratic Agency' in O Cramme and S Hobolt (eds), *Democratic Politics in a European Union under Stress* (Oxford University Press 2014)
- Choi, S and Gulati, M, 'A Tournament of Judges?' (2004) 92 *California Law Review* 299
- Christoffersen, J and Rask Madsen, M (eds), *The European Court of Human Rights between Law and Politics* (2nd edn, Oxford University Press 2013)
- Cohen, A, "Ten Majestic Figures in Long Amaranth Robes": The Formation of the Court of Justice of the European Communities' in A Vauchez and B de Witte (eds), *Lawyering Europe* (Hart Publishing 2013)
- Cohen-Jonathan, G, 'La reconnaissance par la France du droit de recours individuel devant la Commission européenne des Droits de l'Homme' (1981) 27 *Annuaire français du droit international* 269
- Colin, J-P, *Le gouvernement des juges dans les communautés européennes* (Pichon et Durand-Auzias 1966)
- Costa, J-P, 'On the Legitimacy of the European Court of Human Rights' Judgments' (2011) 7 *European Constitutional Law Review* 173
- Crawford, J and McIntyre, J, 'The Independence and Impartiality of the "International Judiciary"' in S Shetreet and C Forsyth (eds), *The Culture of Judicial Independence* (Martinus Nijhoff Publishers 2012)
- Davies, B, *Resisting the European Court of Justice: West Germany's Confrontation with European Law, 1949–1979* (Cambridge University Press 2012)
- Davis, M, 'A Government of Judges: An Historical Re-View' (1987) 35 *The American Journal of Comparative Law* 559
- Dashwood, A and Johnston, A (eds), *The Future of the Judicial System of the European Union* (Hart Publishing 2001)
- Dawson, JP, *The Oracles of the Law* (University of Michigan Law School 1968)
- Dehousse, R, *The European Court of Justice. The Politics of Judicial Integration* (Macmillan 1998)
- Dezalay, Y and Garth, B, *Dealing in Virtue. International Commercial Arbitration and the Construction of a Transnational Legal Order* (University of Chicago Press 1996)
- Dezalay, Y and Garth, B, *The Internationalization of Palace Wars: Lawyers, Economists, and the Contest to Transform Latin American States* (University of Chicago Press 2002)
- Drezemczewski, A, 'Election of Judges to the Strasbourg Court: An Overview' [2010] *European Human Rights Law Review* 377
- Drezemczewski, A, 'L'élection du juge de l'Union européenne à la Cour européenne des droits de l'homme' [2013] *Revue trimestrielle des droits de l'homme* 551
- Dumbrovský, T, Petkova, B, and Van der Sluis, M, 'Judicial Appointments: the Article 255 TFEU Advisory Panel and Selection Procedures in the Member States' (2014) 51 *Common Market Law Review* 455
- Dzehtsiarou, K, 'Does Consensus Matter? Legitimacy of European Consensus in the Case Law of the European Court of Human Rights' (2011) 10 *Public Law* 534
- Elek, J and Rottman, D, 'Improving Judicial-Performance Evaluation: Countering Bias and Exploring New Methods' (2013) 49 *Court Review* 140

- Engel, NP, 'More Transparency and Governmental Loyalty for Maintaining Professional Quality in the Election of Judges to the European Court of Human Rights' (2008) 32 *Human Rights Law Journal* 448
- Engel, NP, 'Mehr Tansparenz für die Wahrung professioneller Qualität bei den Richter-Wahlen zum EGMR' (2012) 39 *Europäische Grundrechte-Zeitschrift* 486
- Eriksen, E, *The Unfinished Democratization of Europe* (Oxford University Press 2009)
- Ferejohn, J and Kramer, L, 'Independent Judges, Dependent Judiciary: Institutionalizing Judicial Restraint' (2002) 77 *New York University Law Review* 962
- Fiss, O, 'The Right Degree of Independence' in I Stozky (ed), *Transition to Democracy in Latin America: The Role of the Judiciary* (Westview Press 1993)
- Flauss, J-F, 'Radioscopie de l'élection de la nouvelle Cour européenne des droits de l'homme' [1998] *Revue trimestrielle des droits de l'homme* 435
- Flauss, J-F, 'Le renouvellement triennal de la Cour européenne des droits de l'homme' [2001] *Revue trimestrielle des droits de l'homme* 693
- Flauss, J-F, 'Brèves observations sur le second renouvellement triennal de la Cour européenne des droits de l'homme' [2005] *Revue trimestrielle des droits de l'homme* 5
- Flauss, J-F, 'Les élections de juges à la Cour européenne des droits de l'homme (2005–2008)' [2008] *Revue trimestrielle des droits de l'homme* 713
- Flogaitis, S, Zwart, T, and Fraser, J (eds), *The European Court of Human Rights and Its Discontents* (Edward Elgar Publishing 2013)
- Follesdal, A, 'The Legitimacy of International Human Rights Review: The Case of the European Court of Human Rights' (2009) 40 *Journal of Social Philosophy* 595
- Follesdal, A, Schaffer, J, and Ulfstein, G (eds), *The Legitimacy of International Human Rights Regimes* (Cambridge University Press 2013)
- Fyrnys, M, 'Expanding Competences by Judicial Lawmaking. The Pilot Judgment Procedure of the European Court of Human Rights' in A von Bogdandy and I Venzke (eds), *International Judicial Lawmaking* (Springer 2012)
- Garoupa, N and Ginsburg, T, 'Judicial Audiences and Reputation: Perspectives from Comparative Law' (2009) 47 *Columbia Journal of Transnational Law* 451
- Garoupa, N and Ginsburg, T, 'The Comparative Law and Economics of Judicial Councils' (2009) 27 *Berkeley Journal of International Law* 52
- Garzón Clariana, G, 'Le rôle du Parlement européen dans le développement de la Cour de justice' in Ninon Colneric et al (eds), *Une communauté de droit. Festschrift für Gil Carlos Rodríguez Iglesias* (BWV 2003)
- Geyh, C, 'Judicial Election Reconsidered: A Plea for Radical Moderation' (2012) 35 *Harvard Journal of Law and Public Policy* 623
- Gibson, J and Caldeira, G, 'The Legitimacy of Transnational Legal Institutions' (1995) 39 *American Journal of Political Science* 459
- Gibson, J and Caldeira, G, 'Changes in the Legitimacy of the European Court of Justice' (1998) 28 *British Journal of Political Science* 63
- Gibson, J, Caldeira, G, and Baird, V, 'On the Legitimacy of National High Courts' (1998) 92 *American Political Science Review* 343
- Ginsburg, T, 'Political Constraints on International Courts' in C Romano, K Alter, and Y Shany (eds), *The Oxford Handbook of International Adjudication* (Oxford University Press 2014)
- Grabenwarter, C and Pabel, K, *Europäische Menschenrechtskonvention* (5th edn, Beck 2012)
- Greer, S, *The European Convention on Human Rights: Achievements, Problems and Prospects* (Cambridge University Press 2006)

- Greer, S, 'What's Wrong with the European Convention on Human Rights?' (2008) 30 *Human Rights Quarterly* 701
- Greer, S and Wildhaber, L, 'Revisiting the Debate about 'constitutionalising' the European Court of Human Rights' (2012) 12 *Human Rights Law Review* 655
- Guarnieri, C, 'Judicial Independence in Europe: Threat or Resource for Democracy?' (2013) 49 *Representation* 347
- Guarnieri, C and Piana, D, 'Judicial Independence and the Rule of Law' in S Sheetreet and C Forsyth (eds), *The Culture of Judicial Independence. Conceptual Foundations and Practical Challenges* (Martinus Nijhoff 2012)
- Habermas, J, *Der gespaltene Westen* (Suhrkamp 2004)
- Habermas, J, 'Konstitutionalisierung des Völkerrechts und die Legitimationsprobleme einer verfaßten Weltgesellschaft' in *Philosophische Texte Band 4. Politische Theorie* (Suhrkamp 2009)
- Habermas, J, 'The Crisis of the European Union in the Light of a Constitutionalization of International Law' (2012) 23 *European Journal of International Law* 335
- Harmsen, R, 'The European Convention on Human Rights after Enlargement' (2001) 5 *The International Journal of Human Rights* 18
- Harmsen, R, 'The Reform of the Convention System: Institutional Restructuring and the (Geo-)Politics of Human Rights' in J Christoffersen and M Rask Madsen (eds), *The European Court of Human Rights between Law and Politics* (Oxford University Press 2011)
- Hedigan, J, 'The Election of Judges to the European Court of Human Rights' in M Kohen (ed), *Promoting Justice, Human Rights and Conflict Resolution Through International Law. Liber amicorum Lucius Caflisch* (Brill 2007)
- Helper, L, 'Redesigning the European Court of Human Rights: Embeddedness as a Deep Structural Principle of the European Human Rights Regime' (2008) 9 *European Journal of International Law* 125
- Helper, L and Slaughter, AM, 'Toward a Theory of Effective Supranational Adjudication' (1997) 107 *Yale Law Journal* 273
- Helper, L and Slaughter, AM, 'Why States Create International Tribunals: A Response to Professors Posner and Yoo' (2005) 3 *California Law Review* 899
- Helper, L, Slaughter, AM, and Voeten, E, 'International Courts as Agents of Legal Change: Evidence from LGBT Rights in Europe' (2014) 68 *International Organization* 77
- Hirschl, R, *Towards Juristocracy: The Origins and Consequences of the New Constitutionalism* (Harvard University Press 2004)
- Jacob, M, 'Precedents: Lawmaking Through International Adjudication' (2011) 12 *German Law Journal* 1005
- Jacob, M, *Precedents and Case-Based Reasoning in the European Court of Justice: Unfinished Business* (Cambridge University Press 2014)
- Jackson, V, 'Constitutional Comparisons: Convergence, Resistance, Engagement' (2005) 119 *Harvard Law Review* 109
- Jackson, V, 'Judicial Independence: Structure, Context, Attitude' in Anja Seibert-Fohr (ed), *Judicial Independence in Transition* (Springer 2012)
- Jestaedt, M et al, *Das entgrenzte Gericht* (Suhrkamp 2011)
- Jones, E and Kelemen, D, 'The Euro Goes to Court' (2014) 56 *Survival: Global Politics and Strategy* 15
- Karpenstein, U, 'Article 253 TFEU' in E Grabitz, M Hilf, and M Nettesheim (eds), *Das Recht der Europäischen Union* (Beck 2013)
- Katzenstein, S, 'In the Shadow of Crisis: The Creation of International Courts in the Twentieth Century' (2014) 55 *Harvard International Law Journal* 151

- Kauppi, N and Madsen, MR (eds), *Transnational Power Elites: The New Professionals of Governance, Law and Security* (Routledge 2013)
- Keohane, R, Moravcsik, A, and Slaughter, AM, 'Legalized Dispute Resolution: Interstate and Transnational' (2000) 54 International Organization 457
- Kelemen, D, *Eurolegalism: The Transformation of Law and Regulation in the European Union* (Harvard University Press 2011)
- Kelemen, D, 'The Political Foundations of Judicial Independence in the European Union' (2012) 19 Journal of European Public Policy 43
- Kelemen, D, 'Judicialisation, Democracy and European Integration' (2013) 49 Representation 295
- Kennedy, T, 'Thirteen Russians! The Composition of the European Court of Justice', in AIL Campbell and M Voyatzis (eds), *Legal Reasoning and Judicial Interpretation of European Law. Essays in Honour of Lord Mackenzie-Stuart* (Trenton Publishing 1996)
- Kenney, S, 'The Members of the Court of Justice of the European Communities' (1998) 5 Columbia Journal of European Law 101
- Kenney, S, 'Breaking the Silence: Gender Mainstreaming and the Composition of the European Court of Justice' (2002) 10 Feminist Legal Studies 262
- Kenney, S, 'Equal Employment Opportunity and Representation: Extending the Frame to the Courts' (2004) 11 Social Politics 1
- Kenney, S, *Gender and Justice: Why Women in the Judiciary Really Matter* (Routledge 2012)
- Kohler-Koch, B and Rittberger, B (eds), *Debating the Democratic Legitimacy of the European Union* (Rowman & Littlefield Publishers 2007)
- Kosař, D, 'The Least Accountable Branch (review essay)' (2013) 11 International Journal of Constitutional Law 234
- Kosař, D, 'Policing Separation of Powers: A New Role for the European Court of Human Rights?' (2012) 8 European Constitutional Law Review 33
- Koskenniemi, M, *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870–1960* (Cambridge University Press 2001)
- Krüger, HC, 'Procédure de sélection des juges de la nouvelle Cour européenne des droits de l'homme' (1996) 8 Revue universelle des droits de l'homme 113
- Krynen, J, *L'Etat de justice France, XIIIe–XXe siècle. Tome II: L'emprise contemporaine des juges* (Gallimard 2012)
- Kuijer, M, 'Voting Behaviour and National Bias in the European Court of Human Rights and the International Court of Justice' (1997) 10 Leiden Journal of International Law 49
- Latour, B, *La fabrique du droit: Une ethnographie du Conseil d'État* (La Découverte 2002)
- Lester, A, 'The European Court of Human Rights after 50 Years' in J Christoffersen and MR Madsen (eds), *The European Court of Human Rights between Law and Politics* (Oxford University Press 2011)
- Limbach, J et al, *Judicial Independence: Law and Practice of Appointments to the European Court of Human Rights* (Interlights 2003)
- Lord Lester, A, 'Universality v. Subsidiarity: A Reply?' (1998) 1 European Human Rights Law Review 73
- Loucaides, L, 'Reflections of a Former European Court of Human Rights Judge on his Experiences as a Judge' [2010] Roma Rights Journal 61
- Louis, J-V, 'La nomination des juges de la Cour de justice' (2013) 48 Cahiers de droit européen 567
- Luhmann, N, *Grundrechte als Institution: ein Beitrag zur politischen Soziologie* (Duncker & Humblot 1974)
- Luhmann, N, *Das Recht der Gesellschaft* (Suhrkamp 1993)

- Mackenzie, R and Sands, P, 'Judicial Selection for International Courts: Towards Common Principles and Practices' in Kate Malleson and Peter H Russell (eds), *Appointing Judges in an Age of Judicial Power: Critical Perspectives from around the World* (University of Toronto Press 2006)
- Mackenzie, R and Sands, P, 'International Courts and Tribunals and the Independence of the International Judge' (2003) 44 Harvard International Law Journal 27
- Mackenzie, R et al, *Selecting International Judges: Principle, Process, and Politics* (Oxford University Press 2010)
- Madsen, MR, 'France, the UK and "Boomerang" of the Internationalization of Human Rights (1945–2000)' in S Halliday and P Schmidt (eds), *Human Rights Brought Home: Socio-Legal Perspectives on Human Rights in the National Context* (Hart Publishing 2004)
- Madsen, MR, 'From Cold War Instrument to Supreme European Court: The European Court of Human Rights at the Crossroads of International and National Law and Politics' (2007) 32 Law & Social Inquiry 13
- Madsen, MR, *La genèse de l'Europe des droits de l'homme: Enjeux juridiques et stratégies d'Etat (France, Grande-Bretagne et pays scandinaves, 1945-1970)* (Presses universitaires de Strasbourg 2010)
- Madsen, MR, 'Legal Diplomacy—Law, Politics and the Genesis of Postwar European Human Rights' in SL Hoffmann (ed), *Human Rights in the Twentieth Century: A Critical History* (Cambridge University Press 2011)
- Madsen, MR, 'Human Rights and the Hegemony of Ideology: European Lawyers and the Cold War Battle over International Human Rights' in Y Dezalay and B Garth (eds), *Lawyers and the Construction of Transnational Justice* (Routledge 2012)
- Madsen, MR, 'Sociological Approaches to International Courts' in K Alter, CPR Romano, and Y Shany (eds), *Oxford University Press Handbook of International Adjudication* (Oxford University Press 2014)
- Mahoney, P, 'Judicial Activism and Judicial Self-restraint in the European Court of Human Rights: Two Sides of the Same Coin' (1990) 11 Human Rights Law Journal 57
- Mahoney, P, 'The International Judiciary—Independence and Accountability' (2008) 7 Law and Practice of International Courts and Tribunals 313
- Majone, G, *Dilemmas of European Integration. The Ambiguities and Pitfalls of Integration by Stealth* (Oxford University Press 2005)
- Malenovský, J, 'L'indépendance des juges internationaux' in *Recueil des cours de l'Académie de droit international de la Haye* (Martinus Nijhoff 2011)
- Malleson, K, 'Parliamentary Scrutiny of Supreme Court Nominees: A View from the United Kingdom' (2007) 44 Osgoode Hall Law Journal 557
- Malleson, K and Russell, P (eds), *Appointing Judges in an Age of Judicial Power* (University of Toronto Press 2006)
- Mancini, F and Keeling, D, 'Democracy and the European Court of Justice' (1994) 57 Modern Law Review 175
- Mbongo, P and Vauchez, A (eds), *Dans la fabrique du droit européen: scènes, acteurs et publics de la Cour de justice des Communautés européennes* (Bruylant 2009)
- Milner, D, 'Protocols no. 15 and 16 to the European Convention on Human Rights in the Context of the Perennial Process of Reform: A Long and Winding Road' (2014) 17 Zeitschrift für Europarechtliche Studien 19
- Möllers, C, *The Three Branches: A Comparative Model of Separation of Powers* (Oxford University Press 2013)
- Moravcsik, A, *The Choice for Europe* (Cornell University Press 1998)

- Moravcsik, A, 'The Origins of Human Rights Regimes: Democratic Delegation in Post-war Europe' (2000) 54 International Organization 217
- Myjer, E, 'Are Judges of the European Court of Human Rights so Qualified that they are in No Need of Initial and In-Service Training? A "Straatsburgse Myj/mering" (Myjer's Musings from Strasbourg) for L Zwaak' in Y Haeck et al (eds), *The Realisation of Human Rights: When Theory Meets Practice: Studies in Honour of Leo Zwak* (Intersentia 2014)
- O'Boyle, M, 'The Future of the European Court of Human Rights' (2011) 12 German Law Journal 1862
- Ost, F, *Dire le droit, faire justice* (Bruylant 2007)
- Passos, R, 'Le système juridictionnel de l'Union' in G Amato, H Bribosia and B de Witte (eds), *Genèse et destin de la Constitution européenne* (Bruylant 2007)
- Paynter, S, and Kearney, R, 'Who Watches the Watchmen? Evaluating Judicial Performance in the American States' (2010) 41 Administration and Society 923
- Penner, J, 'Legal Reasoning and the Authority of Law' in S Paulson et al (eds) *Rights, Culture, and the Law: Themes from the Legal and Political Philosophy of Joseph Raz* (Oxford University Press 2003)
- Pernice, I et al, *A Democratic Solution to the Crisis. Reform Steps towards a Democratically Based Economic and Financial Constitution for Europe* (Nomos 2012)
- Pescatore, P, *The Law of Integration* (Springer 1974)
- Petkova, B, 'Three Levels of Dialogue at the Court of Justice of the European Union and the European Court of Human Rights' in K Dzehtsiarou et al (eds) *Human Rights Law in Europe: The Influence, Overlaps and Contradictions of the EU and the ECHR* (Routledge 2014)
- Posner, E, *The Perils of Global Legalism* (University of Chicago Press 2009)
- Posner, E and Yoo, J, 'Judicial Independence in International Tribunals' (2005) 93 California Law Review 1
- Rasmussen, M, 'Revolutionizing European Law: A History of the Van Gend en Loos judgment' (2014) 12 International Journal of Constitutional Law 136
- Rasmussen, M, 'The Origins of a Legal Revolution: The Early History of the European Court of Justice' (2008) 14 Journal of European Integration History 77
- Resnik, J, '"Naturally" without Gender: Women, Jurisdiction, and the Federal Courts' (1991) 66 New York University Law Review 1682
- Rodriguez Iglesias, G, 'The Judge Confronts Himself as Judge' in R Badinter and S Breyer (eds), *Judges in Contemporary Democracy. An International Conversation* (New York University Press 2004)
- Romano, C, 'A Taxonomy of International Rule of Law Institutions' (2011) 2 Journal of International Dispute Settlement 241
- Romano, C, 'The Proliferation of International Tribunals: Piecing Together the Puzzle' (1999) 31 New York University Journal of International Law and Politics 709
- Ross, W, 'The Ratings Game: Factors that Influence Judicial Reputation' (1996) 79 Marquette Law Review 401
- Ruiz, B and Rubio-Marín, R, 'The Gender of Representation: On Democracy, Equality, and Parity' (2008) 6 International Journal of Constitutional Law 287
- Russell, P and O'Brien, D (eds), *Judicial Independence in the Age of Democracy: Critical Perspectives from Around the World* (University Press of Virginia 2001)
- Sajó, A, 'An All-European Conversation: Promoting a Common Understanding of European Human Rights', in S Flogaitis, T Zwart, and J Fraser (eds), *The European Court of Human Rights and its Discontents* (Edward Elgar Publishing 2013)
- Sankari, S, *European Court of Justice Legal Reasoning in Context* (Europa Law Publishing 2013)

- Sauvé, J-M, 'Le rôle du comité 255 dans le sélection du juge de l'Union', in A Rosas, E Levits, and Y Bot (eds), *The Court of Justice and the Construction of Europe: Analyses and Perspectives on Sixty Years of Case-law—La Cour de Justice et la Construction de l'Europe: Analyses et Perspectives de Soixante Ans de Jurisprudence* (Asser Press/Springer 2013)
- Schaiko, G, Lemmens, P, and Lemmens, K, 'Belgium' in J Gerards and J Fleuren (eds), *Implementation of the European Convention on Human Rights and of the Judgments of the ECtHR in National Case Law. A Comparative Analysis* (Intersentia 2014)
- Schepel, H and Wesseling, R, 'The Legal Community: Judges, Lawyers, Officials and Clerks in the Writing of Europe' (1997) 3 European Law Journal 165
- Schermers, H, 'Election of Judges to the European Court of Human Rights' (1998) 23 European Law Review 568
- Schönberger, C, 'Höchstrichterliche Rechtsfindung und Auslegung gerichtlicher Entscheidungen' in G Lienbacher et al (eds), *Grundsatzfragen der Rechtsetzung und Rechtsfindung. Veröffentlichungen der Vereinigung der Deutschen Staatsrechtslehrer* (De Gruyter 2012)
- Sevón, L, 'La procédure de sélection des membres du TFPUE' in 'Le TFPUE 2005-2010: Actes du colloque organisé à l'occasion du 5ème anniversaire du TFP', Special issue (2011) 20 Revue universelle des droits de l'homme, 1-3
- Shapiro, M, *Courts. A Comparative and Political Analysis* (University of Chicago Press 1981)
- Shapiro, M, 'Judicial Independence: New Challenges in Established Nations' (2013) 20 Indiana Journal of Global Legal Studies 253
- Shany, Y, 'No Longer a Weak Department of Power? Reflections on the Emergence of a New International Judiciary' (2009) 20 European Journal of International Law 73
- Shany, Y, *Assessing the Effectiveness of International Courts* (Oxford University Press 2014)
- Sheetreet, S, *Judges on Trial: A Study of the Appointment and Accountability of the English Judiciary* (North Holland Publishing Company 1976)
- Sheetreet, S, 'The Normative Cycle of Shaping Judicial Independence in Domestic and International Law: The Mutual Impact of National and International Jurisprudence and Contemporary Practical and Conceptual Challenges' (2008) 10 Chicago Journal of International Law 299
- Sheetreet, S, 'Creating a Culture of Judicial Independence: The Practical Challenge and the Conceptual and Constitutional Infrastructure' in S Sheetreet and C Forsyth (eds), *The Culture of Judicial Independence. Conceptual Foundations and Practical Challenges* (Martinus Nijhoff 2012)
- Shelton, D, 'Legal Norms to Promote the Independence and Accountability of International Tribunals' (2003) 2 The Law and Practice of International Courts and Tribunals 27
- Siegel, R, 'From Colorblindness To Antibalkanization: An Emerging Ground of Decision in Race Equality Cases' (2011) 120 Yale Law Review 1278
- Simpson, B, *Human Rights and the End of Empire: Britain and the Genesis of the European Convention* (Oxford University Press 2004)
- Skouteris, T, 'The New Tribunalism: Strategies of (De)Legitimization in the Era of Adjudication' (2006) 17 Finnish Yearbook of International Law 307
- Slaughter, A-M, *A New World Order* (Princeton University Press 2004)
- Slaughter, A-M et al (eds) *The European Courts & National Courts: Doctrine and Jurisprudence* (Hart 1998)
- Solanke, I, 'Independence and Diversity in the European Court of Justice' (2009) 15 Columbia Journal of European Law 91
- Stein, E, 'Lawyers, Judges and the Making of a Transnational Constitution' (1981) 75 American Journal of International Law 1

- Steinberg, R, 'Judicial Lawmaking at the WTO: Discursive, Constitutional, and Political Constraints' (2004) 98 *The American Journal of International Law* 247
- Stone Sweet, A, 'Sur la constitutionnalisation de la Convention Européenne des Droits de l'Homme: Cinquante ans après son installation, la Cour Européene des Droits de l'Homme conçue comme une cour constitutionnelle' (2009) 80 *Revue trimestrielle des droits de l'homme* 923
- Stone Sweet, A, 'The European Court of Justice and the Judicialization of EU Governance' (2010) 5 *Living Reviews in European Governance*
- Stone Sweet, A, 'Trustee Courts and the Judicialization of International Regimes: The Politics of Majoritarian Activism in the ECTHR, the EU, and the WTO' (2013) 1 *Journal of Law and Courts* 61
- Stone Sweet, A and Brunell, T, 'The European Court of Justice, State Noncompliance, and the Politics of Override' (2012) 106 *American Political Science Review* 204
- Stone Sweet, A and Mathews, J, 'Proportionality Balancing and Global Constitutionalism' (2008) 47 *Columbia Journal of Transnational Law* 73
- Tarr, G, *Without Fear or Favor: Judicial Independence and Judicial Accountability in the States* (Stanford University Press 2012)
- Terris, D, Romano, C, and Swigart, L, *The International Judge: An Introduction to the Men and Women Who Decide the World's Cases* (Brandeis University Press 2007)
- Toniatti, R, 'L'indipendenza dei giudici sovranazionali ed internazionali' (2010) IV *Diritto Pubblico Comparato ed Europeo* 1733
- Vajić, N, 'Some Remarks Linked to the Independence of International Judges and the Observance of Ethical Rules in the European Court of Human Rights' in C Hohmann-Dennhardt et al (eds), *Grundrechte und Solidarität: Durchsetzung und Verfahren Festschrift für Renate Jaeger* (NP Engel Verlag 2010)
- Vanberg, G, 'Establishing and Maintaining Judicial Independence' in K Whittington, RD Kelemen, and Gregory Caldeira (eds), *The Oxford Handbook of Law & Politics* (Oxford University Press 2008)
- van Caenegem, R, *Judges, Legislators and Professors* (Cambridge University Press 1987)
- van der Woude, M, 'Het Gerecht van de Europese Unie—Een bestuursrechter onder druk' (2013) 87 *Nederlands Juristen Blad* 14
- Vauchez, A, 'The Transnational Politics of Judicialization. Van Gend en Loos and the Making of EU Polity' (2010) 16 *European Law Journal* 1
- Vauchez, A and de Witte, B (eds) *Lawyering Europe: European Law as a Transnational Social Field* (Hart 2014)
- Vesterdorf, B, 'La nomination des juges de la Cour de Justice de l'Union européenne' (2012) 47 *Cahiers de droit européen* 610
- Voßkuhle, A, *Rechtsschutz gegen den Richter: Zur Integration der Dritten Gewalt in das verfassungsrechtliche Kontrollsysteem vor dem Hintergrund des Art. 19 Abs. 4 GG* (Beck 1993)
- Voßkuhle, A, and Sydow, G, 'Die demokratische Legitimation des Richters' (2002) 57 *Juristenzeitung* 673
- Voeten, E, 'Does a Professional Judiciary Induce More Compliance? Evidence from the European Court of Human Rights', 2012, online at <ssrn.com/abstract=2029786>
- Voeten, E, 'The Politics of International Judicial Appointments: Evidence from the European Court of Human Rights' (2007) 61 *International Organization* 669
- Voeten, E, 'The Impartiality of International Judges: Evidence from the European Court of Human Rights' (2008) 102 *American Political Science Review* 417
- Voeten, E, 'The Politics of International Judicial Appointments' (2008–9) 9 *Chicago Journal of International Law* 387

- Voeten, E, 'Politics, Judicial Behaviour, and Institutional Design', in J Christoffersen and M Rask Madsen (eds), *The European Court of Human Rights between Law and Politics* (Oxford University Press 2011)
- Voeten, E, 'Public Opinion and the Legitimacy of International Courts' (2013) 14 *Theoretical Inquiries in Law* 411
- von Bogdandy, A and Venzke, I, 'In Whose Name? An Investigation of International Courts' Public Authority and Its Democratic Justification' (2012) 23 *European Journal of International Law* 7
- von Bogdandy, A and Venzke, I, 'On the Functions of International Courts: An Appraisal in Light of their Burgeoning Public Authority' (2013) 26 *Leiden Journal of International Law* 49
- von Bogdandy, A and Venzke, I, *In wessen Namen? Internationale Gerichte in Zeiten globalen Regierens* (Suhrkamp 2014)
- von Danwitz, T, 'Funktionsbedingungen der Rechtsprechung des Europäischen Gerichtshofes' (2008) 43 *Europarecht* 769
- Wagner, R and Pembridge, L, 'Is the Federal Circuit Succeeding? An Empirical Assessment of Judicial Performance' (2004) 152 *University of Pennsylvania Law Review* 1105
- Weber, M, *Wirtschaft und Gesellschaft. Grundriss der verstehenden Soziologie* (5th edn, Mohr 1980)
- Weiler, J, 'The Transformation of Europe' (1991) 100 *Yale Law Journal* 2403
- Weiler, J, 'Epilogue: Judging the Judges—Apology and Critique' in Maurice Adams et al (eds), *Judging Europe's Judges* (Hart 2013).
- Wheeler, R, 'Judicial Independence in the United States of America', in A Seibert-Fohr (ed), *Judicial Independence in Transition* (Springer 2012)
- Wildhaber, L, 'A Constitutional Future for the European Court of Human Rights?' (2002) 23 *Human Rights Law Journal* 161
- Wind, M, 'The Nordics, the EU and the Reluctance Towards Supranational Judicial Review' (2010) 48 *Journal of Common Market Studies* 1039
- Wind, M, 'When Parliament Comes First—The Danish Concept of Democracy Meets the European Union' (2009) 27 *Nordisk Tidsskrift For Menneskerettigheter* 272
- Wood, M, 'The Selection of Candidates for International Judicial Office: Recent Practice' in TM Ndiaye and R Wolfrum (eds), *Law of the Sea, Environmental Law and Settlement of Disputes* (Koninklijke Brill 2007)
- Zimmermann, D, *The Independence of International Courts* (Nomos 2014)
- Zoll, F, 'The System of Judicial Appointment in Poland—A Question of the Legitimacy of the Judicial Power' in S Sheetreet and C Forsyth (eds), *The Culture of Judicial Independence. Conceptual Foundations and Practical Challenges* (Martinus Nijhoff 2012)
- Zwart, T, 'More Human Rights than Court: Why the Legitimacy of the EurCourtHR is in Need of Repair and How It Can be Done' in S Flogaitis, T Zwart, and J Fraser (eds), *The European Court of Human Rights and its Discontents* (Edward Elgar Publishing 2013)