

List of publications

Dr. Luke Dimitrios Spieker

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Monographs

1. **Spieker, Luke Dimitrios**, *EU Values Before the Court of Justice. Foundations, Potential, Risks* (Oxford University Press, 2023)

Awarded the UACES Best Book Prize, the Otto Hahn Medal by the Max Planck Society, and the Wilhelm Bender Dissertation Prize by Goethe University Frankfurt. Shortlisted for the German Thesis Award ('Deutscher Studienpreis').

Reviews: Tom L. Boeckstein, *Modern Law Review* 87 (2024), 1380-1384; Frank Schorkopf, Transformativer Interventionismus, *Archiv des öffentlichen Rechts* 149 (2024), 564-576

Contributions to Journals

(*editorial peer review, **double-blind peer review)

2. **Spieker, Luke Dimitrios** and Ferdinand Weber, Bonds without belonging? The genuine link in international, Union, and nationality law, *Yearbook of European Law* 43 (2024) (first view) (1-39) **
 - Band ohne Verbundenheit? Der "genuine link" im Völker-, Unions- und Staatsangehörigkeitsrecht, *Archiv des öffentlichen Rechts* 150 (2025) (issue 2) ^{extended} German version of No. 2.
3. **Spieker, Luke Dimitrios**, Debunking the reference champion: On uses, non-uses, and misuses of preliminary references by German courts, *European Law Open* 4 (2025) (first view) (1-32) **
4. **Spieker, Luke Dimitrios**, Was Grimm wrong? Putting the over-constitutionalization of EU law to the test, *German Law Journal* 26 (2025) (first view) (1-33) **
5. **Spieker, Luke Dimitrios**, Die Europäischen Union: ein Freiheitsraum für trans* Menschen?, *Europäische Zeitschrift für Wirtschaftsrecht* 36 (2025), 112-124
6. **Spieker, Luke Dimitrios**, Trust the Treaties! Why protecting EU values does not require Treaty change, *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 84 (2024), 745-760 *
7. Leloup, Mathieu and **Luke Dimitrios Spieker**, Rethinking Primacy's Effects: On Creating, Avoiding and Filling Legal Vacuums in the National Legal System, *Common Market Law Review* 61 (2024), 913-958 **

8. von Bogdandy, Armin and **Luke Dimitrios Spieker**, Transformative Constitutionalism in Luxembourg? How the Court can Support Democratic Transitions, *Columbia Journal of European Law* 29 (2023), 65-92 *
9. von Bogdandy, Armin and **Luke Dimitrios Spieker**, Article 2 TEU as a Tool for Democratic Transitions, *Dyskurs Prawniczy i Administracyjny* (2023), 141-160 **
10. **Spieker, Luke Dimitrios**, The conflict over the Polish disciplinary regime for judges – an acid test for judicial independence, Union values and the primacy of EU law, *Common Market Law Review* 59 (2022), 777-812 **
11. **Spieker, Luke Dimitrios**, Werte, Vorrang, Identität: Der Dreiklang europäischer Justizkonflikte vor dem EuGH, *Europäische Zeitschrift für Wirtschaftsrecht* 33 (2022), 305-313
12. **Spieker, Luke Dimitrios**, “The importance of being earnest”: On frank words and missed opportunities in the CJEU’s A.B. judgment, *Quaderni Costituzionali* (2021), 435-438
13. **Spieker, Luke Dimitrios**, Framing and managing constitutional identity conflicts: On how to stabilize the *modus vivendi* between the Court of Justice and national constitutional courts, *Common Market Law Review* 57 (2020), 361-398 **

Awarded the Common Market Law Review Prize for Young Academics
14. **Spieker, Luke Dimitrios**, Werteverteidigung im Binnenmarkt? Das ungarische Transparenzgesetz auf dem Prüfstand des EuGH, *Europäische Zeitschrift für Wirtschaftsrecht* 31 (2020), 854-858
15. von Bogdandy, Armin and **Luke Dimitrios Spieker**, *Reverse Solange* 2.0: Die Durchsetzung europäischer Werte und die unions- und strafrechtliche Verantwortung nationaler Richter, *Europarecht* 55 (2020), 301-332 *
16. **Spieker, Luke Dimitrios**, Breathing Life into the Union’s Common Values: On the Judicial Application of Article 2 TEU in the EU Value Crisis, *German Law Journal* 20 (2019), 1182-1213 **

Awarded the second place (‘honourable mention’) of the Ius Commune Prize
17. von Bogdandy, Armin and **Luke Dimitrios Spieker**, Countering the Judicial Silencing of Critics: Article 2 TEU Values, Reverse Solange, and the Responsibilities of National Judges, *European Constitutional Law Review* 15 (2019), 391-426 **

– Contra los jueces que silencian las críticas. Los valores del artículo 2 TUE, *Reverse Solange* y las responsabilidades de los jueces nacionales, in Daniel Sarmiento et al. (eds.), *El futuro de la Unión Europea. Retos y desafíos* (Oñati: IVAP, 2021), 25-62 ^{Spanish translation of 17.}

– I valori dell’Articolo 2 del TUE, la *Reverse Solange* e la responsabilità dei giudici nazionali, *Percorsi Costituzionali* (2020), 347-388 ^{Italian translation of 17.}
18. **Spieker, Luke Dimitrios**, Does Article 15 ECHR Still Matter in Military Operations Abroad? The UK government’s “Presumption to Derogate” – Much Ado about Nothing?, *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht* 79 (2019), 155-183 **

Contribution to Edited Volumes

19. **Spieker, Luke Dimitrios**, From regression to transition: The dynamic role of Union values in restoring constitutional democracy, in Paulina Starski (eds.), *A Playbook for Reinstating the Rule of Law* (Oxford: Hart, 2025) (in preparation)

20. **Spieker, Luke Dimitrios**, Primary Law as Pyramid. The Case for Substantive Hierarchies in EU Primary Law, in Alezini Loxa and Luigi Lonardo (eds.), *The Legal Reasoning of the Court of Justice of the EU: A Normative Assessment* (Oxford: OUP, 2025) (forthcoming)
21. **Spieker, Luke Dimitrios**, Beyond Identity. On Common Values as Judicial Communication Channels in the EU, in Anastasia Iliopoulou-Penot and Francesco Martucci (eds.), *Les rapports entre les juges constitutionnels nationaux et la CJUE/National constitutional judges and the CJEU* (Brussels: Bruylant, 2025) (forthcoming)
22. von Bogdandy, Armin and **Luke Dimitrios Spieker**, Die Verfassungsprinzipien, in Armin von Bogdandy und Jürgen Bast (eds.), *Unionsverfassungsrecht. Eine Neubestimmung anhand der Grundlagen im EU-Vertrag* (Baden-Baden: Nomos, 2024), 123-178
23. **Spieker, Luke Dimitrios**, Il rinvio pregiudiziale nell’ordinamento tedesco: tre sfide per i “campioni del rinvio”, in Ferraro Fabio and Iannone Celestina (eds.), *Il rinvio pregiudiziale* (Torino: Giappichelli, 2024), 381-422
24. **Spieker, Luke Dimitrios**, Beyond the Rule of Law: How the Court of Justice can Protect Conditions for Democratic Change in the Member States, in Anna Södersten and Edwin Hercok (eds.), *The Rule of Law in the EU: Crisis and Solutions* (Stockholm: SIEPS, 2023), 72-78
25. von Bogdandy, Armin and **Luke Dimitrios Spieker**, EU Values as Constraints and Facilitators in Democratic Transitions, in Michal Bobek et al. (eds.), *Transition 2.0* (Baden-Baden: Nomos, 2023), 113-142
26. von Bogdandy, Armin and **Luke Dimitrios Spieker**, How the European Rule of Law Can Support Democratic Transitions: On the Criminal Responsibility of Biased Judges, in *ECB Legal Conference 2021. Continuity and change – How the challenges of today prepare the ground for tomorrow* (Frankfurt a.M.: ECB, 2022), 197-210
27. **Spieker, Luke Dimitrios**, Protecting Union Values in Judicial Procedures: On How to Turn Article 2 TEU Into a Judicially Applicable Provision, in Armin von Bogdandy et al. (eds.), *Defending Checks and Balances in EU Member States. Taking Stock of Europe’s Actions* (Berlin: Springer, 2021), 237-268
28. Skordas, Achilles and **Luke Dimitrios Spieker**, Supranational Law, in Anne Peters (ed.), *Max Planck Encyclopedia of Public International Law* (Oxford: OUP, 2021)
29. von Bogdandy, Armin and **Luke Dimitrios Spieker**, Protecting Fundamental Rights Beyond the Charter: Repositioning the *Reverse Solange* Doctrine in Light of the CJEU’s Article 2 TEU Case Law, in Michal Bobek and Jeremias Prassl (eds.), *The EU Charter of Fundamental Rights in the Member States* (Oxford: Hart, 2020), 525-546
30. **Spieker, Luke Dimitrios**, Die Identitätskontrolle des BVerfG und ihr Verhältnis zum Schutz der nationalen Identität durch den EuGH, in Matthias Klatt (ed.), *Jurisdiktionskonflikte* (Baden-Baden: Nomos, 2015), 111-144

Working Paper

31. **Spieker, Luke Dimitrios**, From Moral Values to Legal Obligations – On How to Activate the Union’s Common Values in the EU Rule of Law Crisis, MPIL Research Paper No. 24, 2018

Contributions to Other Media

32. **Spieker, Luke Dimitrios**, It's solidarity, stupid!: In defence of Commission v Malta, *Verfassungsblog* (7 May 2025)
33. Karpenstein, Ulrich und **Luke Dimitrios Spieker**, Warum sich die Bundesregierung in Brüssel für einen Stimmrechtsentzug Ungarns einsetzen muss, FAZ-Einspruch (20 April 2025)
34. **Spieker, Luke Dimitrios**, Tackling the Union's "Orbán Problem" Now: Seizing Momentum, Reviving Article 7 TEU, Sharpening Conditionality *Verfassungsblog* (10 April 2025)
35. Kaiser, Lena, Andreas Knecht and **Luke Dimitrios Spieker**, European Society Strikes Back: The Member States Embrace Article 2 TEU in Commission v Hungary, *Verfassungsblog* (26 November 2024)
36. Morijn, John and **Luke Dimitrios Spieker**, The Silent Majority Has Found Its Voice: Five Questions to John Morijn and Luke Dimitrios Spieker, *Verfassungsblog* (22 November 2024)
37. **Spieker, Luke Dimitrios**, Kein Mut zur Lücke! Plädoyer für eine Zustimmungspflicht des Bundesrates bei Änderungen des BVerfGG, *Verfassungsblog* (22 October 2024)
38. **Spieker, Luke Dimitrios**, Dismissing the Genuine Link by Disregarding Constitutional Principles: Why the Court should not follow Collins' Opinion in Commission v Malta, *Verfassungsblog* (9 October 2024)
39. **Spieker, Luke Dimitrios**, The Lighthouse of EU law Shines on the Polish Constitutional Tribunal: Neutralising its Obstruction, Substituting its Function, Supporting the Transition, *Verfassungsblog* (26 June 2024)
40. **Spieker, Luke Dimitrios**, „Unterschätzt die europäischen Verträge nicht!“ Warum wir keine Vertragsreform zum Schutz europäischer Werte brauchen, www.mpg.de (5 June 2024)
41. von Bogdandy, Armin and **Luke Dimitrios Spieker**, Viewpoint: "Democracy can be dismantled more quickly than it can be restored", *MaxPlanckResearch* 1/2024, 14-19
42. von Bogdandy, Armin and **Luke Dimitrios Spieker**, Die schwierige Rückkehr zum Rechtsstaat, *Frankfurter Allgemeine Zeitung* (15 November 2023)
43. **Spieker, Luke Dimitrios**, *Berlaymont* is back: The Commission invokes Article 2 TEU as self-standing plea in infringement proceedings over Hungarian LGBTIQ rights violations, *EU Law Live* (22 February 2023)
44. von Bogdandy, Armin and **Luke Dimitrios Spieker**, How to Set Aside Hungarian Cardinal Laws: A Suggestion for a Democratic Transition, *Verfassungsblog* (18 March 2022)
45. von Bogdandy, Armin and **Luke Dimitrios Spieker**, Restoring the Rule of Law Through Criminal Responsibility, *Verfassungsblog* (10 December 2021)
46. **Spieker, Luke Dimitrios**, The Court gives with one hand and takes away with the other: The CJEU's judgment in Miasto Łowicz, *Verfassungsblog* (26 March 2020)
47. **Spieker, Luke Dimitrios**, Commission v. Poland – A Stepping Stone Towards a Strong "Union of Values"?, *Verfassungsblog* (30 May 2019)
48. von Bogdandy, Armin and **Luke Dimitrios Spieker**, Countering the Judicial Silencing of Critics: Novel Ways to Enforce European Values, *Verfassungsblog* (6 March 2019)