

# Summary Contents

Table of Contents	17
List of Abbreviations	27
Introduction	35
1. Procedural Law in Context	35
2. Towards a Game-Changer in Procedural Legal Science	36
3. The Thesis's Contribution	44
Chapter 1: The Underlying Philosophy	51
1.1 Introductory remarks	51
1.2 Monitoring the rule of law	52
1.3 Fostering economic governance	84
1.4 Favours investments and fostering judicial reforms	91
1.5 Conclusions	100
Chapter 2: The Content	105
2.1 Introductory remarks	105
2.2 The fields measured	108
2.3 The Scoreboard's scope	140
2.4 Conclusions	153
Chapter 3: The Data Providers	157
3.1 Introductory remarks	157
3.2 CEPEJ	161
3.3 EU Networks	181
3.4 The "Expert Group of Contact Persons"	193
3.5 Eurobarometer	201
3.6 Other data providers	231
3.7 Main trends in the data providers	236
3.8 Conclusions	240

Chapter 4: The Controversies	243
4.1 Introductory remarks	243
4.2 Institutional, political and legal controversies surrounding the Scoreboard	243
4.3 Structural weaknesses in the Scoreboard's blueprint	280
4.4 Conclusions	310
Chapter 5: The Impact	315
5.1 Introductory remarks	315
5.2 Between declared objectives and effective impact	317
5.3 What can be measured?	325
5.4 From the Scoreboard to the issuance of CSRs	328
5.5 Conclusions	342
Chapter 6: Characteristics and Implications of CSRs	347
6.1 Introductory remarks	347
6.2 The available information sources and the Commission's exclusivity	347
6.3 The legal basis and non-binding (?) character of CSRs	357
6.4 The policy directions of CSRs	362
6.5 The phrasing of CSRs	366
6.6 The amount of CSRs	369
6.7 The inner structure of CSRs	376
6.8 Tracking the implementation record of CSRs	377
6.9 The Effectiveness of CSRs	391
6.10 Conclusions	396
Chapter 7: Looking into the Black Box of Justice-CSRs	399
7.1 Introductory remarks	399
7.2 The cross-sectoral linkages of Justice-CSRs	401
7.3 A coding scheme for Justice-CSRs	404
7.4 The Commission's narrative: The distinction between "addressees" and "monitored" Member States	420
7.5 The distribution of Justice-CSRs among the Member States	430
7.6 Questioning the Commission's narrative	438
7.7 Conclusions	440

Chapter 8: A Survey on Justice-CSRs	445
8.1 Introductory remarks	445
8.2 The legal basis of Justice-CSRs	447
8.3 The subject matters of Justice-CSRs	448
8.4 The recipients of Justice-CSRs	450
8.5 The effectiveness of Justice-CSRs	476
8.6 Conclusions	506
Chapter 9: Taking Bird's-Eye Views Seriously: Some Blind Spots in Justice-CSRs	513
9.1 Introductory remarks	513
9.2 Why do Justice-CSRs neglect some subject matters?	513
9.3 How badly should countries perform to receive a Justice-CSR?	518
9.4 Recommendations and state sovereignty: How intrusive are Justice-CSRs?	520
9.5 The low-profile approach behind recommendations: Justice-CSRs under the radar	526
9.6 Is there a readiness to mobilise the European Semester regarding judicial independence?	529
9.7 Conclusions	547
Summary Conclusions	551
Bibliography	559