

The Impact Legitimacy And Effectiveness Of Eu Counter Terrorism Routledge Research In Terrorism And The Law

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From the "Democratic Deficit" to a "Democratic Surplus" Athanasios Psygkas 2017-10-17 Challenging the conventional narrative that the European Union suffers from a "democratic deficit," Athanasios Psygkas argues that EU mandates have enhanced the democratic accountability of national regulatory agencies. This is because EU law has created entry points for stakeholder participation in the operation of national regulators; these avenues for public participation were formerly either not open or not institutionalized to this degree. By focusing on how the EU formally adopted procedural mandates to advance the substantive goal of creating an internal market in electronic communications, Psygkas demonstrates that EU requirements have had significant implications for the nature of administrative governance in the member states. Drawing on theoretical arguments in favor of decentralization traditionally applied to substantive policy-making, this book provides insight into regulatory processes to show how the decentralized EU structure may transform national regulatory authorities into individual loci of experimentation that might in turn develop innovative results. It thus contributes to debates about federalism, governance and public policy, as well as about deliberative and participatory democracy in the United States and Europe. This book informs current understandings of regulatory agency operations and institutional design by drawing on an original dataset of public consultations and interviews with agency officials, industry and consumer group representatives in Paris, Athens, Brussels, and London. The on-the-ground original research provides a strong foundation for the directions the case law could take and small- and larger-scale institutional reforms that balance the goals of democracy, accountability, and efficiency.

Representative Democracy in the EU Steven Blockmans 2019-08-15 This volume investigates the relationship between the democratic institutions of the member states and those of the EU.

Legitimacy in Global Governance Jonas Tallberg 2018-09-20 Legitimacy is central for the capacity of global governance institutions to address problems such as climate change, trade protectionism, and human rights abuses. However, despite legitimacy's importance for global governance, its workings remain poorly understood. That is the core concern of this volume: to develop an agenda for systematic and comparative research on legitimacy in global governance. In complementary fashion, the chapters address different aspects of the overarching question: whether, why, how, and with what consequences global governance institutions gain, sustain, and lose legitimacy? The volume makes four specific contributions. First, it argues for a sociological approach to legitimacy, centered on perceptions of legitimate global governance among affected audiences. Second, it moves beyond the traditional focus on states as the principal audience for legitimacy in global governance and considers a full spectrum of actors from governments to citizens. Third, it advocates a comparative approach to the study of legitimacy in global governance, and suggests strategies for comparison across institutions, issue areas, countries, societal groups, and time. Fourth, the volume offers the most comprehensive treatment so far of the sociological legitimacy of global governance, covering three broad analytical themes: (1) sources of legitimacy, (2) processes of legitimation and delegitimation, and (3) consequences of legitimacy.

Financial Crisis Management and Democracy Bettina De Souza Guilherme 2020-12-09 This open access book discusses financial crisis management and policy in Europe and Latin America, with a special focus on equity and democracy. Based on a three-year research project by the Jean Monnet Network, this volume takes an interdisciplinary, comparative approach, analyzing both the role and impact of the EU and regional organizations in Latin America on crisis management as well as the consequences of crisis on the process of European integration and on Latin America's regionalism. The book begins with a theoretical introduction, exploring the effects of the paradigm change on economic policies in Europe and in Latin America and analyzing key systemic aspects of the unsustainability of the present economic system explaining the global crises and their interconnections. The following chapters are divided into sections. The second section explores aspects of regional governance and how the economic and financial crises were managed on a macro level in Europe and Latin America. The third and fourth sections use case studies to drill down to the impact of the crises at the national and regional levels, including the emergence of political polarization and rise in populism in both areas. The last section presents proposals for reform, including the transition from finance capitalism to a sustainable real capitalism in both regions and at the inter-regional level of EU-LAC relations. The volume concludes with an epilogue on financial crises, regionalism, and domestic adjustment by Loukas Tsoukalis, President of the Hellenic Foundation for European and

Foreign Policy (ELIAMEP). Written by an international network of academics, practitioners and policy advisors, this volume will be of interest to researchers and students interested in macroeconomics, comparative regionalism, democracy, and financial crisis management as well as politicians, policy advisors, and members of national and regional organizations in the EU and Latin America.

Political Representation and Legitimacy in the European Union Senior Research Fellow Hermann Schmitt 1999 How severe a problem is what may be called the democratic deficit of the European Union? This volume elaborates a conceptual framework for the empirical analysis of the alleged democratic deficit.

EU Law after Lisbon Andrea Biondi 2012-01-05 Many of the most controversial areas of reform initiated by the Lisbon Treaty were not negotiated in the Treaty itself, but left to be resolved during its implementation. Since the Treaty's entry into force, the implementation process has already had a profound impact on many areas of EU law and policy, and consolidated new areas of power, such as over foreign investment. This collection gathers leading specialists in the field to analyse the Treaty's implementation and the directions of legal reform post-Lisbon. Drawing on a range of expertise to assess and comment on the Treaty, the contributors include both academics and practitioners involved in negotiating and implementing the Treaty. Focusing on the central issues and changes resulting from the Lisbon Treaty, the contributors examine the Treaty in the broader background of how the EU, and EU law in particular, has been developing in recent years and provide a contextual understanding of the future direction of EU law in the post-Lisbon era.

EU Criminal Law Valsamis Mitsilegas 2022-05-05 This is the second edition of EU Criminal Law, which has become since its publication in 2009 a key point of reference in the field. The second edition is updated and substantially expanded, to take into account the significant growth of EU criminal law as a distinct legal field and the impact of the entry into force of the Lisbon Treaty on European integration in criminal matters. The book offers a holistic and in-depth analysis of the key elements of European integration in criminal matters, including EU powers and competence to criminalise, the evolution of judicial co-operation under the principles of mutual recognition and mutual trust, EU action in the field of criminal procedure including legislation on the rights of the defendant and the victim, the evolving role of European bodies and agencies (such as Europol, Eurojust and the European Public Prosecutor's Office) in European criminal law, and the development of EU-wide surveillance and data gathering and exchange mechanisms. Several chapters are devoted to the external dimension of EU action in criminal matters (including transatlantic counter-terrorism cooperation and the impact of Brexit on EU Criminal Law) Throughout the volume, the constitutional and fundamental rights implications of European integration in criminal matters are highlighted. Covering all the key principles of EU law, with clear explanation and rigorous analysis, this will give scholars, students, policy makers and legal practitioners interested in the subject a strong understanding of this fascinating but sometimes complex field.

How Peace Operations Work Jeni Whalan 2013-12 This book is about the effectiveness of peace operations--the policy option of choice when powerful states and international organisations seek to build peace and security in states ravaged by conflict. It investigates how people in host societies view peace operations, and why these local perceptions matter for a peace operation's effectiveness. The book argues that peace operations depend for their success on the decisions and behaviour of diverse local actors. Peace operations work better--that is, achieve more of their objectives at lower cost--when they receive high quality local cooperation. The book concludes that peace operations are more likely to be effective when they are perceived locally to be legitimate.

Challenges of Multi-tier Governance in the European Union Ingolf Pernice 2012 This compendium includes articles of a number of eminent experts invited by the Policy Department C to exchange with the Members of the Constitutional Affairs Committee of the European Parliament on the issues related to the challenges of the multi-tier governance in the EU. They aim at providing unique insights into the major questions of efficiency, effectiveness and legitimacy that the EU governance is currently facing. While dealing with the lessons from the past experiences of the differentiated integration, they put naturally a specific focus on current challenges with the respect to the Economic and Monetary union. They further analyse the impact of those developments on the European institutions and their decision-making processes and mechanisms of its legitimation. The compendium concludes with options for managing this increasing tension towards differentiation within the EU in the future.

The Crisis behind the Eurocrisis Eva Nanopoulos 2019-06-30 The Crisis behind the Euro-Crisis encourages dialogue among scholars across the social sciences in an attempt to challenge the narrative that regarded the Euro-crisis as an exceptional event. It is suggested instead that the Euro-crisis, along with the subsequent crises the EU has come to face, was merely symptomatic of deeper systemic cracks. This book's aim is to uncover that hidden systemic crisis - the 'crisis behind the Euro-crisis'. Under this reading it emerges that what needs to be questioned is not only the allegedly purely economic character of the Euro-crisis, but, more fundamentally, its very classification as an 'emergency'. Instead, the Euro-crisis needs to be regarded as expressive of a chronic, dysfunctional, but 'normal' condition of the EU. By following this line of analysis, this book illuminates not only the causes of contemporary turbulences in the European project, but perhaps the 'true' nature of the EU itself.

The Open Method of Co-ordination - An example of good governance? Nora Anton 2008-02-18 Seminar paper from the year 2006 in the subject Politics - International Politics - Topic: European Union, grade: 1,0, University of Twente , 21 entries in the bibliography, language: English, abstract: Growing European economic, social and cultural integration has implied an ever rising and ever more direct impact of the European Union on various aspects of the lives of its citizens. Although it remains uncontested that integration has brought a long period of stability and economic growth to the region, questions have increasingly been raised about the democratic legitimacy of the EU rule. After all, members of the most important Community Institutions are not democratically elected for the tasks they carry out and methods of policy-making are often too complicated for being traced by the public. There is one policy area which has a very direct effect on citizens'

lives and which is more and more concerned by integration: social policy. This is why it is preferred to other areas which would of course also have been suitable to serve as a concrete example in this investigation. In consideration of the facts that the settings of European welfare states are too diverse to find a one-fits-all solution, and that national leaders have been reluctant to cede this policy area to the supranational level, a new method has progressively been applied to the different fields of social policy: the Open Method of Co-ordination (OMC), a very prominent example of multi-level and multi-actor governance. At first, guidelines - which are not legally binding - are passed by the Council. Their implementation is then completely left to the member states. Important features of this method include the identification of best practices in member states, benchmarking and peer review. In 2000, the Commission, aware of a growing distrust of the citizens towards the EU, decided to initiate a governance reform, setting out five principles of good governance to be observed in EU policy making: transparency, participation, accountability, effectiveness and coherence. This paper will outline the processes of OMC and, referring to different stages of the policy chain, examine the question to what extent the OMC as applied in social policies meets these criteria at this stage and where there is still a need for improvement.

Legislation in Europe Ulrich Karpen 2017-02-23 This book provides a practical handbook for legislation. Written by a team of experts, practitioners and scholars, it invites national institutions to apply its teachings in the context of their own drafting manuals and laws. Analysis focuses on general principles and best practice within the context of the different systems of government in Europe. Questions explored include subsidiarity, legitimacy, efficacy, effectiveness, efficiency, proportionality, monitoring and regulatory impact assessment. Taking a practical approach which starts from evidence-based rationality, it represents essential reading for all practitioners in the field of legislative drafting.

The Theory of Multi-level Governance Simona Piattoni 2010-02-25 This book explores the theoretical issues, empirical evidence, and normative debates elicited by the concept of multi-level governance (MLG). The concept is a useful descriptor of decision-making processes that involve the simultaneous mobilization of public authorities at different jurisdictional levels as well as that of non-governmental organizations and social movements. It has become increasingly relevant with the weakening of territorial state power and effectiveness and the increase in international interdependencies which serve to undermine conventional governmental processes. This book moves towards the construction of a theory of multi-level governance by defining the analytical contours of this concept, identifying the processes that can uniquely be denoted by it, and discussing the normative issues that are raised by its diffusion, particularly in the European Union. It is divided into three parts, each meeting a specific challenge - theoretical, empirical, normative. It focuses on three analytical dimensions: multi-level governance as political mobilization (politics), as authoritative decision-making (policy), and as state restructuring (polity). Three policy areas are investigated in vindicating the usefulness of MLG as a theoretical and empirical concept - cohesion, environment, higher education - with particular reference to two member-states: the UK and Germany. Finally, both the input and output legitimacy of multi-level governance decisions and arrangements and its contribution to EU democracy are discussed. As a loosely-coupled policy-making arrangement, MLG is sufficiently structured to secure coordination among public and private actors at different jurisdictional levels, yet sufficiently flexible to avoid "joint decision traps". This balance is obtained at the cost of increasingly blurred boundaries between public and private actors and a change in the established hierarchies between territorial jurisdictions.

Europe's Second Constitution Markus W. Gehring 2020-09-24 European constitutionalisation has met with scepticism - this book analyses the steps necessary to move to EU's 'Second Constitution'.

Europe's Crisis of Legitimacy Vivien A. Schmidt 2020-05-23 This volume examines the interrelationship between democratic legitimacy at the European level and the ongoing Eurozone crisis that began in 2010. Europe's crisis of legitimacy stems from 'governing by rules and ruling by numbers' in the sovereign debt crisis, which played havoc with the eurozone economy while fueling political discontent. Using the lens of democratic theory, the book assesses the legitimacy of EU governing activities first in terms of their procedural quality ('throughput'), by charting EU actors' different pathways to legitimacy, and then evaluates their policy effectiveness ('output') and political responsiveness ('input'). In addition to an engaging and distinctive analysis of Eurozone crisis governance and its impact on democratic legitimacy, the book offers a number of theoretical insights into the broader question of the functioning of the EU and supranational governance more generally. It concludes with proposals for how to remedy the EU's problems of legitimacy, reinvigorate its national democracies, and rethink its future.

The Future of the Euro Matthias Matthijs 2015 "An attempt by political economists to analyze the fundamental causes of the euro crisis, determine how it can be fixed, and consider what likely futures lie ahead for the currency. The book makes three interrelated arguments that emphasize the primacy of political over economic factors. First, the 'euro problem' is discussed as the result of the single currency's fundamental lack of institutional embeddedness, insofar as its original design omitted three 'forgotten unions' alongside of monetary union: a financial and banking union, mutually supporting institutions of fiscal union and economic government, and a political union holding similar legitimacy to the nation-state. Second, the 'euro experience' shows how the euro's unfinished design led to economic divergence - quietly altering the existing distribution of economic and political power within Europe prior to the crisis - which in turn determined the EU's crisis response. The book highlights how the euro's four most important members - Germany, France, Italy and Spain - each changed once they adopted the euro, why the crisis affected them so differently, and how each has since struggled to live with the commitments the euro necessitates. Third, the book examines three possible 'euro futures' through the lens of the politics of its reluctant leader Germany; through the lens of the EU's capacity to 'move forward' through crises; and through the geopolitical lens of the international monetary system. The book concludes that any successful long-term solution to the euro's predicament needs to start with the political foundations of markets"--Publisher's description.

Sovereignty in the Age of Global Terrorism Myriam Feinberg 2016-04-25 Sovereignty in the Age of Global Terrorism: The Role of International Organisations analyses the role of international organisations in adopting counterterrorism measures

after 9/11 and the impact of these measures on the sovereignty of their Member States.

The Impact, Legitimacy and Effectiveness of EU Counter-Terrorism Fiona de Londras 2015-04-10 Counter-terrorism law and policy has been prominent and widespread in the years following 9/11, touching on many areas of everyday life from policing and border control to financial transactions and internet governance. The European Union is a major actor in contemporary counter-terrorism, including through its development of counter-terrorism laws for application within the Union. This book undertakes a multi-disciplinary and empirically informed analysis of the impact, legitimacy and effectiveness of EU counter-terrorism. Taking into account legal, societal, operational and democratic perspectives, this collection connects theoretical and practical perspectives to produce an interdisciplinary and multi-stakeholder study of how we might measure and understand the impact, legitimacy and effectiveness of EU counter-terrorism. Bringing together a select group of experts in the field, particular emphasis is placed on understanding the practical experience of implementing and assessing these measures gathered from and with end users, including law-makers, policy-makers, security services, industry partners and civil society. This edited collection will be of great relevance to scholars and policy makers with an interest in counter-terrorism law, EU law and security studies.

The Federal Vision Kalypso Nicolaidis 2001-11-01 The Federal Vision is about the complex and changing relationship between levels of governance within the United States and the European Union. Based on a transatlantic dialogue between scholars concerned about modes of governance on both sides, it is a collective attempt at analysing the ramifications of the legitimacy crisis in our multi-layered democracies, and possible remedies. Starting from a focus on the current policy debate over devolution and subsidiarity, the book engages the reader in to the broader tension of comparative federalism. Its authors believe that in spite of the fundamental differences between them, both the EU and the US are in the process of re-defining a federal vision for the 21st century. This book represents an important new contribution to the study of Federalism and European integration, which seeks to bridge the divide between the two. It also bridges the traditional divide between technical, legal or regulatory discussions of federal governance and philosophical debates over questions of belonging and multiple identities. It is a multi-disciplinary project, bringing together historians, political scientists and theorists, legal scholars, sociologists and political economists. It includes both innovative analysis and prescriptions on how to reshape the federal contract in the US and the EU. It includes introductions to the history of federalism in the US and the EU, the current debates over devolution and subsidiarity, the legal framework of federalism and theories of regulatory federalism, as well as innovative approaches to the application of network analysis, principal-agent models, institutionalist analysis, and political theories of citizenship to the federal context. The introduction and conclusion by the editors draws out cross-cutting themes and lessons from the thinking together of the EU and US experiences, and suggest how a federal vision could be freed from the hierarchical paradigm of the federal state and articulated around concepts of mutual tolerance and empowerment.

Hybridity: Law, Culture and Development Nicolas Lemay-Hébert 2017-02-17 This book explores recent developments in the concept of hybridity through a multi-disciplinary perspective, bringing ideas about legal plurality together with the fields of peace, development and cultural studies. Analysing the concepts of hybridity and hybridization, their history, their application in law and legal studies, and their implications for thinking and rethinking legal plurality, the book shows how the concept of hybridity can contribute to an understanding of the processes that occur when different normative or legal orders or frameworks confront each other.

Differentiated Integration Dirk Leuffen 2012-10-03 Far from displaying a uniform pattern of integration, the European Union varies significantly across policy areas, institutional development and individual countries. Why do some policies such as the Single Market attract non-EU member states, while some member states choose to opt out of other EU policies? In answering these questions, this innovative new text provides a state-of-the-art introduction to the study of European integration. The authors introduce the most important theories of European integration and apply these to the trajectories of key EU policy areas – including the single market, monetary policy, foreign and security policy, and justice and home affairs. Arguing that no single theory offers a completely convincing explanation of integration and differentiation in the EU, the authors put forward a new analytical perspective for describing and explaining the institutions and policies of the EU and their development over time. Written by a team of prominent scholars in the field, this thought-provoking book provides a new synthesis of integration theory and an original way of thinking about what the EU is and how it works.

The European Union Simona Piattoni 2015 This book seeks to answer the question 'Which institutional architecture for which kind of democracy for the EU?' by bringing two important recent debates together- the institutional analysis of the Union and its democratic assessment. The book examines a series of institutional architectures in light of the democratic quality of the processes and decisions generated by them. The discussion of these various institutional architectures is preceded by an analysis of the democratic values and principles according to which institutional architectures and governance structures should be assessed. The first part of the volume starts from key democratic principles and indicates which institutional architectures are most likely to embody them. The second part is dedicated to those institutional architectures that best describe the current state of the European Union and its likely future development, particularly given the impact of the current economic crisis. The fundamental belief that animates this volume is that it is only by paying attention to the democratic legitimacy of the Union that the process of European integration may hope to be sustainable, particularly in the face of the difficult economic crisis that the members of the Euro-area and the Union in general are experiencing.

Collective Securitization and Crisification of EU Policy Change Christian Kaunert 2022-08-22 This book represents the first attempt to evaluate the first two decades of the EU counterterrorism policy. It aims to assess the collective securitization process in EU counterterrorism, evaluating this as a process between a construction of security threats and

the development of supranational governance through crisis. Compared to the lack of shared perception of the terrorist threat and the virtual absence of counterterrorism cooperation amongst European states in the 1970s and 1980s, the existence of EU-wide debates, legislative instruments and practical cooperation nowadays is particularly remarkable. The chapters in this volume explore this change and seek to explain it by drawing upon the concept of 'collective securitization'. The book posits that EU counterterrorism needs to be analysed as a process driven by collective securitization as part of an ongoing process of crisis that leads to increased supranational governance. The book is both extremely relevant and timely for readers outside the area of research for several reasons. First of all, EU counterterrorism is often argued to be at the forefront of the EU's response to new security threats. The 'EU acquis' on the Area of Freedom, Security and Justice (AFSJ) has grown significantly over the last years. Consequently, it is crucial and very timely to examine EU counterterrorism – exactly 20 years after the first significant measures were adopted in the wake of 9/11. The chapters in this book were originally published in the journal *Global Affairs*.

Constitutionalising the Security Union Sergio Carrera 2018-02-27 This book offers a multidisciplinary examination of the critical issues and challenges associated with the EU's initiative to build a Security Union, particularly in relation to common policies adopted at the member state level aimed at countering terrorism and crime. It delves into EU efforts to support cross-border investigations, the exchange of information and international cooperation, taking stock of the effects on freedom and privacy. The various authors in this collective volume offer key research findings, which contributed to the European Commission's 2017 Comprehensive Assessment of EU Security Policy. They identify and explore the main constitutional dilemmas facing the Security Union concerning EU standards enshrined in the Lisbon Treaty and the commitments undertaken in the context of the EU Better Regulation agenda. Hence, this timely examination of EU security policies sheds light on their effectiveness, proportionality, fundamental rights and societal implications.

Monetary Policy in Times of Crisis Massimo Rostagno 2021-06-11 The first twenty years of the European Central Bank (ECB) offer a clear demonstration of how a central bank can navigate macroeconomic insecurity and crisis. As the global economy moves into a new phase of unheralded uncertainty, the story of the ECB holds multiple lessons of wider significance for the central banking community and researchers of monetary policy. This volume provides a unique account of how the ECB has reacted to the challenges confronting the euro area through its monetary policy, turning to innovative measures and unprecedented policy actions to fend off the various threats posed by the global financial turmoil of 2007/08, the euro area sovereign debt market crisis, and the subsequent period of anaemic growth and deflationary pressures. It also addresses some of the criticisms the ECB has faced regarding its policy initiatives. It identifies the ultimate motivation behind the ECB's cautious attitude in the early phases of the financial crisis, and its peculiar definition of price stability and attention for credit creation, as well as addressing the criticism that central banks were fundamentally unprepared to head off a major financial cataclysm as they were wedded to a deficient economic paradigm which made them blind to financial risks. It also shows that the ECB's unconventional low-interest policies have not compromised the position of financial intermediaries in the way commentators initially predicted they would. By condensing the facts and lessons of the first 20 years of the ECB, this volume will acquaint the reader with the structures and decision-making processes behind the complex, often controversial, crisis measures that were taken during some of the toughest economic challenges in the history of modern Europe, and provide them with fresh ex-post analysis on their effect on the real economy and inflation.

Governing Europe Jack Hayward 2003-03-20 *Governing Europe* is intended to be the leading advanced survey of politics in Western Europe. It examines in detail all aspects of political life in Western Europe, from public protest to core executives, social policy to Europe's place in the world. It brings together a world-class team of leading scholars from the United Kingdom, continental Europe and North America. The contributions provide not only a sophisticated introduction to the various issues covered, but also a detailed discussion of the major theoretical and empirical debates and developments in the field. The book therefore provides both a comprehensive overview and a series of original contributions to scholarly debate. The focus is on European core executives, public administration, parties and organised interests, democracy and popular participation, public policy and the changing European state. It will be essential reading to scholars and students alike. The volume is intended as a tribute to the late Vincent Wright of Nuffield College, Oxford University.

Fundamental Rights and Mutual Trust in the Area of Freedom, Security and Justice Ermioni Xanthopoulou 2020-04-30 This book explores the relationship of mutual trust and fundamental rights in the Area of Freedom, Security and Justice (AFSJ) of the European Union and asks whether there is any role for proportionality. Mutual trust among Member States has long been presumed by the Court in a manner that mutual recognition was prioritised in regard to, but to the detriment of, the protection of fundamental rights. After thoroughly reviewing this relationship, this book offers a comprehensive framework of proportionality and explores its impact on the protection of fundamental rights in a mutual trust environment. It applies a theoretical and a normative framework of proportionality to two case studies (EU criminal and asylum law) by reference to several fundamental rights, enabling a carefully constructed analysis with useful parallels. The book argues that such analysis, based on proportionality, is not always desirable and helpful for the protection of fundamental rights in this area and thoroughly explores its impact on the protection of fundamental rights vis-à-vis mutual trust.

EU Counterterrorism Policy Oldrich Bures 2016-04-22 Although there is a vast body of literature covering the ongoing debates concerning the novelty and gravity of the contemporary terrorist threat, as well as the most appropriate response to it, few authors have thus far analysed the complex set of counterterrorism measures that both the individual Member States and the European Union (EU) have attempted to develop. This volume offers a critical analysis of the measures the European Union has taken to combat terrorism and how, in a number of key areas, EU counterterrorism policy is more of a paper tiger than an effective counterterrorism device. Several legal EU counterterrorism instruments have not been

properly implemented at the national level and questions have been raised regarding their effectiveness, appropriateness, and proportionality. The capabilities of EU agencies in the area of counterterrorism remain rather weak and the EU Counterterrorism Coordinator does not have any real powers apart from persuasion. However, this does not mean that EU level action cannot offer any value-added in the fight against terrorism. There are several areas where the EU can provide genuine value-added in the fight against terrorism due to the transnational nature of the contemporary terrorist threat and the nature of a borderless Europe.

Legitimacy and Criminal Justice Justice Tankebe 2013-11 Brings together internationally renowned scholars from a range of disciplines, including criminology, international relations, sociology and political science, to examine the meaning of legitimacy and the implications for its future empirical analysis in the context of criminal justice.

The Brussels Effect Anu Bradford 2020-01-27 For many observers, the European Union is mired in a deep crisis. Between sluggish growth; political turmoil following a decade of austerity politics; Brexit; and the rise of Asian influence, the EU is seen as a declining power on the world stage. Columbia Law professor Anu Bradford argues the opposite in her important new book *The Brussels Effect*: the EU remains an influential superpower that shapes the world in its image. By promulgating regulations that shape the international business environment, elevating standards worldwide, and leading to a notable Europeanization of many important aspects of global commerce, the EU has managed to shape policy in areas such as data privacy, consumer health and safety, environmental protection, antitrust, and online hate speech. And in contrast to how superpowers wield their global influence, the Brussels Effect - a phrase first coined by Bradford in 2012 - absolves the EU from playing a direct role in imposing standards, as market forces alone are often sufficient as multinational companies voluntarily extend the EU rule to govern their global operations. The Brussels Effect shows how the EU has acquired such power, why multinational companies use EU standards as global standards, and why the EU's role as the world's regulator is likely to outlive its gradual economic decline, extending the EU's influence long into the future.

Governance in EU Institutions: The Commission Or Consensus as Effectiveness Johannes Wiedemann 2011-07 Seminar paper from the year 2010 in the subject Politics - International Politics - Topic: European Union, University of Flensburg, course: Course European Governance," language: English, abstract: The concepts of governance have the advantage of including the informal aspect of decision-making into their scope of analysis. The intention of this paper is the application of a fitting conceptual derivative of governance on the decision making process inside the institutional framework of the Commission of the European Union. The notion to be tested is the one of the Commission being by its institutional heritage inclined to promulgation of consensus among its principal actors, the members of the college of Commissioners. So what kind of governance might be characteristic for the Commission? The political setting is that of the European Union, which is on the one hand an intergovernmental organization of member states on equal terms, but on the other hand a political institution. Apart from partly being established on a supra-national echelon, which is rationally designed and controlled for the purpose action and intervention to foster economic prosperity and integration in accordance with the concepts of functional and rational-choice institutionalism characteristic for social and political institutions of modernity. As the EU is itself an extension of the mostly politically pluralistic and socially fragmented Member States (MS), certain elements and processes influencing the promulgation of the political will on all legislative governmental echelons are present in the context of governance in the European Union as well. The hypothesis of this paper consists of the following notions: Due to the "sui generis"-character the EU,¹ employing decisions by consensus even on intergovernmental as well as on supranational level is most effective politics possible. Applying concepts of governance to the Commission's competences, institutional framework and formal as well as, i"

The Legitimacy of EU Criminal Law Irene Wiczorek 2020-07-09 This book traces the history of the EU competence, EU policy discourse and EU legislation in the field of criminalisation from Maastricht until the present day. It asks 'Why EU Criminal Law?' looking at what rationales the Treaty, policy document and legislation put forth when deciding whether a certain behaviour should be a criminal offence. To interpret the EU approach to criminalisation, it relies on both modern and post-modern theoretical frameworks on the legitimacy of criminal law, read jointly with the theories on the functions of EU harmonisation of national law. The book demonstrates that while EU constitutional law leans towards an effectiveness-based, enforcement-driven, understanding of criminal law, the EU has in fact in more than one instance adopted symbolic EU criminal law, ie criminal law aimed at highlighting what values are important to the EU, but which is not fit to actually deter individuals from harming such values. The book then questions whether this approach is consistent or in contradiction with the values-based constitutional identity the EU has set for itself.

EU Counter-Terrorism Law Cian C Murphy 2012-06-08 EU Counter-Terrorism Law: Pre-emption and the Rule of Law is a detailed study of EU action to combat terrorism since 11 September 2001 and the implications that action has had for the EU legal order. It critically examines EU counter-terrorism measures to ascertain how rule of law principles have been affected in the 'war on terror'. The book opens with a critical examination of the rule of law in the EU legal order. It then provides an overview of the "war on terror" before analysing five key facets of EU counter-terrorism: the common European definition of terrorism along with related offences contained in the Framework Decision on Combating Terrorism; the EU's anti-money laundering and counter-terrorist finance laws; UN and EU targeted asset-freezing sanctions; EU data retention measures such as the Data Retention Directive and the Passenger Name Records agreements; and the European Arrest Warrant and European Evidence Warrant. The book argues that EU counter-terrorism is weakening the rule of law and bypassing safeguards in favour of a system emphasising coercive control over individual autonomy. It concludes by examining the prospects for the future as the EU becomes a more powerful security actor following the Lisbon Treaty and the adoption of the Stockholm Programme. 'an impressively accurate and alarming analysis' Ms Sophia In 't Veld MEP and Vice-Chair of the European Parliament Committee on Civil Liberties, Justice and

Home Affairs 2ND Prize winner of the Society of Legal Scholars Peter Birks Prize for Outstanding Legal Scholarship 2013 Searching for a Strategy for the European Union's Area of Freedom, Security and Justice Sarah Leonard 2018-07-26 This book examines the vision and strategy of the EU's Area of Freedom, Security and Justice (AFSJ), which has become one of the key objectives of the European Union (EU). Recent events have also highlighted the saliency of several of the policy issues at the heart of the AFSJ. Amongst them, one can mention the terrorist attacks in 2015 in Paris and 2016 in Brussels and the ongoing refugee crisis in the Mediterranean region. At the same time, the end of the Stockholm programme, which provided the strategic framework for the development of the AFSJ between 2010 and 2014, has been followed by the adoption of new 'strategic guidelines', which can only be described as a short, vague and general document.

Preventive Justice Andrew Ashworth 2014-03-27 This book arises from a three-year study of Preventive Justice directed by Professor Andrew Ashworth and Professor Lucia Zedner at the University of Oxford. The study seeks to develop an account of the principles and values that should guide and limit the state's use of preventive techniques that involve coercion against the individual. States today are increasingly using criminal law or criminal law-like tools to try to prevent or reduce the risk of anticipated future harm. Such measures include criminalizing conduct at an early stage in order to allow authorities to intervene; incapacitating suspected future wrongdoers; and imposing extended sentences or indefinite on past wrongdoers on the basis of their predicted future conduct - all in the name of public protection and security. The chief justification for the state's use of coercion is protecting the public from harm. Although the rationales and justifications of state punishment have been explored extensively, the scope, limits and principles of preventive justice have attracted little doctrinal or conceptual analysis. This book re-assesses the foundations for the range of coercive measures that states now take in the name of prevention and public protection, focussing particularly on coercive measures involving deprivation of liberty. It examines whether these measures are justified, whether they distort the proper boundaries between criminal and civil law, or whether they signal a larger change in the architecture of security. In so doing, it sets out to establish a framework for what we call 'Preventive Justice'.

Informal Governance in the European Union Mareike Kleine 2014-03-04 The European Union is the world's most advanced international organization, presiding over a level of legal and economic integration unmatched in global politics. To explain this achievement, many observers point to its formal rules that entail strong obligations and delegate substantial power to supranational actors such as the European Commission. This legalistic view, Mareike Kleine contends, is misleading. More often than not, governments and bureaucrats informally depart from the formal rules and thereby contradict their very purpose. Behind the EU's front of formal rules lies a thick network of informal governance practices. If not the EU's rules, what accounts for the high level of economic integration among its members? How does the EU really work? In answering these questions, Kleine proposes a new way of thinking about international organizations. Informal governance affords governments the flexibility to resolve conflicts that adherence to EU rules may generate at the domestic level. By dispersing the costs that integration may impose on individual groups, it allows governments to keep domestic interests aligned in favor of European integration. The combination of formal rules and informal governance therefore sustains a level of cooperation that neither regime alone permits, and it reduces the EU's democratic deficit by including those interests into deliberations that are most immediately affected by its decisions. In illustrating informal norms and testing how they work, Kleine provides the first systematic analysis, based on new material from national and European archives and other primary data, of the parallel development of the formal rules and informal norms that have governed the EU from the 1958 Treaty of Rome until today.

The Fundamental Right to Data Protection Maria Tzanou 2017-06-01 Since the entry into force of the Lisbon Treaty, data protection has been elevated to the status of a fundamental right in the European Union and is now enshrined in the EU Charter of Fundamental Rights alongside the right to privacy. This timely book investigates the normative significance of data protection as a fundamental right in the EU. The first part of the book examines the scope, the content and the capabilities of data protection as a fundamental right to resolve problems and to provide for an effective protection. It discusses the current approaches to this right in the legal scholarship and the case-law and identifies the limitations that prevent it from having an added value of its own. It suggests a theory of data protection that reconstructs the understanding of this right and could guide courts and legislators on data protection issues. The second part of the book goes on to empirically test the reconstructed right to data protection in four case-studies of counter-terrorism surveillance: communications metadata, travel data, financial data and Internet data surveillance. The book will be of interest to academics, students, policy-makers and practitioners in EU law, privacy, data protection, counter-terrorism and human rights law.

Europe's Crisis of Legitimacy Vivien A. Schmidt 2020-05-23 This volume examines the interrelationship between democratic legitimacy at the European level and the ongoing Eurozone crisis that began in 2010. Europe's crisis of legitimacy stems from 'governing by rules and ruling by numbers' in the sovereign debt crisis, which played havoc with the eurozone economy while fueling political discontent. Using the lens of democratic theory, the book assesses the legitimacy of EU governing activities first in terms of their procedural quality ('throughput'), by charting EU actors' different pathways to legitimacy, and then evaluates their policy effectiveness ('output') and political responsiveness ('input'). In addition to an engaging and distinctive analysis of Eurozone crisis governance and its impact on democratic legitimacy, the book offers a number of theoretical insights into the broader question of the functioning of the EU and supranational governance more generally. It concludes with proposals for how to remedy the EU's problems of legitimacy, reinvigorate its national democracies, and rethink its future.

Public Opinion towards the EU Flavia Alupei-Durach 2016-08-17 This volume investigates the public opinion of the EU in the context of the present economic crisis and other significant challenges currently faced by the Union, the latest being

the refugee crisis. Scholarly knowledge in the field of EU attitudes in general and Euroscepticism in particular is thoroughly documented here, and is followed by an analysis of public perceptions of the EU's crisis management capabilities, proving that the EU's legitimacy and effectiveness are currently being challenged to the highest degree. The research-based contribution of this book is two-fold, focusing on EU attitudes at a macro-level on one hand, and the opinions of Romanian experts on the other. It provides insights into attitudes towards the EU in Central and Eastern Europe, a region which is still somewhat underexplored by social sciences scholars, and in Romania in particular. On a larger scale, significant differences between clusters of states are identified, suggesting that not even increasing Euroscepticism manages to create a common frame of reference for all Europeans regarding EU-related issues. In terms of Romanian expert opinion, the book provides evidence for a gradual evolution from highly symbolic and sometimes even triumphalist representations of the EU towards mildly critical positions, based on instrumental perceptions. Such changes mark a new stage of Europeanization, in which the EU's presence has become ordinary. For the Eastern European elite, increased familiarity with the EU accommodates demitization and criticism without denouncing European integration as a doomed project.

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