

CONTENTS

<i>Table of Cases</i>	xiii
<i>List of Abbreviations</i>	xix
Introduction	1
1. The Place of Justice	15
1.1 Justice on the National Level	17
1.1.1 Justice and the Pursuit of the 'Good Life'	18
1.1.2 Politics and the Pursuit of the 'Good Life'	22
1.1.3 Moral Presuppositions of Justice	25
1.2 Justice Beyond the State?	31
1.2.1 The Dislocation of the Social Question	31
1.2.2 Justice Beyond the State: Four Normative Claims	37
1.3 Institutionalizing Justice Beyond the State	44
1.4 Conclusion	49
2. The Tiered Concept of Justice in Europe	51
2.1 The EU's Inability to 'Do' Redistributive Justice	52
2.2 Enter Europe: Justice Norms Beyond the Nation State	59
2.2.1 Free Movement as a Commitment to Individual Freedom	61
2.2.2 Non-discrimination as a Demand of Equal Citizenship	65
2.2.3 EU Law and the Stability of the Welfare State	70
2.3 Reintegrating Tiered Justice: Transnational Solidarity	74
2.4 Conclusion	77
3. Market Solidarity	79
3.1 The Normative Premise and Legal Structure of Market Solidarity	80
3.2 Rights for Migrant Workers on the Basis of Market Solidarity	85
3.3 Insulating Market Solidarity from the Internal Market, or Insulating the Internal Market from Market Solidarity?	97

3.4 The Right to Cross-Border Healthcare as Market Solidarity	114
3.5 Conclusion	120
4. Communitarian Solidarity	123
4.1 The Normative Premise and Legal Structure of Communitarian Solidarity	125
4.2 Procedural Citizenship: Expanding Communitarian Obligations	130
4.3 The Development of a Catalogue of Fundamental Social Rights	139
4.3.1 The Right to Adequate and Timely Healthcare	139
4.3.2 The Right to Primary Education	147
4.3.3 The Right to Minimum Subsistence Benefits	151
4.4 Student Benefits: A Reward or an Investment?	155
4.5 Conclusion	167
5. Aspirational Solidarity	169
5.1 Normative Premise and Legal Structure of Aspirational Solidarity	171
5.2 Access to the Employment Market and the 'Good Life'	175
5.3 Exporting Welfare Benefits and the 'Good Life'	185
5.4 Public Goods and the 'Good Life'	196
5.5 Conclusion	205
Conclusion	207
<i>References</i>	217
<i>Index</i>	229