

Curriculum Vitae & Publication List

Mark Dawson

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Academic Record

Appointments

Professor of European Law and Governance, Hertie School, Berlin (Tenured; Appointed January 2012)

Assistant Professor of EU Law, Maastricht University (Appointed September 2009)

Education: PhD, European University Institute, Law Department (2009). Thesis entitled: *New Governance and the Proceduralization of European Law: The Case of the Open Method of Coordination*

LLM (with distinction), University of Aberdeen (2005)

LLB (Honours in the 1st Class), University of Edinburgh (2004)

Other:

Co-director, English Masters Programmes in European Law School, Globalisation and Law, and International Laws, Maastricht University (March 2010-December 2011)

Visiting Fellow, University of Sydney Law School (Fall 2023)

Fernand Braudel Senior Fellow, EUI (Fall 2019)

Visiting Fellow, London School of Economics (Fall 2015)

Visiting Scholar, Kennedy School of Government, Harvard University (Fall 2008); Institute for Global Legal Studies, University of Wisconsin (Fall 2007)

Main Areas of Research Interest

- EU Governance & Regulation
- Constitutional and Institutional Law of the EU
- Fundamental Rights
- EU Economic Governance
- Accountability

Grants & Scholarships (selected)

Civica Collaborative Research Grant – awarded for a 2 year project on ‘*Contesting the Court: Examining Judicial Politics in the European Union*’ (May 2021)

European Research Council, Starting Grant – grant awarded for a 4 year project on ‘*Taming the Leviathan? Legal and Political Accountability in ‘Post-Crisis’ EU Economic Governance*’ (September 2017). See: <https://www.hertie-school.org/en/leviathan/>

Jean Monnet Grant – grant awarded for a 1 year project on ‘*All for One and One for All: The Collective Enforcement of European Law*’ (September 2012)

Marie-Curie Career Integration Grant – grant awarded for a 4 year project on ‘*Judges as Policy-makers? Law under the Lisbon Strategy 2020*’ (July 2012)

Veni Laureate, Dutch Academy of Sciences (NWO) – grant awarded for a research project entitled ‘*The Balancing Deadlock: New Governance and the Relationship in the EU between Social and Economic Rights*’ (August 2011)

Publications

Books and Monographs

(with F. de Witte) *EU Law and Governance* (Cambridge University Press, 2022)

The Governance of EU Fundamental Rights (Cambridge University Press, 2017)

(with C. Joerges and H. Enderlein) *The Governance Report 2015* (Oxford Univ Press, 2015)

New Governance and the Transformation of European Law: Coordinating EU Social Law and Policy (Cambridge University Press, 2011)

Special Issues and Edited Collections:

(with B. de Witte and E. Muir) *Revisiting Judicial Politics in the European Union* (Edward Elgar, 2023)

Substantive Accountability in Europe’s New Economic Governance (Cambridge University Press, 2023)

(with M. Jachtenfuchs) *Autonomy without Collapse in a Better European Union* (Oxford University Press, 2022)

(with E. Muir and O. Lynskey) ‘Interrogating the Essence of EU Fundamental Rights’, Special Issue (2019) 20 *German Law Journal* 6

(with C. Joerges and H. Enderlein, eds.) *Governing the Crisis: The Governance of Europe’s Economic, Political and Legal Transformation* (Oxford University Press, 2015)

(with E. Muir), 'The Collective Enforcement of European Law', Special Issue (2014) 41 *Legal Issues of Economic Integration* 3

(with B. de Witte and E. Muir eds.), *Judicial Activism at the European Court of Justice: Causes, Responses and Solutions* (Edward Elgar, 2013)

Articles

(with M. van den Brink & J. Zgliniski), 'Re-visiting the Asymmetry Thesis: Negative and Positive Integration in the EU' (2023) *Journal of European Public Policy* (earlyview, available at: [Full article: Revisiting the asymmetry thesis: negative and positive integration in the EU \(tandfonline.com\)](https://doi.org/10.1080/09638187.2023.2244442))

(with J. Bois) 'Towards a Legally Plausible Theory of Judicialization in the European Union' (2023) 45 *Journal of European Integration* 5

'The Accountability of Non-governmental Actors in the Digital Sphere: A Theoretical Framework' (2023) 29 *European Law Journal* 2 (available at: <https://onlinelibrary.wiley.com/doi/pdf/10.1111/eulj.12420>)

(with A. Maricut-Akbik) 'Accountability in the EU's Para-regulatory State: The Case of the Economic and Monetary Union' (2023) 17 *Regulation & Governance* 1 (available at: <https://onlinelibrary.wiley.com/doi/pdf/10.1111/regg.12442>)

'What Does it Mean to Say that the Court of Justice is not a Human Rights Institution? A Critical Appraisal' (2022) 14 *Journal of Human Rights Practice* 2

(with E. Bertolini) 'Fundamental Rights as Constraints to and Triggers for Differentiated Integration' (2021) 27 *Swiss Political Science Review* 3

(with A. Maricut-Akbik) 'Procedural v Substantive Accountability in EMU Governance: Between Pay-Offs and Trade-Offs' (2021) 28 *Journal of European Public Policy* 11

(with A. Bobic) 'Making sense of the "Incomprehensible": The PSPP Judgment of the German Federal Constitutional Court' (2020) 57 *Common Market Law Review* 6

'How Can EU Law Respond to Populism?' (2020) 40 *Oxford Journal of Legal Studies* 1

'Fundamental Rights in EU Policy-making: The Effects and Advantages of Institutional Diversity' (2020) 20 *Human Rights Law Review* 1

'Coping with the Challenges of Exit, Evasion and Subversion of EU Law' (2020) 21 *German Law Journal* 1

'Editorial: The Lost Spitzenkandidaten and the Future of EU Democracy' (2020) 26 *Maastricht Journal of European & Comparative Law* 6

(with A. Bobic) 'Quantitative Easing at the Court of Justice: Doing Whatever it Takes to Save the Euro' (2019) 56 *Common Market Law Review* 4

(with O. Lynskey & E. Muir) 'What is the Added Value of the Concept of the Essence of EU Fundamental Rights?' (2019) 20 *German Law Journal* 6

(with A. Maricut-Akbik & A. Bobic) 'Reconciling Independence and accountability at the European Central Bank: The false promise of Proceduralism' (2019) 25 *European Law Journal* 1

(with D. Augenstein & P. Thielborger) 'The UNGPs in the European Union: The Open Coordination of Business and Human Rights?' (2018) 3 *Business and Human Rights Journal* 1

'New Governance and the Displacement of Social Europe: The Case of the European Semester' (2018) 14 *European Constitutional Law Review* 1

'Better Regulation and the Future of EU Regulatory Law and Politics' (2016) 53 *Common Market Law Review* 5

(with F. de Witte) 'From Balance to Conflict: A New Constitution for the EU' (2016) 22 *European Law Journal* 2

'The Legal and Political Accountability Structure of Post-Crisis EU Economic Governance' (2015) 53 *Journal of Common Market Studies* 5

(with F. de Witte) 'Self-Determination in the Constitutional Future of the EU' (2015) 21 *European Law Journal* 3

(with E. Muir) 'One for All and All for One? The Collective Enforcement of European Law' (2014) 41 *Legal Issues of Economic Integration* 3

'How does the European Court Reason? A Review Essay on the Legal Reasoning of the Court of Justice' (2014) 20 *European Law Journal* 3

(with F. de Witte) 'Constitutional Balance in the European Union After the Euro Crisis' (2013) 76 *Modern Law Review* 5

'Regenerating Europe through Human Rights? Proceduralism in European Human Rights Law' (2013) 14 *German Law Journal* 5

'Constitutional Dialogue between Courts and Legislatures in the European Union: Prospects and Limits' (2013) 19 *European Public Law* 2

(with E. Muir) 'Enforcing Fundamental Values: EU Law and Governance in Hungary and Romania' (2012) 19 *Maastricht Journal of European & Comparative Law* 4

'Enforcing the EU's Rights Revolution: The Case of Equality' (2012) *European Human Rights Law Review* 3

'3 Waves of New Governance in the European Union' (2011) 36 *European Law Review* 2

(with E. Muir) 'Individual, institutional and collective vigilance in protecting fundamental rights in the EU: lessons from the Roma' (2011) 48 *Common Market Law Review* 3

‘New Governance in the EU and the “Managerial Sensibility” in Modern Law’ (2010)
Wisconsin Law Review 2

‘The Ambiguity of Social Europe in the Open Method of Coordination’ (2009) 34
European Law Review 1

Book Chapters and Others Publications

(with B. de Witte & E. Muir) ‘Locating Judicial Politics’ in Dawson, de Witte and Muir (eds.) *Revisiting Judicial Politics in the European Union* (Edward Elgar, 2023)

‘Re-visiting Europe’s Law-Politics Imbalance’ in Dawson, de Witte and Muir (eds.)
Revisiting Judicial Politics in the European Union (Edward Elgar, 2023)

(with A. Akbik) ‘From Procedural to Substantive Accountability in EU Economic Governance’ in Dawson (ed.) *Substantive Accountability in Europe’s New Economic Governance* (Cambridge University Press, 2023)

‘The Accountability Impasse of EU’s New Economic Governance’ in EU Economic Governance’ in Dawson (ed.) *Substantive Accountability in Europe’s New Economic Governance* (Cambridge University Press, 2023)

(with A. Bobic) ‘How can law contribute to accountability in EU monetary policy?’ in *The Cambridge Handbook on European Monetary, Economic and Financial Market Integration* (Cambridge University Press, 2023)

(with M. Jachtenfuchs) ‘Autonomy without Collapse – towards a Better European Union?’ in Dawson & Jachtenfuchs (eds.) *Autonomy without Collapse in a Better European Union* (OUP, 2022)

(with J. Bois) ‘Sociological institutionalism as a lens to study judicialization: a bridge between legal scholarship and political science’ in Bartl and Lawrence (eds.) *The Politics of European Legal Research* (Edward Elgar, 2022)

‘The Role of Law in Multi-level Governance: Four Conceptualisations’ in Benz, Broschek & Lederer (eds.) *A Research Agenda for Multi-level Governance* (Edward Elgar, 2021)

‘Juncker’s Political Commission – Did it Work?’ (2019) *SIEPS European Policy Analysis* 8 (available at: http://www.sieps.se/globalassets/publikationer/2019/2019_8epa_.pdf?)

‘The Impact of Brexit on British Law and Democracy – Four Effects’ in S. Kadelbach (ed.) *Brexit – and What it Means* (Nomos, 2019)

‘How Can EU Law Contain Economic Discretion?’ in J. Mendes (ed.) *EU Executive Discretion and the Limits of Law* (Oxford University Press, 2019)

‘Integration through Soft Law: No Competence Needed? Juridical and Bio-power in the Realm of Soft Law’ in S. Garben and I. Govaere (eds.) *The Division of Competences Between the EU and its Member States* (Hart, 2017)

- ‘New Modes of Governance in the EU after the Euro Crisis: Retired or Re-born?’ in M. Cremona & L. Azoulay (eds.), *EU Legal Acts: Challenges and Transformations* (Oxford University Press, 2017)
- (with A. Durana), ‘Modes of Flexibility: Framework Legislation v Soft Law’ in A. Ott, E. Vos and B. de Witte (eds.), *Between Flexibility and Disintegration: The State of EU law today* (forthcoming, Edward Elgar, 2016)
- ‘New Modes of Governance’ in D. Patterson and A. Sodersten (eds.) *Blackwell Companion to European Union Law and International Law* (Blackwell, 2016)
- ‘Opening Pandora’s Box? The Crisis and the EU Institutions’ in M. Dawson, H. Enderlein and C. Joerges (eds.) *Beyond the Crisis: The Governance of Europe’s Economic, Political, and Legal Transformation* (Oxford University Press, 2015)
- ‘Introduction: The Governance of the Transformation of Europe’s Economic, Political, and constitutional Constellation since the Euro Crisis’ in M. Dawson, H. Enderlein and C. Joerges (eds.) *Beyond the Crisis: The Governance of Europe’s Economic, Political, and Legal Transformation* (Oxford University Press, 2015)
- The Euro Crisis and its Transformation of EU Law and Politics’ in *The Governance Report 2015* (Oxford University Press, 2015)
- ‘Introduction: Exploratory Governance in the Euro Crisis’ in *The Governance Report 2015* (Oxford University Press, 2015)
- ‘Outlook: Where Do the EU and the EMU Go from Here?’ in *The Governance Report 2015* (Oxford University Press, 2015)
- ‘The EU as a Community of Law: Achieving Diplomatic Goals through Legal Means?’ in R. Hutchings and J. Suri (eds.) *Foreign Policy Breakthroughs* (Oxford University Press, 2015)
- (with B. de Witte) ‘Welfare Policy and Social Inclusion’ in A. Arnulf and D. Chalmers (eds.) *Oxford Handbook of European Union Law* (forthcoming, Oxford University Press, 2015)
- (with E. Muir & M. Claes) ‘A tool-box for Legal and Political Mobilisation in European Equality law’ in D. Anagnostou, *Rights in Pursuit of Social Change: Legal Mobilisation in the Multi-Level European System* (Hart, 2014)
- ‘Economic and Monetary Union: Maastricht’s Great Failure’ in M. de Visser and A.P. van der Mei (eds.) *The Treaty on European Union 1993-2013: Reflections from Maastricht* (Intersentia, 2013), pp. 475-492
- (with E. Muir) ‘Enforcing Fundamental Rights in the European Union After the Treaty of Lisbon: What can the Roma case tell us?’ in M. Goodwin and P. de Hart (eds.), *European Roma Integration Efforts: A Snapshot* (Brussels University Press, 2013)
- ‘Soft Law and the Rule of Law in the European Union: Revision or Redundancy’ in B. de Witte and A. Vauchez (eds.) *Lawyerling Europe: European Law as a Trans-national Social Field* (Hart, 2013)

(with E. Muir & B. de Witte) ‘The European Court as a Political Actor’ in M. Dawson, E. Muir & B. de Witte (eds.), *Judicial Activism at the European Court of Justice* (Edward Elgar, 2013)

‘The Political Face of Judicial Activism: Europe’s Law-Politics Imbalance’ in M. Dawson, E. Muir & B. de Witte (eds.), *Judicial Activism at the European Court of Justice* (Edward Elgar, 2013)

(with B. de Witte) ‘The EU Legal Framework of Social Inclusion and Social Protection: between the Lisbon Treaty and the Lisbon Strategy’ in B. Cantillon, H. Verschueren and P. Ploscar (eds.), *Social Inclusion and Social Protection: Interactions between Policy and Law* (Intersentia, 2012)

‘Integration through Soft Law? New Governance and the Place of Legality in the EU’, in D. Augenstein (ed.) *Integration through Law and the making of the European Polity* (Ashgate 2012)

(with D. Augenstein) ‘What law for what polity? Integration through Law in the EU Revisited’ in D. Augenstein (ed.) *Integration through Law and the making of the European Polity* (Ashgate 2012)

Courses Taught (selected)

Bachelor Level: EU and International Law; Institutional Law of the EU; Jurisprudence (Legal Theory)

Master Level: Human Rights in Europe; Law, Governance and Regulation, Legal Reasoning and Argumentation (Moot Court); Research Design and Thesis Colloquium; Advanced European Law; EU Law and Governance

Executive Level: Understanding Governance (Concepts and Theory); EU Governance; EU Institutions (Applied Workshop based in Brussels); the EU Charter of Fundamental Rights

Invited Talks (selected)

In the last 10 years, I have given numerous invited talks on EU law, legal theory, human rights law, economic governance, and other topics. Institutions include: the University of Amsterdam, the Catholic University of Leuven, the University of Antwerp, Cambridge University, the University of Texas, Harvard University, the University of Frankfurt, ARENA Oslo, SIEPS, the University of Copenhagen, Warwick University, the University of Fribourg, the Central European University, the Czech Academy of Sciences, the University of Wroclaw, Humboldt University, the College of Europe and the EUI.

Other Positions (selected)

- Co-Director, Jacques Delors Centre (August 2023 – present)
- Editor, *Cambridge Studies in European Law and Policy*

- Member of the Editorial Board, *European Law Review*
- Member of the Advisory Board, *Maastricht Journal of European & Comparative Law*
- Scholar, Maastricht Centre for European Law
- Research Fellow, Jacques Delors Institute Berlin
- Ombudsman of the Hertie School of Governance (March 2013 – September 2023)
- Speaker, Research Cluster on European & Global Governance (September 2013 – 2015)
- Referee, *American Journal of Comparative Law*, *Maastricht Journal of European & Comparative Law*, *Journal of Common Market Studies*, *Journal of European Public Policy*, *Journal of European Integration*, *European Law Journal*, *European Law Open*, Cambridge University Press, Oxford University Press; Routledge
- Evaluator, European, Austrian, Danish, Dutch, Polish and Flemish Research Councils
- Contributor, *Verfassungsblog*