



**Universiteit
Leiden**
The Netherlands

**Discrimination and the foundation of justice: hate
speech, affirmative action, institutional opinions**
Dijkstra, E.

Citation

Dijkstra, E. (2023, June 29). *Discrimination and the foundation of justice: hate speech, affirmative action, institutional opinions*. Eleven, The Hague. Retrieved from <https://hdl.handle.net/1887/3628012>

Version: Publisher's Version

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/3628012>

Note: To cite this publication please use the final published version (if applicable).

Glossary

Discrimination: Differential treatment in the social sphere on account of (assumed) personal characteristics which is wrongful, i.e. it causes harm.

Fundamental Rights: The prevailing foundation of justice in liberal states. These rights are generally characterized as universal and individual. Fundamental rights encompass those rights enshrined in the currently existent international and national rights catalogues, but one can also imagine rights that are not yet codified. Because the interests underpinning liberalism and the modern human rights discourse might point to the need for rights that were overlooked during the codification process. The extent to which there are such overlooked rights depends on one's interpretation of the requirements of liberalism and the modern human rights discourse.

Harm: A setback with regard to the full enjoyment of one's fundamental rights and the adjacent (basic) capabilities.

Human Rights: The concept of rights *an sich*. Such concepts can also be exclusionary, i.e. human rights frameworks that pertain merely to some or function as a fig leaf for neo-patrimonial states and their authoritarianism.

Policy: Direction of government action or restraint and the reasoning that underpins such a direction. Political decisions that concern fundamental rights are a policy. As such, a policy can pertain to realizing universal and individual rights. But policies can also detract from this characterization, such as the policy to employ group-based approaches to discrimination.

Societal Salient Groups: Those well-known group identities that are often perceived as being some sort of a collective with certain specific interests in common, especially with regard to the right to be protected against discrimination. But one does not necessarily have to belong to such groups to be ill-treated on account of one's (assumed) personal characteristics.

Related Publications

This work was preceded by a number of publications which covered some of the same subject matter. Specifically the fundamentals of the ideas that I have conveyed in Chapter I, Chapter II, Chapter III, and Chapter V were already presented to the world and can be found in the following places.

SCHOLARLY PUBLICATIONS

- 2021 Dijkstra, Erwin. “Een Gemankeerde Wereld: Theorieën over (On)toegankelijkheid.” *Recht der Werkelijkheid* 42, no. 3 (2021): 69-78.
- 2021 Dijkstra, Erwin. “Addressing Problems Instead of Diagnoses: Reimagining Liberalism Regarding Disability and Public Health.” *Netherlands Journal of Legal Philosophy* 50, no. 1 (2021): 22-39.
- 2021 Dijkstra, Erwin. “Het Standstillbeginsel en de Uitvoering van het VN-Verdrag Handicap.” *Handicap & Recht* 6, no. 1 (2021): 21-27.
- 2020 Dijkstra, Erwin. “Wanneer je Leven Bepaald Wordt door de Wet: Over Handicap, Regelgeving en Identiteit.” *Handicap & Recht* 5, no. 2 (2020): 41-46.
- 2020 Dijkstra, Erwin. “De Coronacrisis Noopt tot Meer Expliciete Aandacht van de Nederlandse Staat voor het VN-Verdrag Handicap.” *NTM/NJCM-Bulletin* 45, no. 3 (2020): 377-80.
- 2020 Dijkstra, Erwin. “Laat Ouderen over de Toekomst Stemmen.” *Nederlands Juristenblad* 95, no. 16 (2020): 1151-55.
- 2019 Dijkstra, Erwin. “Het Versmade Strafrecht? Een Breder Perspectief op het Toevoegen van Geslachtskenmerken, Genderidentiteit en Genderexpressie aan de AWGB.” *Nederlands Juristenblad* 94, no. 17 (2019): 1239-45.

OTHER PUBLICATIONS

- 2020 Dijkstra, Erwin. “Mensenrechten als Vangrail: Het Liberalisme in Tijden van Corona.” *Leiden Law Blog* March 26th 2020.

Bibliography

- Adams, Maurice. “De Temporele Dimensie van de Rechtsstaat: Beschouwingen naar Aanleiding van het Jaarverslag van de Raad van State.” *Ars Aequi* 65, no. 10 (2016): 787–91.
- Adolfson, Anna, and Saskia Keuzenkamp. “Opinieonderzoek onder de Bevolking.” In *Gewoon Doen: Acceptatie van Homoseksualiteit in Nederland*, edited by Saskia Keuzenkamp, David Bos, Jan Duyvendak, and Gert Hekma, 27–56. The Hague: Sociaal en Cultureel Planbureau, 2006.
- Alcoff, Linda. “The Problem of Speaking for Others.” *Cultural Critique* 7, no. 20 (1991): 5–32.
- Allen, Trevor. “Freedom, Equality, Legality.” In *The Legal Doctrines of the Rule of Law and the Legal State (Rechtsstaat)*, edited by James Silkenat, James Hickey, and Peter Barenboim, 155–69. Cham: Springer, 2014.
- Alonso, Stéphane. “Nu Wil Rutte Alsnog Praten over Racisme.” *NRC Handelsblad* June 25th 2020, Binnenland, 10.
- Alston, Philip. “A Third Generation of Solidarity Rights: Progressive Development or Obfuscation of International Human Rights Law?” *Netherlands International Law Review* 29, no. 3 (1982): 307–22.
- Anderson, Elizabeth. “What Is the Point of Equality?” *Ethics* 109, no. 2 (1999): 287–337.
- . *The Imperative of Integration*. Princeton: Princeton University Press, 2013.
- Andriessen, Iris, Justin Hoegen Dijkhof, Ab van der Torre, Esther van den Berg, Ine Pulles, Jurjen Iedema, and Marian de Voogd-Hamelink. *Ervaren Discriminatie in Nederland II*. The Hague: Sociaal en Cultureel Planbureau, 2020.
- Anghie, Antony. “Whose Utopia? Human Rights, Development, and the Third World.” *Qui Parle* 22, no. 1 (2013): 63–80.
- Annas, George, Lori Andrews, and Rosario Isasi. “Protecting the Endangered Human: Toward an International Treaty Prohibiting Cloning and Inheritable Alterations.” *American Journal of Law & Medicine* 28, no. 2–3 (2002): 151–78.
- Antonio, Robert. “Reactionary Tribalism Redux: Right-Wing Populism and De-Democratization.” *The Sociological Quarterly* 60, no. 2 (2019): 201–9.

- Arat, Zehra. "Feminisms, Women's Rights, and the UN: Would Achieving Gender Equality Empower Women?" *American Political Science Review* 109, no. 4 (2015): 674–89.
- Arendt, Hannah. *The Human Condition*. Chicago: University of Chicago Press, 1998.
- . "Reflections on Little Rock." In *The Portable Hannah Arendt*, edited by Peter Baehr, 231–46. New York: Penguin Books, 2000.
- . "Introduction into Politics." In *The Promise of Politics*, edited by Jerome Kohn, 93–200. New York: Schocken Books, 2005.
- . "The Concept of History: Ancient and Modern." In *Between Past and Future*, edited by Jerome Kohn, 41–90. London: Penguin Books, 2006.
- . *The Origins of Totalitarianism*. London: Penguin Books, 2017.
- Arneson, Richard. "What Is Wrongful Discrimination?" *San Diego Law Review* 43, no. 4 (2006): 775–807.
- Ashworth, Andrew. *Principles of Criminal Law*. Oxford: Oxford University Press, 2009.
- Augenstein, Daniel. "Freedom of Religion and the Politics of the Liberal Public-Private Divide." *Netherlands Journal of Legal Philosophy* 44, no. 1 (2015): 8–23.
- Baehr, Peter. "Editor's Introduction." In *The Portable Hannah Arendt*, edited by Peter Baehr, vii–liv. New York: Penguin Books, 2000.
- Bahara, Hassan, and Annieke Kranenberg. "Hoe Alt-Right Online Jodenhaat Verspreidt." *De Volkskrant*, November 10th 2018, Zaterdag, 10-13.
- Bahrani, Zainab. "Race and Ethnicity in Mesopotamian Antiquity." *World Archaeology* 38, no. 1 (2006): 48–59.
- Barber, Nicholas. "The Rechtsstaat and the Rule of Law." *The University of Toronto Law Journal* 53, no. 4 (2003): 443–54.
- Barry, Brian. "How Not to Defend Liberal Institutions." *British Journal of Political Science* 20, no. 1 (1990): 1–14.
- . *Culture & Equality: An Egalitarian Critique of Multiculturalism*. Cambridge: Harvard University Press, 2001.
- . *Why Social Justice Matters*. Malden: Polity Press, 2005.
- Bauman, Zygmunt. *Wasted Lives: Modernity and Its Outcasts*. Cambridge: Polity, 2004.
- Baxi, Upendra. "Voices of Suffering, Fragmented Universality, and the Future of Human Rights." In *The Future of International Human Rights*, edited by Burns Weston and Stephen Marks, 101–56. New York:

Bibliography

- Transnational, 1999.
- Bayle, Paul. "On Superstition and Tolerance." In *The Portable Enlightenment Reader*, edited by Isaac Kramnick, 75–80. London: Penguin Books, 1995.
- Beck, Ulrich. *Risk Society: Towards a New Modernity*. London: Sage Publications, 2013.
- Been, Wouter de. "Pragmatism and Ideal-Oriented Socio-Legal Study." In *The Importance of Ideals: Debating Their Relevance in Law, Morality, and Politics*, edited by Wibren van der Burg and Sanne Taekema, 59–74. Brussels: P.I.E.-Peter Lang, 2004.
- Beetham, David. "What Future for Economic and Social Rights?" *Political Studies* 43, no. 1 (1995): 41–60.
- Beever, Allan. *Rediscovering the Law of Negligence*. Oxford: Hart Publishing, 2009.
- . "Our Most Fundamental Rights." In *Rights and Private Law*, edited by Donal Nolan and Andrew Robertson, 63–87. Oxford: Hart Publishing, 2012.
- . *Forgotten Justice: Forms of Justice in the History of Legal and Political Theory*. Oxford: Oxford University Press, 2013.
- Belinfante, August, and Joost Reede. *Beginselen van het Nederlandse Staatsrecht*, edited by Laurens Dragstra, Nick Efthymiou, Wouter Hins, and Roel de Lange. Deventer: Kluwer, 2012.
- Bennoune, Karima. "In Defense of Human Rights." *Vanderbilt Journal of Transnational Law* 52, no. 5 (2019): 1209–36.
- Benschop, Yvonne, and Sandra Doelman. "Mythes over Diversiteit in Organisaties." In *Diversiteit: Een Multidisciplinaire Terreinverkenning*, edited by Claartje Bulten, Charlotte Perquin-Deelen, Mijke Sinninghe Damsté, and Koen Bakker, 39–52. Deventer: Wolters Kluwer, 2020.
- Berg, Bas van den, Ina ter Avest, and Tamar Kopmels. *Geloof Je het Zelf?! Levensbeschouwelijk Leren in het Basisonderwijs*. Bussum: Coutinho, 2013.
- Berlin, Isaiah. "The Pursuit of the Ideal." In *The Proper Study of Mankind*, edited by Henry Hardy and Roger Hausheer, 1–16. New York: Farrar, Straus and Giroux, 1997.
- . "Two Concepts of Liberty." In *Liberty*, edited by Henry Hardy, 166–217. Oxford: Oxford University Press, 2002.
- Bernstein, Mary. "Identity Politics." *Annual Review of Sociology* 31, no. 1 (2005): 47–74.

- Beyrer, Chris. "A Pandemic Anniversary: 40 Years of HIV/AIDS." *The Lancet* 397, no. 10290 (2021): 2142–43.
- Bijsterveld, Sophie van. *Overheid en Godsdienst: Herijking van een Onderlinge Relatie*. Oisterwijk: Wolf Legal Publishers, 2017.
- Bird, Colin. *The Myth of Liberal Individualism*. Cambridge: Cambridge University Press, 1999.
- Blackburn, Simon. *Ethics: A Very Short Introduction*. Oxford: Oxford University Press, 2001.
- Bocken, Inigo. "Voorwoord." In *John Locke: Een Brief over Tolerantie*, edited by Inigo Bocken, 7–8. Budel: Damon, 2004.
- . "Inleiding." In *John Locke: Een Brief over Tolerantie*, edited by Inigo Bocken, 9–23. Budel: Damon, 2004.
- Böckenförde, Ernst-Wolfgang. *State, Society and Liberty: Studies in Political Theory and Constitutional Law*, translated by Jim Underwood. New York: Berg, 1991.
- Bois, Francois du. "Social Purposes, Fundamental Rights and the Judicial Development of Private Law." In *Rights and Private Law*, edited by Donal Nolan and Andrew Robertson, 89–114. Oxford: Hart Publishing, 2012.
- . "Private Law in the Age of Rights." In *Private Law and Human Rights: Bringing Rights Home in Scotland and South Africa*, edited by Elspeth Reid and Daniel Visser, 12–36. Edinburgh: Edinburgh University Press, 2013.
- Bonilla-Silva, Eduardo. *Racism without Racists: Color-Blind Racism and the Persistence of Racial Inequality in America*. Lanham: Rowman & Littlefield, 2017.
- Bontjes, Annelies. "Regenboogvlag Kan Hier Nog Niet Rustig Wapperen." *NRC Handelsblad* October 11th 2021, In het Nieuws, 6–7.
- Boschman, Jordy. "Zwolle Krijgt 'Homo-Zebrapad.'" *De Stentor* April 26th 2016, Algemeen, 7.
- Bossuyt, Marc. "Prevention of Discrimination: The Concept and Practice of Affirmative Action" (E/CN.4/Sub.2/2002/21, 2002).
- Brink, David. "Mill on Justice and Rights." In *A Companion to Mill*, edited by Christopher MacLeod and Dale Miller, 374–89. Chichester: John Wiley & Sons, 2017.
- Brink, Marieke van den, and Sylvia van der Raad. "Diversiteitsbeleid bij Vennootschappen in Nederland." In *Diversiteit: Een Multidisciplinaire Terreinverkenning*, edited by Claartje Bulten, Charlotte Perquin-

Bibliography

- Deelen, Mijke Sinninghe Damsté, and Koen Bakker, 53–69. Deventer: Wolters Kluwer, 2020.
- Broek, Ilja van den. “Engagement als Deugd: Politieke Journalistiek Tijdens het Kabinet-Den Uyl.” In *Journalistieke Cultuur in Nederland*, edited by Jo Bardoel, Chris Vos, Frank Van Vree, and Huub Wijffjes, 69–82. Amsterdam: Amsterdam University Press, 2002.
- Brown, Donald. “The Harm Principle.” In *A Companion to Mill*, edited by Christopher MacLeod and Dale Miller, 409–24. Chichester: John Wiley & Sons, 2017.
- Brubaker, Rogers. “Why Populism?” In *Populism and the Crisis of Democracy – Vol. 1: Concepts and Theory*, edited by Gregor Fitzzi, Jürgen Mackert, and Bryan Turner, 27–46. New York: Routledge, 2019.
- Bruin, Ellen de. “Hij Heet Professor, Zij Is ‘de Jongedame.’” *NRC Handelsblad* June 1st 2015, Het Grote Verhaal, 10-11.
- . “Deze Mannen Zijn Op Zoek naar Vrouwen.” *NRC Handelsblad* March 5th 2016, Wetenschap, 10-11.
- Bulten, Claartje. “Diversiteit: Een Inleidende Beschouwing.” In *Diversiteit: Een Multidisciplinaire Terreinverkenning*, edited by Claartje Bulten, Charlotte Perguin-Deelen, Mijke Sinninghe Damsté, and Koen Bakker, 1–17. Deventer: Wolters Kluwer, 2020.
- Bunzel, John. “Liberal Ideology and the Problem of Power.” *The Western Political Quarterly* 13, no. 2 (1960): 374–88.
- Burg, Wibren van der. *Het Ideaal van de Neutrale Staat: Inclusieve, Exclusieve en Compenserende Visies op Godsdienst en Cultuur*. The Hague: Boom Juridische Uitgevers, 2009.
- . “De Neutrale Overheid: ‘And Never the Twain Shall Meet?’” *Filosofie en Praktijk* 33, no. 1 (2012): 52–68.
- . “Law as a Second-Order Essentially Contested Concept.” *Jurisprudence: A Journal of Legal and Political Thought* 8, no. 2 (2017): 230–56.
- Burg, Wibren van der, and Roland Pierik. “John Rawls: De Filosoof van de Liberaal-Democratische Verzorgingsstaat.” *Nederlands Juristenblad* 88, no. 18 (2003): 914–19.
- Buxton, Richard. *Imaginary Greece: The Contexts of Mythology*. Cambridge: Cambridge University Press, 1994.
- Campbell, Andy. *Queer X Design: 50 Years of Signs, Symbols, Banners, Logos, and Graphic Art of LGBTQ*. New York: Black Dog & Leventhal, 2019.
- Carpenter, Morgan. “Intersex Human Rights, Sexual Orientation,

- Gender Identity, Sex Characteristics and the Yogyakarta Principles plus 10.” *Culture, Health & Sexuality* 23, no. 4 (2021): 516–32.
- Cavanagh, Matt. *Against Equality of Opportunity*. Oxford: Oxford University Press, 2002.
- Cera, Rachele. “Article 5 [Equality and Non-Discrimination].” In *The United Nations Convention on the Rights of Persons with Disabilities: A Commentary*, edited by Valentina della Fina, Rachele Cera, and Giuseppe Palmisano, 157–74. Cham: Springer, 2017.
- Chébtî, Mariam. “Is Beleidskeuze in de Wet Banenafpraak en Quotum Arbeidsbeperkten een Objectieve Rechtvaardiging voor Ongelijke Behandeling?” *Handicap & Recht* 2, no. 2 (2017): 53–56.
- Chemerinsky, Erwin. “In Defence of Equality: A Reply to Professor Westen.” *Michigan Law Review* 81, no. 3 (1983): 575–99.
- Chinkin, Christine, and Marsha Freeman. “Introduction.” In *The UN Convention on the Elimination of All Forms of Discrimination against Women: A Commentary*, edited by Marsha Freeman, Christine Chinkin, and Beate Rudolf, 1–33. Oxford: Oxford University Press, 2013.
- Classen, Rutger. *Het Eeuwige Tekort: Een Filosofie van de Schaarste*. Amsterdam: Ambo, 2004.
- . “Making Capability Lists: Philosophy versus Democracy.” *Political Studies* 59, no. 3 (2011): 491–508.
- Clair, Matthew, and Jeffrey Denis. “Sociology of Racism.” In *International Encyclopedia of the Social and Behavioral Sciences – Second Edition, Vol. 19*, edited by James Wright, 857–63. Amsterdam: Elsevier, 2015.
- Clapham, Andrew. *Human Rights: A Very Short Introduction*. Oxford: Oxford University Press, 2015.
- Clark, David. “Capability Approach.” In *The Elgar Companion to Development Studies*, edited by David Clark, 32–45. Cheltenham: Edward Elgar Publishing, 2006.
- Clark, Steve. “Extremism: Operation Rescue, the Army of God, and the Nashville Declaration of Conscience.” In *Ethics and the Contemporary World*, edited by David Edmonds, 175–87. New York: Routledge, 2019.
- Cliteur, Paul. *De Filosofie van Mensenrechten*. Nijmegen: Ars Aequi Libri, 1999.
- . *Moreel Esperanto: Naar een Autonome Ethiek*. Amsterdam: Arbeiderspers, 2007.
- Cliteur, Paul, and Afshin Ellian. *Inleiding Recht*. Deventer: Wolters

Bibliography

- Kluwer, 2017.
- . *A New Introduction to Jurisprudence: Legality, Legitimacy and the Foundations of the Law*. New York: Routledge, 2019.
- . *A New Introduction to Legal Method*. New York: Routledge, 2022.
- Cliteur, Paul, and Tom Herrenberg. “On the Life and Times of the Dutch Blasphemy Law (1932-2014).” In *The Fall and Rise of Blasphemy Law*, edited by Paul Cliteur and Tom Herrenberg, 71–111. Leiden: Leiden University Press, 2016.
- Cloud, Morgan. “More than Utopia.” In *Vulnerability: Reflections on a New Ethical Foundation for Law and Politics*, edited by Martha Fineman and Anna Grear, 77–94. Farnham: Ashgate Publishing, 2013.
- Clough, Beverley. “Disability and Vulnerability: Challenging the Capacity/Incapacity Binary.” *Social Policy & Society* 16, no. 3 (2017): 469–81.
- Cohen, Gerald. “Capitalism, Freedom and the Proletariat.” In *The Idea of Freedom: Essays in Honour of Isaiah Berlin*, edited by Alan Ryan, 9–25. Oxford: Oxford University Press, 1979.
- Cooper, Frank. “Always Already Suspect: Revising Vulnerability Theory.” *North Carolina Law Review* 93, no. 5 (2015): 1339–79.
- Coppenger, Mark. “Danvers Statement.” In *Evangelical America: An Encyclopedia of Contemporary American Religious Culture*, edited by Timothy Demey and Paul Shockley, 102–4. Santa Barbara: ABC-Clio, 2017.
- Corrias, Luigi. “Het Recht als Bescherming van Bepaalde Partijen: Een Rechtsfilosofische Verkenning.” *Ars Aequi* 69, no. 1 (2020): 93–98.
- Coulmas, Florian. *Identity: A Very Short Introduction*. Oxford: Oxford University Press, 2019.
- Coyle, Sean. “Vulnerability and the Liberal Order.” In *Vulnerability: Reflections on a New Ethical Foundation for Law and Politics*, edited by Martha Fineman and Anna Grear, 61–75. Farnham: Ashgate Publishing, 2013.
- Cranston, Maurice. *John Locke: A Biography*. New York: MacMillan, 1957.
- Crenshaw, Kimberle. “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color.” *Stanford Law Review* 43, no. 6 (1991): 1241–99.
- Criado-Perez, Caroline. *Invisible Women: Exposing Data Bias in a World Designed for Men*. London: Penguin Books, 2019.
- Dana, Shahram. “Beyond Retroactivity to Realizing Justice: A Theory on the Principle of Legality in International Criminal Law Sentencing.”

- Journal of Criminal Law and Criminology* 99, no. 4 (2009): 857–927.
- Daniels, Norman. “Democratic Equality: Rawls’s Complex Egalitarianism.” In *The Cambridge Companion to Rawls*, edited by Samuel Freedman, 241–76. Cambridge: Cambridge University Press, 2003.
- Darraj, Susan. *The Universal Declaration of Human Rights*. New York: Chelsea House, 2010.
- Darwall, Stephen. *The Second-Person Standpoint: Morality, Respect, and Accountability*. Cambridge: Harvard University Press, 2006.
- Davies, Norman. *Europe: A History*. London: The Bodley Head, 2014.
- Davis, Mike. *Late Victorian Holocausts: El Niño Famines and the Making of the Third World*. New York: Verso, 2001.
- Defarges, Philippe. *La Gouvernance*. Paris: Presses Universitaires, 2015.
- DeGooyer, Stephanie, Alastair Hunt, Lida Maxwell, and Samuel Moyn. *The Right to Have Rights*. New York: Verso, 2018.
- Dekker, Wilco. “Nederland Heeft Eindelijk een Vrouwen-Quotum: Maar Gaat het ook Helpen?” *De Volkskrant* September 29th 2021, Ten Eerste, 4-5.
- Deneen, Patrick. *Why Liberalism Failed*. New Haven: Yale University Press, 2019.
- Dennett, Daniel. *Intuition Pumps and Other Tools for Thinking*. New York: W.W. Norton & Company, 2013.
- Dicey, Albert. *Introduction to the Study of the Law of the Constitution*. London: MacMillan, 1915.
- Dijk, Merlijn van. “TU/e Past Aannemebeleid Vrouwen aan.” *Brabants Dagblad* March 4th 2021, 5.
- Dijkstra, Erwin. “Het Versmade Strafrecht? Een Breder Perspectief op het Toevoegen van Geslachtskenmerken, Genderidentiteit en Genderexpressie aan de AWGB.” *Nederlands Juristenblad* 94, no. 17 (2019): 1239–45.
- . “Laat Ouderen over de Toekomst Stemmen.” *Nederlands Juristenblad* 95, no. 16 (2020): 1151–55.
- . “De Coronacrisis Noopt tot Meer Expliciete Aandacht van de Nederlandse Staat voor het VN-Verdrag Handicap.” *NTM/NJCM-Bulletin* 45, no. 3 (2020): 377–80.
- . “Wanneer Je Leven Bepaald Wordt door de Wet: Over Handicap, Regelgeving en Identiteit.” *Handicap & Recht* 5, no. 2 (2020): 41–46.
- . “Het Stand Still-Beginsel en de Uitvoering van Het VN-Verdrag

Bibliography

- Handicap.” *Handicap & Recht* 6, no. 1 (2021): 21–27.
- . “Addressing Problems Instead of Diagnoses: Reimagining Liberalism Regarding Disability and Public Health.” *Netherlands Journal of Legal Philosophy* 50, no. 1 (2021): 22–39.
- . “Een Gemankeerde Wereld: Theorieën over (On)Toegankelijkheid.” *Recht der Werkelijkheid* 42, no. 3 (2021): 69–78.
- Dittrich, Boris. “Yogyakarta Principles: Applying Existing Human Rights Norms to Sexual Orientation and Gender Identity.” *HIV/AIDS Policy Law Review* 13, no. 2–3 (2008): 92–93.
- Donders, Yvonne, and Marjolijn Olde Monnikhof. “Het College voor de Rechten van de Mens Belicht, Bewaakt, Beschermt en Bevordert Mensenrechten in Nederland.” *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin* 37, no. 6 (2012): 693–713.
- Donnelly, Jack. “Human Rights and Asian Values: A Defense of ‘Western’ Universalism.” In *The East Asian Challenge for Human Rights*, edited by Joanne Bauer and Daniel Bell, 60–87. Cambridge: Cambridge University Press, 1999.
- . *Universal Human Rights in Theory and Practice*. Ithaca: Cornell University Press, 2003.
- . “The Relative Universality of Human Rights.” *Human Rights Quarterly* 29, no. 2 (2007): 281–306.
- Doomen, Jasper. *Freedom and Equality in a Liberal Democratic State*. Brussels: Bruylant, 2014.
- . “Het Antidemocratische Karakter van ‘Militante Democratie.’” In *De Strijd om de Democratie: Essays over Democratische Zelfverdediging*, edited by Afshin Ellian, Gelijn Molier, and Bastiaan Rijpkema, 139–54. The Hague: Boom Uitgevers, 2018.
- Dunn, John. “Hope over Fear: Judith Shklar as Political Educator.” In *Liberalism without Illusions: Essays on Liberal Theory and the Political Vision of Judith N. Shklar*, edited by Bernard Yack, 45–54. Chicago: University of Chicago Press, 1996.
- Dworkin, Ronald. “Liberalism.” In *Public and Private Morality*, edited by Stuart Hampshire, 113–43. Cambridge: Cambridge University Press, 1978.
- . “Neutrality, Equality, and Liberalism.” In *Liberalism Reconsidered*, edited by Douglas MacLean and Claudia Mills, 1–11. Totowa: Rowman & Allanheld, 1985.
- . *Law’s Empire*. Oxford: Hart Publishing, 1986.

- . *Sovereign Virtue: The Theory and Practice of Equality*. Cambridge: Harvard University Press, 2000.
- . “Foreword.” In *Extreme Speech and Democracy*, edited by Ivan Hare and James Weinstein, v–ix. Oxford: Oxford University Press, 2009.
- . *Justice for Hedgehogs*. Cambridge: Harvard University Press, 2011.
- . *Taking Rights Seriously*. London: Bloomsbury Academic, 2017.
- . “A New Map of Censorship.” In *The Media, Journalism and Democracy*, edited by Margaret Scammell and Holli Semetko, 381–87. New York: Routledge, 2018.
- Dyke, Vernon van. “Collective Entities and Moral Rights: Problems in Liberal-Democratic Thought.” *The Journal of Politics* 44, no. 1 (1982): 21–40.
- Eddy, Melissa. “Europe’s Governing Body for Soccer Rejects Plan to Light Stadium in Protest.” *The New York Times* June 23rd 2021, Section A, 9.
- Ellerby, Kara. *No Shortcut to Change: An Unlikely Path to a More Gender-Equitable World*. New York: New York University Press, 2017.
- Ersungur, Orçun, and Paul de Vries. “LHBTI-Diversiteit in de Boardroom in de VS, het VK en Nederland.” In *Diversiteit: Een Multidisciplinaire Terreinverkenning*, edited by Claartje Bulten, Charlotte Perquin-Deelen, Mijke Sinninghe Damsté, and Koen Bakker, 71–85. Deventer: Wolters Kluwer, 2020.
- European Union Agency for Fundamental Rights. *Experiences and Perceptions of Antisemitism: Second Survey on Discrimination and Hate Crime against Jews in the EU*. Luxembourg: European Union Agency for Fundamental Rights, 2018.
- Evans, Carolyn. “Religious Speech That Undermines Gender Equality.” In *Extreme Speech and Democracy*, edited by Ivan Hare and James Weinstein, 357–74. Oxford: Oxford University Press, 2009.
- Fawcett, Edmund. *Liberalism: The Life of an Idea*. Princeton: Princeton University Press, 2018.
- Februari, Maxim. *De Maakbare Man: Notities over Transseksualiteit*. Amsterdam: Prometheus, 2013.
- . “Verschil tussen Goed en Fout Universitair Geschmier.” *NRC Handelsblad* June 30th 2020, *Opinie*, 18.
- Feinberg, Joel. *The Moral Limits of the Criminal Law – Volume 1: Harm to Others*. New York: Oxford University Press, 1984.
- Fineman, Martha. *The Illusion of Equality: The Rhetoric and Reality of Divorce*

Bibliography

- Reform*. Chicago: University of Chicago Press, 1994.
- . “Contract and Care.” *Chicago-Kent Law Review* 76, no. 3 (2001): 1403–40.
- . *The Autonomy Myth: A Theory of Dependency*. New York: The New Press, 2005.
- . “The Vulnerable Subject: Anchoring Equality in the Human Condition.” *Yale Journal of Law and Feminism* 20, no. 1 (2008): 1–23.
- . “The Vulnerable Subject and the Responsive State.” *Emory Law Review* 60, no. 2 (2010): 251–75.
- . “Beyond Identities: The Limits of an Antidiscrimination Approach to Equality.” *Boston University Law Review* 92, no. 6 (2012): 1713–70.
- . “Equality, Autonomy, and the Vulnerable Subject in Law and Politics.” In *Vulnerability: Reflections on a New Ethical Foundation for Law and Politics*, edited by Martha Fineman and Anna Grear, 13–27. Farnham: Ashgate Publishing, 2013.
- . “Vulnerability, Resilience, and LGBT Youth.” *Temple Political & Civil Rights Law Review* 23, no. 2 (2014): 307–30.
- . “Vulnerability and Inevitable Inequality.” *Oslo Law Review* 4, no. 3 (2017): 133–149.
- . “Beyond Equality and Discrimination.” *SMU Law Review Forum* 73, no. 1 (2020): 51–62.
- Fineman, Martha, and Anna Grear. “Introduction: Vulnerability as Heuristic - An Invitation to Future Exploration.” In *Vulnerability: Reflections on a New Ethical Foundation for Law and Politics*, edited by Martha Fineman and Anna Grear, 1–11. Farnham: Ashgate Publishing, 2013.
- Fish, Stanley. *There’s No Such Thing As Free Speech*. Oxford: Oxford University Press, 1994.
- . *The Trouble with Principle*. Cambridge: Harvard University Press, 1999.
- Fiss, Owen. “The Fate of an Idea Whose Time Has Come: Antidiscrimination Law in the Second Decade after *Brown v. Board of Education*.” *The University of Chicago Law Review* 41, no. 4 (1974): 742–73.
- . *The Irony of Free Speech*. Cambridge: Harvard University Press, 1996.
- Follesdal, Andreas. “Appreciating the Margin of Appreciation.” In *Human Rights: Moral Or Political?*, edited by Adam Etinson, 269–94.

- Oxford: Oxford University Press, 2018.
- Fone, Byrne. *Homophobia: A History*. New York: Henry Holt & Co, 2000.
- Foran, Michael. "Discrimination as an Individual Wrong." *Oxford Journal of Legal Studies* 39, no. 3 (2019): 901–29.
- Forrester, Katrina. *In the Shadow of Justice: Postwar Liberalism and the Remaking of Political Philosophy*. Princeton: Princeton University Press, 2019.
- Fortier, Jeremy. "Can Liberalism Lose the Enlightenment?" *The Journal of Politics* 72, no. 4 (2010): 1003–1013.
- Fortuin, Arjen. "Rietdijk." *NRC Handelsblad* February 12th 1999, Boeken, 32.
- Francis, Leslie, and Anita Silvers. "Liberalism and Individual Scripted Ideas of the Good: Meeting the Challenge of Dependent Agency." *Social Theory and Practice* 33, no. 2 (2007): 311–34.
- Fredrickson, George. *Racism: A Short History*. Princeton: Princeton University Press, 2002.
- Freeden, Michael. *The New Liberalism: An Ideology of Social Reform*. Oxford: Oxford University Press, 1986.
- . *Liberalism: A Very Short Introduction*. Oxford: Oxford University Press, 2015.
- Frick, Marie-Luisa. *Human Rights and Relative Universalism*. London: Palgrave MacMillan, 2019.
- Fris, Pieter, Auke Witkamp, and Gregor Walz. *Meer Kansen voor Mensen met een Arbeidsbeperking? Evaluatie Wet Banenafspraak en Quotum Arbeidsbeperkten*. Zoetermeer: Panteia, 2019.
- Fukuyama, Francis. *Political Order and Political Decay: From the Industrial Revolution to the Globalisation of Democracy*. New York: Farrar, Straus and Giroux, 2014.
- . *Identity: Contemporary Identity Politics and the Struggle for Recognition*. London: Profile Books, 2018.
- Fuller, Lon. *The Morality of Law*. New Haven: Yale University Press, 1969.
- Gahringer, Robert. "Liberalism and Humanism." *Ethics* 66, no. 1 (1955): 36–50.
- Galenkamp, Marlies. *Individualism versus Collectivism: The Concept of Collective Rights*. Rotterdam: RFS, 1993.
- Galle, Annika. "Diversiteit binnen de Top van Ondernemingen: Beschermenswaardige of Ondervertegenwoordigde Partijen." *Arx Aequi* 69, no. 5 (2020): 495–501.
- Galston, William. "Two Concepts of Liberalism." *Ethics* 105, no. 3

Bibliography

- (1995): 516–34.
- Gardner, John. “Crime: In Proportion and Perspective.” In *Fundamentals of Sentencing Theory: Essays in Honour of Andrew von Hirsch*, edited by Andrew Ashworth and Martin Wasik, 31–52. Oxford: Clarendon Press, 1998.
- Gelber, Katharine. “Nussbaum’s Capabilities Approach and Freedom of Speech.” In *The Capability Approach: Development Practice and Public Policy in the Asia-Pacific Region*, edited by Francesca Panzironi and Katharine Gelber, 38–51. New York: Routledge, 2012.
- Gerards, Janneke. “Descriptieve Representatie als Rechtvaardiging voor Voorkeursbeleid.” *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin* 30, no. 5 (2005): 626–41.
- Ghanea, Nazila. “Intersectionality and the Spectrum of Racist Hate Speech: Proposals to the UN Committee on the Elimination of Racial Discrimination.” *Human Rights Quarterly* 35, no. 4 (2013): 935–54.
- Giustiniani, Vito. “Homo, Humanus, and the Meanings of ‘Humanism.’” *Journal of the History of Ideas* 46, no. 2 (1985): 167–95.
- Goldberg, Suzanne. “Discrimination by Comparison.” *Yale Law Journal* 120, no. 4 (2011): 728–812.
- Gopnik, Adam. *A Thousand Small Sanities: The Moral Adventure of Liberalism*. London: Riverrun, 2019.
- Gordley, James. *Foundations of Private Law: Property, Tort, Contract, Unjust Enrichment*. Oxford: Oxford University Press, 2006.
- Gordon, Joy. “The Concept of Human Rights: The History and Meaning of Its Politicization.” *Brooklyn Journal of International Law* 23, no. 3 (1998): 689–791.
- Graven, Wieteke, Marie-Lise van Veenstra, and Nienke Beuwer. “Het Potentieel Pakken: De Waarde van Meer Gelijkheid tussen Mannen en Vrouwen op de Nederlandse Arbeidsmarkt.” In *Diversiteit: Een Multidisciplinaire Terreinverkenning*, edited by Claartje Bulten, Charlotte Perquin-Deelen, Mijke Sinnighe Damsté, and Koen Bakker, 105–32. Deventer: Wolters Kluwer, 2020.
- Grayling, Anthony. *Towards the Light: The Story of the Struggles for Liberty and Rights that Made the Modern West*. London: Bloomsbury, 2014.
- Green, Thomas. “Liberal Legislation and Freedom of Contract.” In *The Liberty Reader*, edited by David Miller, 21–32. New York: Routledge, 2006.
- Griffioen, Henk, and Corien Prins. “Een Dure Plicht.” *Nederlands*

- Juristenblad* 87, no. 22 (2012): 1504–9.
- Grimm, Dieter. “Grundrechte und Soziale Wirklichkeit.” In *Grundrechte und Soziale Wirklichkeit*, edited by Winfried Hassemer, Wolfgang Hoffmann-Riem, and Jutta Limbach, 39–76. Baden-Baden: Nomos, 1982.
- . *Constitutionalism: Past, Present, and Future*. Oxford: Oxford University Press, 2016.
- Gruen, Erich. “Thucydides, His Critics and Interpreters.” *The Journal of Interdisciplinary History* 1, no. 2 (1971): 327–37.
- Gurbuz, Mustafa. “Identity Politics.” In *Encyclopedia of Social Problems*, edited by Vincent Parrillo, 467–69. London: Sage Publications, 2008.
- Habermas, Jürgen. “Struggles for Recognition in the Democratic Constitutional State.” In *Multiculturalism: Examining the Politics of Recognition*, edited by Amy Gutmann, 107–148. Princeton: Princeton University Press, 1994.
- . *Die Einbeziehung des Anderen: Studien zur Politischen Theorie*. Frankfurt: Suhrkamp Verlag, 1999.
- Hannum, Hurst. *Rescuing Human Rights: A Radically Moderate Approach*. Cambridge: Cambridge University Press, 2019.
- Hasan, Romy. *Modern Europe and the Enlightenment*. Eastborne: Sussex Academic Press, 2021.
- Hawley, George. *Making Sense of the Alt-Right*. New York: Columbia University Press, 2017.
- Hayek, Friedrich von. *The Political Idea of the Rule of Law*. Cairo: National Bank of Egypt, 1955.
- . *The Constitution of Liberty*. Chicago: The University of Chicago Press, 2011.
- Häyry, Matti. *Rationality and the Genetic Challenge: Making People Better?* Cambridge: Cambridge University Press, 2006.
- Heijstek-Hofman, Angelique, Marije van Amelsvoort, and Monique van Dijk-Groeneboer. “Levensbeschouwelijke Vorming in het Openbaar Voortgezet Onderwijs.” *Tijdschrift voor Religie, Recht en Beleid* 13, no. 1 (2022): 34–49.
- Heinze, Eric. “The Construction and Contingency of the Minority Concept.” In *Minority and Group Rights in the New Millennium*, edited by Deirdre Fottrell and Bill Bowring, 25–74. The Hague: Martinus Nijhoff, 1999.
- . “View Point Absolutism and Hate Speech.” *Modern Law Review*

Bibliography

- 69, no. 4 (2006): 543-582.
- . “Cumulative Jurisprudence and Hate Speech: Sexual Orientation and Analogies to Disability, Age, and Obesity.” In *Extreme Speech and Democracy*, edited by Ivan Hare and James Weinstein, 265–85. Oxford: Oxford University Press, 2009.
- . *Hate Speech and Democratic Citizenship*. Oxford: Oxford University Press, 2016.
- Held, David. *Models of Democracy*. Oxford: Wiley, 2006.
- Heri, Corina. “Shaping Coercive Obligations through Vulnerability: The Example of the ECtHR.” In *Coercive Human Rights: Positive Duties to Mobilise the Criminal Law under the ECHR*, edited by Laurens Lavrysen and Natasa Mavronicola, 93–116. London: Bloomsbury, 2020.
- Herrenberg, Tom. “Van Nashville tot Staphorst: Over Homoseksualiteit, Genderidentiteit, en de Uitingsvrijheid van Orthodoxe Gelovigen.” *Nederlands Juristenblad* 94, no. 25 (2019): 1796–1801.
- Hertogh, Marc. “The Living Rechtsstaat: A Bottom-Up Approach to Legal Ideals and Social Reality.” In *The Importance of Ideals: Debating Their Relevance in Law, Morality, and Politics*, edited by Wibren van der Burg and Sanne Taekema, 75–95. Brussels: P.I.E.-Peter Lang, 2004.
- Heuschling, Luc. *État de Droit, Rechtsstaat, Rule of Law*. Paris: Dalloz, 2002.
- Holder, Ross. “On the Interrelatedness of Human Rights, Culture and Religion: Considering the Significance of Cultural Rights in Protecting the Religious Identity of China’s Uyghur Minority.” *The International Journal of Human Rights* 25, no. 5 (2021): 771–92.
- Holtmaat, Rikki. *Grenzen aan Gelijkheid*. The Hague: Boom Juridische Uitgevers, 2004.
- Holtmaat, Rikki, and Guido Terpstra. “Leve de Pluriformiteit bij de Discriminatiebestrijding: Een Kritiek op het Ideaal van een Uniforme Aanpak van Verschillende Discriminatiegronden.” *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin* 36, no. 2 (2011): 159–73.
- Honneth, Axel. “Redistribution as Recognition: A Response to Nancy Fraser.” In *Redistribution or Recognition? A Political-Philosophical Exchange*, edited by Nancy Fraser and Axel Honneth, 110–97. New York: Verso, 2003.
- . *Reification: A New Look at an Old Idea*. Oxford: Oxford University Press, 2005.
- Hooge, Edith, Iliass El Hadioui, Pieter Huisman, Jasmijn Kester, Esmah

- Lahlah, René Kneyber, Daisy Mertens, et al. *Grenzen Stellen, Ruimte Laten: Artikel 23 Grondwet in het Licht van de Democratische Rechtsstaat*. The Hague: Onderwijsraad, 2021.
- Houtzager, Dick. "Civielrecht." In *Met Recht Discriminatie Bestrijden*, edited by Carolina de Fey, Aranka Kellermann, and Jacky Nieuwboer, 115–29. The Hague: Boom Juridische Uitgevers, 2004.
- Houtzager, Dick, and Annejet Swarte. "Gelijke Behandeling; de Balans Opgemaakt." *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin* 40, no. 2 (2015): 165–91.
- Hunt, Lynn. *Inventing Human Rights: A History*. New York: Norton, 2007.
- Ignatieff, Michael. *Human Rights as Politics and Idolatry*. Princeton: Princeton University Press, 2003.
- Isaac, Benjamin. *The Invention of Racism in Classical Antiquity*. Princeton: Princeton University Press, 2013.
- Ishay, Micheline. "What Are Human Rights? Six Historical Controversies." *Journal of Human Rights* 3, no. 3 (2004): 359–71.
- Israel, Jonathan. *A Revolution of the Mind: Radical Enlightenment and the Intellectual Origins of Modern Democracy*. Princeton: Princeton University Press, 2009.
- Jansen, Briain. "Dworkin's Rights Conception of the Rule of Law in Criminal Law: Should Criminal Law Be Extensively Interpreted in Order to Protect Victims' Rights?" *Netherlands Journal of Legal Philosophy* 46, no. 2 (2017): 160–76.
- Jansen, Corjo. "De Lex-Van Oven: 50 Jaar Opheffing Handelsonbekwaamheid van de Gehuwde Vrouw." *Nederlands Juristenblad* 81, no. 23 (2006): 1256–60.
- Janssen, Esther. *Faith in Public Debate: On Freedom of Expression, Hate Speech, and Religion in France & the Netherlands*. Cambridge: Intersentia, 2015.
- . "Strafbaarstelling van Groepsbelediging en Haatzaaien Afschaffen?" *Nederlands Juristenblad* 91, no. 7 (2016): 450–57.
- Janssens, Fred, and Aernout Nieuwenhuis. *Uitingsdelicten*. Deventer: Kluwer, 2005.
- Jaspers, Karl. *Inleiding in de Filosofie*, translated by Mark Wildschut. Nijmegen: VanTilt, 2013.
- Jones, Peter. "Human Rights, Group Rights, and Peoples' Rights." *Human Rights Quarterly* 21, no. 1 (1999): 80–107.
- Joris, Margot. "Burgers in de Maak? Burgerschapsvorming op School Anders Bekeken." *Pedagogische Studiën* 98, no. 3 (2021): 221–35.

Bibliography

- Jurgens, Erik. "Het Verschil tussen Rechtsstaat en Rule of Law." *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin* 36, no. 8 (2011): 867–72.
- Kampen, Marco Van, and Serge Sekhuis. "Het Online Offensief van de Brozen." *De Limburger*, August 12th 2020, Corona, 16–17.
- Kant, Immanuel. *The Metaphysics of Morals*. Translated by Mary Gregor. Cambridge: Cambridge University Press, 1991.
- Kapur, Ratna. "Human Rights in the 21st Century: Take a Walk on the Dark Side." *The Sydney Law Review* 28, no. 4 (2006): 665–87.
- Kaufmann, Katharina. "Conflict in Political Liberalism: Judith Shklar's Liberalism of Fear." *Res Publica* 26, no. 4 (2020): 577–595.
- Kelemen, Roger. "Judicialisation, Democracy and European Integration." *Journal of Representative Democracy* 49, no. 3 (2013): 295–308.
- Kellermann, Aranka. "Begrippen en Definities." In *Met Recht Discriminatie Bestrijden*, edited by Carolina de Fey, Aranka Kellermann, and Jacky Nieuwboer, 19–32. The Hague: Boom Juridische uitgevers, 2004.
- . "Algemene Wet Gelijke Behandeling." In *Met Recht Discriminatie Bestrijden*, edited by Carolina de Fey, Aranka Kellermann, and Jacky Nieuwboer, 131–42. The Hague: Boom Juridische Uitgevers, 2004.
- Kelsen, Hans. "What Is Justice." In *What Is Justice? Justice, Law, and Politics in the Mirror of Science*, edited by Hans Kelsen, 1–24. Berkeley: University of California Press, 1971.
- Kennedy, David. "The International Human Rights Movement: Part of the Problem?" *European Human Rights Law Review* 6, no. 3 (2001): 245–67.
- Kennedy, Duncan. "Form and Substance in Private Law Adjudication." *Harvard Law Review* 89, no. 8 (1976): 1685–1778.
- . "The Stages of the Decline of the Public/Private Distinction." *University of Pennsylvania Law Review* 130, no. 6 (1982): 1349–57.
- Khaitan, Tarunabh. *A Theory of Discrimination Law*. Oxford: Oxford University Press, 2015.
- Kirby, Peadar. *Vulnerability and Violence: The Impact of Globalization*. London: Pluto Press, 2006.
- Kis, János. "State Neutrality." In *Comparative Constitutional Law*, edited by Michel Rosenfeld and András Sajó, 318–35. Oxford: Oxford University Press, 2012.
- Klemperer, Victor. *LTI: Notizbuch Eines Philologen*. Berlin: Aufbau-Verlag, 1947.

- Kohn, Nina. "Vulnerability Theory and the Role of Government." *Yale Journal of Law and Feminism* 26, no. 1 (2014): 1–27.
- Koskenniemi, Martti. *The Politics of International Law*. Portland: Hart Publishing, 2011.
- Kotkas, Toomas, Ingrid Leijten, and Frans Pennings. *Specifying and Securing a Social Minimum in the Battle against Poverty*. Portland: Hart Publishing, 2019.
- Kroes, Marianne. "Hoe (On)Gelijk Is Gelijk: Het Recht op Gelijke Behandeling van Gehandicapten en Chronisch Zieken." In *De Toekomst van Gelijkeheid: De Juridische en Maatschappelijke Inbedding van de Gelijkebehandelingsnorm*, edited by Rikki Holtmaat, 99–114. Utrecht: Kluwer, 2000.
- Krommendijk, Jasper, and Rick Lawson. "Mensenrechtenmens." *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin* 45, no. 3 (2020): 381–91.
- Krygier, Martin. "Rule of Law (and Rechtsstaat)." In *The Legal Doctrines of the Rule of Law and the Legal State (Rechtsstaat)*, edited by James Silkenat, James Hickey, and Peter Barenboim, 45–59. Cham: Springer, 2014.
- . "The Rule of Law: Pasts, Presents, and Two Possible Futures." *Annual Review of Law and Social Science* 12, no. 1 (2016): 199–229.
- Kuyper, Lisette. *Transgender Personen in Nederland*. The Hague: Sociaal en Cultureel Planbureau, 2017.
- Kwak, Arie-Jan. "Making the World Safe for Democracy: Freedom of Speech and Modern Democracy." In *Freedom of Speech under Attack*, edited by Afshin Ellian and Geliijn Molier, 255–67. The Hague: Eleven International Publishing, 2015.
- Kymlicka, Will. "Liberal Individualism and Liberal Neutrality." *Ethics* 99, no. 4 (1989): 883–905.
- . *Multicultural Citizenship: A Liberal Theory of Minority Rights*. Oxford: Oxford University Press, 1995.
- . *Contemporary Political Philosophy: An Introduction*. Oxford: Oxford University Press, 2002.
- Landfried, Christine. "Introduction." In *Judicial Power: How Constitutional Courts Affect Political Transformations*, edited by Christine Landfried, 1–18. Cambridge: Cambridge University Press, 2019.
- Langen, Annemarie van. *Unequal Participation in Mathematics and Science Education*. Apeldoorn: Garant, 2005.
- Larmore, Charles. *The Morals of Modernity*. Cambridge: Cambridge

Bibliography

- University Press, 1996.
- Law, Stephen. *Humanism: A Very Short Introduction*. Oxford: Oxford University Press, 2011.
- Lee, Roy van der. “Oss Hijst Regenboogvlag tegen Nashville-Verklaring.” *Brabants Dagblad* January 9th 2019, 2.
- Lefort, Claude. “Mensenrechten & De Verzorgingsstaat.” In *Wat Is Politiek?*, edited by Pol Van de Wiel and Bart Verheijen, 244–84. Amsterdam: Boom, 2016.
- Leigh, Ian. “Homophobic Speech, Equality Denial, and Religious Expression.” In *Extreme Speech and Democracy*, edited by Ivan Hare and James Weinstein, 375–99. Oxford: Oxford University Press, 2009.
- Leijten, Ingrid. “Indivisible Human Rights and Core Social Rights Protection under the ECHR.” *Zeitschrift für Menschenrechte* 11, no. 1 (2017): 74–91.
- . *Core Socio-Economic Rights and the European Court of Human Rights*. Cambridge: Cambridge University Press, 2018.
- . “The Right to Minimum Subsistence and Property Protection under the ECHR: Never the Twain Shall Meet?” *European Journal of Social Security* 21, no. 4 (2019): 307–25.
- Lemarchand, René. “Myth-Making and the Rationality of Mass Murder.” *African Studies Bulletin* 66, no. 3 (2004): 31–43.
- . “Unsimplicifying Darfur.” *Genocide Studies and Prevention: An International Journal* 1, no. 1 (2006): 1–12.
- Lennarts, Loes. “Meer Vrouwen in de Bestuurskamer via Boek 2 BW? Over Streefcijfers, Quota en de Beperkingen van Wetgeving.” In *Diversiteit: Een Multidisciplinaire Terreinverkenning*, edited by Claartje Bulten, Charlotte Perquin-Deelen, Mijke Sinninghe Damsté, and Koen Bakker, 155–93. Deventer: Wolters Kluwer, 2020.
- Lestrade, Sjarai. *De Strafbbaarstelling van Arbeidsuitbuiting in Nederland*. Deventer: Wolters Kluwer, 2018.
- Leusden, Kirsten van. “Nood Maakt Wet: Op Weg naar een Evenwichtige Man/Vrouw-Verhouding in de Top van het Nederlandse Bedrijfsleven?” *Maandblad voor Ondernemingsrecht* 7, no. 5–6 (2021): 180–89.
- Lindenbergh, Siewert. “The Constitutionalisation of Private Law in the Netherlands.” In *Constitutionalisation of Private Law*, edited by Tom Barkhuysen and Siewert Lindenbergh, 97–128. Leiden: Martinus Nijhoff, 2006.

- Lippert-Rasmussen, Kasper. *Born Free and Equal? A Philosophical Inquiry into the Nature of Discrimination*. Oxford: Oxford University Press, 2014.
- Locke, John. "A Letter Concerning Toleration." In *Two Treatises of Government and A Letter Concerning Toleration*, edited by Ian Shapiro, 211–54. New Haven: Yale University Press, 2003.
- Loof, Jan-Peter. "Toekomstige Uitdagingen voor het Gelijkebehandelingsrecht." *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin* 45, no. 2 (2020): 251–77.
- Losurdo, Domenico. *Liberalism: A Counter-History*. Translated by Gregory Elliot. New York: Verso, 2011.
- Louden, Robert. *The World We Want: How and Why the Ideals of the Enlightenment Still Elude Us*. Oxford: Oxford University Press, 2007.
- Loughlin, Martin. *Foundations of Public Law*. Oxford: Oxford University Press, 2010.
- Lückerath-Rovers, Mijntje. "Een Analyse van 'Pas Toe of Leg Uit' van het Streefgetal bij Nederlandse Beursvennootschappen." In *Diversiteit: Een Multidisciplinaire Terreinverkenning*, edited by Claartje Bulten, Charlotte Perquin-Deelen, Mijke Sinninghe Damsté, and Koen Bakker, 217–35. Deventer: Wolters Kluwer, 2020.
- Macintyre, Alasdair. *Whose Justice? Which Rationality?* Notre Dame: University of Notre Dame Press, 1989.
- . *After Virtue*. London: Bloomsbury, 2011.
- MacKinnon, Catherine. "Substantive Equality: A Perspective." *Minnesota Law Review* 96, no. 1 (2011): 1–27.
- Malik, Maleiha. "Extreme Speech and Liberalism." In *Extreme Speech and Democracy*, edited by Ivan Hare and James Weinstein, 96–120. Oxford: Oxford University Press, 2009.
- Mann, Charles. *1493: How Europe's Discovery of the Americas Revolutionized Trade, Ecology and Life on Earth*. London: Granta, 2011.
- Margalit, Avishai. *The Decent Society*. Cambridge: Harvard University Press, 1996.
- Massey, Calvin. "Hate Speech, Cultural Diversity, and the Foundational Paradigms of Free Expression." *UCLA Law Review* 40, no. 1 (1992): 103–97.
- Mavronicola, Natasa, and Laurens Lavrysen. "Coercive Human Rights: Introducing the Sharp Edge of the European Convention on Human Rights." In *Coercive Human Rights: Positive Duties to Mobilise the Criminal Law under the ECHR*, edited by Laurens Lavrysen and

Bibliography

- Natasa Mavronicola, 1–26. London: Bloomsbury, 2020.
- Mbongo, Pascal. “Hate Speech, Extreme Speech, and Collective Defamation in French Law.” In *Extreme Speech and Democracy*, edited by Ivan Hare and James Weinstein, 221–36. Oxford: Oxford University Press, 2009.
- McCrudden, Christopher. “Human Dignity and Judicial Interpretation of Human Rights.” *European Journal of International Law* 19, no. 4 (2008): 655–724.
- Meeks, Suzanne. “Gerontology in a Time of Pandemic: An Introduction to the Special Collection.” *The Gerontologist* 61, no. 1 (2021): 1–2.
- Mieder, Wolfgang. “‘It Takes a Village to Change the World’: Proverbial Politics and the Ethics of Place.” *The Journal of American Folklore* 124, no. 492 (2011): 4–28.
- Mill, John Stuart. “Utilitarianism.” In *On Liberty, Utilitarianism and Other Essays*, edited by Mark Philp and Frederick Rosen, 113–77. Oxford: Oxford University Press, 2015.
- Mills, Charles. *Black Rights/White Wrongs: The Critique of Racial Liberalism*. Oxford: Oxford University Press, 2017.
- Minow, Martha. *Making All the Difference: Inclusion, Exclusion, and American Law*. Ithaca: Cornell University Press, 1990.
- . *Not Only for Myself: Identity, Politics, and the Law*. New York: New Press, 1997.
- Mishra, Pankaj. *Age of Anger: A History of the Present*. London: Penguin Books, 2017.
- Molier, Gelijk. “De Vrijheid van Meningsuiting: ‘Its Politics All the Way Down.’” In *Mag Ik Dit Zeggen? Beschouwingen over de Vrijheid van Meningsuiting*, edited by Afshin Ellian, Gelijk Molier, and Tom Zwart, 205–42. The Hague: Boom Bestuurskunde, 2011.
- . “Freedom of Speech: ‘It’s Politics All the Way Down.’” In *Freedom of Speech under Attack*, edited by Afshin Ellian and Gelijk Molier, 63–75. The Hague: Eleven International Publishing, 2015.
- Molier, Gelijk, Bastiaan Rijpkema, and Jip Stam. “Wilders II: Het Onverdraagzaamheids criterium Toegepast door de Hoge Raad.” *Nederlands Juristenblad* 96, no. 42 (2021): 3462–70.
- Monbiot, George. *Out of the Wreckage: A New Politics for an Age of Crisis*. London: Verso, 2017.
- More, Thomas. “Utopia.” In *Three Early Modern Utopias: Utopia, New Atlantis, The Isle of Pines*, edited by Susan Bruce, 1–148. Oxford: Oxford University Press, 1999.

- Moreau, Sophia. "What Is Discrimination?" *Philosophy & Public Affairs* 38, no. 2 (2010): 143–79.
- Morozov, Evgeny. *To Save Everything Click Here: Technology, Solutions and the Urge to Fix Problems that Don't Exist*. London: Penguin Books, 2014.
- Mounk, Yascha. *The People vs. Democracy: Why Our Freedom Is in Danger and How to Save It*. Cambridge: Harvard University Press, 2019.
- Mourik, Martin van, and André Nuytinck. *Personen- en Familierecht, Huwelijksvermogensrecht en Erfrecht*. Deventer: Kluwer, 2006.
- Moyn, Samuel. *The Last Utopia: Human Rights in History*. Cambridge: Harvard University Press, 2012.
- . *Not Enough: Human Rights in an Unequal World*. Cambridge: Harvard University Press, 2018.
- . "Before — and Beyond — the Liberalism of Fear." In *Between Utopia and Realism: The Political Thought of Judith N. Shklar*, edited by Samantha Ashenden and Andreas Hess, 24–46. Philadelphia: University of Pennsylvania Press, 2019.
- Mudde, Cas, and Cristóbal Kaltwasser. *Populism: A Very Short Introduction*. Oxford: Oxford University Press, 2017.
- Müller, Jan-Werner. *Furcht und Freiheit: Für einen Anderen Liberalismus*. Berlin: Suhrkamp Verlag, 2019.
- Murphy, Colleen. "Lon Fuller and the Moral Value of the Rule of Law." *Law and Philosophy* 24, no. 3 (2005): 239–62.
- Mustafa, Nawal, and Anya Topolski. "Race in Relation to Law and Politics." In *Diversiteit: Een Multidisciplinaire Terreinverkenning*, edited by Claartje Bulten, Charlotte Perguin-Deelen, Mijke Sinnighe Damsté, and Koen Bakker, 232–342. Deventer: Wolters Kluwer, 2020.
- Nagel, Thomas. "Rawls and Liberalism." In *The Cambridge Companion to Rawls*, edited by Samuel Freedman, 62–85. Cambridge: Cambridge University Press, 2003.
- Nan, Joost. *Het Lex Certa-Beginsel*. The Hague: SDU Uitgevers, 2011.
- Nardo, Don. *Women of Ancient Greece*. San Diego: Lucent Books, 2000.
- Naucke, Wolfgang. *Über Generalklauseln und Rechtsanwendung im Strafrecht*. Tübingen: Mohr, 1973.
- Newey, Gien. *The Routledge Guidebook to Hobbes' Leviathan*. New York: Routledge, 2014.
- Nieuwboer, Jacky, and Carolina de Fey. "Strafrecht." In *Met Recht Discriminatie Bestrijden*, edited by Carolina de Fey, Aranka Kellermann, and Jacky Nieuwboer, 65–104. The Hague: Boom

Bibliography

- Juridische uitgevers, 2004.
- Nieuwenhuis, Aernout. "An Indefinable Hatred: Some Comparative Law Remarks about the Dutch Criminal Offence of Incitement to Hatred." In *Freedom of Speech under Attack*, edited by Afshin Ellian and Gelijk Molier, 39–61. The Hague: Eleven International Publishing, 2015.
- . *Over de Grens van de Vrijheid van Meningsuiting*. Nijmegen: Ars Aequi Libri, 2015.
- . "Democratie, Groepsbelediging en Haatzaaien." *Ars Aequi* 65, no. 11 (2016): 821–24.
- Nieuwenhuis, Aernout, Maarten Den Heijer, and Wouter Hins. *Hoofdstukken Grondrechten*. Nijmegen: Ars Aequi Libri, 2017.
- Nieuwenhuis, Hans. *Waarom Is het Recht op Aarde?* The Hague: Boom Juridische Uitgevers, 2006.
- Nolan, Donal. "A Right to Meritorious Treatment." In *Understanding Human Rights*, edited by Conor Gearty and Adam Tomkins, 239–65. New York: Mansell, 1996.
- Noorloos, Marloes van. *Hate Speech Revisited: A Comparative and Historical Perspective on Hate Speech Law in the Netherlands and England & Wales*. Cambridge: Intersentia, 2011.
- . "De Ideeën achter Hate Speech-Wetgeving in Nederland: Een Historisch Perspectief." *Tijdschrift voor Constitutioneel Recht* 3, no. 4 (2012): 352–75.
- . "Herziening van het Strafrecht over Groepsbelediging en Haatzaaien." *Mediaforum* 27, no. 5 (2015): 162–71.
- . "Het Strafrecht en de Bescherming van Minderheden: Een Haat-Liefde Verhouding?" *Nederlands Juristenblad* 90, no. 42 (2015): 2935–42.
- Norman, Richard. *On Humanism*. London: Routledge, 2004.
- Norris, Pippa, and Ronald Inglehart. *Backlash: Trump, Brexit, and Authoritarian Populism*. Cambridge: Cambridge University Press, 2019.
- NRC Redactie. "Rutte Zette Aan tot Discriminatie." *NRC Handelsblad* May 21st 2007, Binnenland, 3.
- . "Racismeprotest Houdt Nederland Spiegel Voor." *NRC Handelsblad* June 5th 2020, Opinie, 17.
- Nussbaum, Martha. "Human Functioning and Social Justice: In Defence of Aristotelian Essentialism." *Political Theory* 20, no. 2 (1992): 202–46.

- . *Sex and Social Justice*. New York: Oxford University Press, 1999.
- . *Women and Human Development: The Capabilities Approach*. Cambridge: Cambridge University Press, 2000.
- . *Frontiers of Justice: Disability, Nationality, Species Membership*. Cambridge: Harvard University Press, 2006.
- . *From Disgust to Humanity: Sexual Orientation and Constitutional Law*. Oxford: Oxford University Press, 2010.
- . “Perfectionist Liberalism and Political Liberalism.” *Philosophy & Public Affairs* 39, no. 1 (2011): 3–45.
- . *Political Emotions: Why Love Matters for Justice*. Cambridge: Harvard University Press, 2015.
- . *Not for Profit: Why Democracy Needs the Humanities*. Princeton: Princeton University Press, 2016.
- . *The Monarchy of Fear: A Philosopher Looks at Our Political Crisis*. Oxford: Oxford University Press, 2018.
- O’Mahony, Connor. “There Is No Such Thing as a Right to Dignity.” *International Journal of Constitutional Law* 10, no. 2 (2012): 551–74.
- O’Neil, Cathy. *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy*. London: Penguin Books, 2017.
- Oldenhuis, Fokko. “Nashville-Verklaring: Over de Grenzen van de Vrijheid van Godsdienst.” *Nederlands Juristenblad* 94, no. 6 (2019): 397–99.
- Oldenhuis, Fokko, Jan Brouwer, Dana Wegerif, and Fabian Keijzer. *Schurende Relaties tussen Recht en Religie*. Assen: Koninklijke Van Gorcum, 2007.
- Owens, Patricia. “Racism in the Theory Canon: Hannah Arendt and ‘The One Great Crime in Which America Was Never Involved?’” *Millennium* 45, no. 3 (2017): 403–24.
- Palazzi, Franco. “‘Reflections on Little Rock’ and Reflexive Judgement.” *Philosophical Papers* 46, no. 3 (2017): 389–441.
- Petrov, Alexander, and Alexey Zyryanov. “Formal-Dogmatic Approach in Legal Science in Present Conditions.” *Journal of Siberian Federal University* 6, no. 11 (2018): 968–73.
- Phillips, Anne. *Feminism and Politics*. Oxford: Oxford University Press, 1998.
- Phipps, Alison. *Me, Not You: The Trouble with Mainstream Feminism*. Manchester: Manchester University Press, 2020.
- Pincus, Steve, and James Robinson. “Wars and State-Making Reconsidered: The Rise of the Developmental State.” *Annales*.

Bibliography

- Histoire, Sciences Sociales* 71, no. 1 (2016): 9–34.
- Pinker, Steven. *Enlightenment Now: The Case for Reason, Science, Humanism, and Progress*. New York: Viking, 2018.
- Pinto, Mattia. “Awakening the Leviathan through Human Rights Law: How Human Rights Bodies Trigger the Application of Criminal Law.” *Utrecht Journal of International and European Law* 34, no. 2 (2018): 161–184.
- Plattner, Marc. “Illiberal Democracy and the Struggle on the Right.” *Journal of Democracy* 30, no. 1 (2019): 5–19.
- Pollock, Frederick. *A First Book of Jurisprudence*. London: MacMillan, 1929.
- Poorter, Jurgen de, and Marjolein van Roosmalen. *Rol en Betekenis van de Grondwet: Constitutionele Toetsing in Relatie tot de Raad van State*. The Hague: Raad van State, 2010.
- Popper, Karl. *The Open Society and Its Enemies*. London: Routledge, 2011.
- Pratt, John, and Michelle Miao. “From Protecting Individual Rights to Protecting the Public.” In *Populism and the Crisis of Democracy – Volume 2: Politics, Social Movements and Extremism*, edited by Gregor Fitzzi, Jürgen Mackert, and Bryan Turner, 47–63. New York: Routledge, 2019.
- Prins, Richard. “Wetsvoorstel Aanscherping Burgerschapsopdracht: Another Brick in the Wall?” *Tijdschrift voor Constitutioneel Recht* 12, no. 3 (2021): 189–207.
- Quinton, Anthony. “Introduction.” In *Political Philosophy*, edited by Anthony Quinton, 1–18. London: Oxford University Press, 1967.
- Raat, Caroline. “Stories and Ideals.” In *The Importance of Ideals: Debating Their Relevance in Law, Morality, and Politics*, edited by Wibren van der Burg and Sanne Taekema, 97–115. Brussels: P.I.E.-Peter Lang, 2004.
- Raday, Frances. “Article 4.” In *The UN Convention on the Elimination of All Forms of Discrimination against Women: A Commentary*, edited by Marsha Freeman, Christine Chinkin, and Beate Rudolf, 123–39. Oxford: Oxford University Press, 2013.
- Rademaker, Jaap. “Op Valreep Toch Nog Regenboogzebrapad.” *AD/Utrechts Nieuwsblad* March 11th 2022, Regio, 6.
- Rattansi, Ali. *Multiculturalism: A Very Short Introduction*. Oxford: Oxford University Press, 2011.
- . *Racism: A Very Short Introduction*. Oxford: Oxford University Press, 2020.

- Rauch, Jonathan. *Kindly Inquisitors: The New Attacks on Free Thought*. Chicago: University of Chicago Press, 2013.
- Rawls, John. *A Theory of Justice*. Cambridge: Belknap Press of Harvard University Press, 1971.
- . *The Law of Peoples*. Harvard: Harvard University Press, 1999.
- . *Justice as Fairness: A Restatement*. Edited by Erin Kelly. Cambridge: Belknap Press of Harvard University Press, 2001.
- . *Political Liberalism*. New York: Columbia University Press, 2005.
- Raz, Joseph. *The Authority of Law: Lessons in Law and Morality*. Oxford: Oxford University Press, 1979.
- . “On the Nature of Rights.” *Mind* 93, no. 370 (1984): 194–214.
- . “Free Expression and Personal Identification.” In *Free Expression: Essays in Law and Philosophy*, edited by Wil Waluchow, 1–30. Oxford: Clarendon Press, 1994.
- . *The Morality of Freedom*. Oxford: Clarendon Press, 2009.
- Reedijk, Tim. “Ego en Imago Belangrijker dan de Mensenrechten.” *BN De Stem* June 23rd 2021, Topsport Zuid, 8-9.
- Reichenbach, Hans. *The Rise of Scientific Philosophy*. Berkeley: University of California Press, 1951.
- Rijkema, Bastiaan. “Discriminatie Is en Blijft het Fundament van de PVV.” *NRC Handelsblad* February 27th 2021, *Opinie & Debat*, 8.
- Rindisbacher, Hans. “‘Leitkultur’ and Canons: Two Aspects of Contemporary Public Debate.” *Pacific Coast Philology* 48, no. 1 (2013): 48–68.
- Ringelheim, Julie. “State Religious Neutrality as a Common European Standard?” *Oxford Journal of Law and Religion* 6, no. 1 (2017): 24–47.
- Ripstein, Arthur. “Tort: The Division of Responsibility and the Law of Tort.” *Fordham Law Review* 72, no. 5 (2004): 1811–44.
- . “Private Order and Public Justice: Kant and Rawls.” *Virginia Law Review* 92, no. 7 (2006): 1391–1438.
- Roberts, Julian. *Criminal Justice: A Very Short Introduction*. Oxford: Oxford University Press, 2015.
- Robin, Corey. *Fear: The History of a Political Idea*. Oxford: Oxford University Press, 2004.
- Rodríguez, Manuel, Maria Granda, and Villaverde González. “Gender Incongruence Is No Longer a Mental Disorder.” *Journal of Mental Health & Clinical Psychology* 2, no. 5 (2018): 6–8.
- Ronen, Dov. *The Quest for Self-Determination*. New Haven: Yale University Press, 1979.

Bibliography

- Rorty, Richard. "Human Rights, Rationality, and Sentimentality." In *Truth and Progress: Philosophical Papers*, 167–85. Cambridge: Cambridge University Press, 1998.
- Rosanvallon, Pierre. *Good Government: Democracy beyond Elections*. Translated by Malcolm DeBevoise. Cambridge: Harvard University Press, 2018.
- Rosenberg, Esther, and Karel Berkhout. "'Er Zal een Groep Mannen Zijn Die Zegt: Dit Is Niet Eerlijk.'" *NRC Handelsblad* March 29th 2022, Binnenland, 8–9.
- Ruiter, Marieke de. "Europees Akkoord Vrouwenquotum." *De Volkskrant*, 2022 June 9th 2022, Economie, 21.
- Ruiz, Ana. *The Spirit of Ancient Egypt*. New York: Algora, 2001.
- Sackers, Henry. "The Curious History of Group Discrimination in the Netherlands." In *Freedom of Speech under Attack*, edited by Afshin Ellian and Geliijn Molier, 17–37. The Hague: Eleven International Publishing, 2015.
- Sandel, Michael. *The Tyranny of Merit: What's Become of the Common Good?* London: Penguin Books, 2020.
- Schaap, Sybe. "Van Burger tot Mens: De Kanteling van Rechtsbeginselen." In *De Vitale Rechtsstaat: Grondslag, Kwetsbaarheid, Weerbaarheid*, edited by Frank van den Heuvel and Patrick Overeem, 25–34. Nijmegen: Valkhof Pers, 2019.
- Schachter, Oscar. "Human Dignity as a Normative Concept." *The American Journal of International Law* 77, no. 4 (1983): 848–54.
- Scheffler, Samuel. "Distributive Justice, the Basic Structure and the Place of Private Law." *Oxford Journal of Legal Studies* 35, no. 2 (2015): 213–35.
- Schendel, Willem van, Irma van den Berg, Daan Hoefsmit, Elaine Mak, Channa Samkalden, Camilo Schutte, and François van Vloten. *De Rechtsstaat, een Quick Scan: De Partijprogramma's voor de Verkiezingen van 2021 Rechtsstatelijk?* The Hague: Nederlandse Orde van Advocaten, 2021.
- Scheuerman, William. "Law and the Liberalism of Fear." In *Between Utopia and Realism: The Political Thought of Judith N. Shklar*, edited by Samantha Ashenden and Andreas Hess, 47–66. Philadelphia: University of Pennsylvania Press, 2019.
- Schoonhoven, Renée van. *Het Recht van de School*. Amsterdam: Vrije Universiteit, 2021.
- Schreuder, Arjen. "Mannenbroeders Wilden Orthodoxe Identiteit

- Markeren.” *NRC Handelsblad* January 8th 2019, In het Nieuws, 4.
- Searle, John. *The Construction of Social Reality*. New York: Free Press, 1995.
- . *Making the Social World: The Structure of Human Civilization*. Oxford: Oxford University Press, 2010.
- Sedee, Menno. “Blijf met Je Poten van M’n Vlag Af.” *NRC Handelsblad* July 29th 2021, In het Nieuws, 3.
- Selznick, Philip. *The Moral Commonwealth: Social Theory and the Promise of Community*. Berkeley: University of California Press, 1992.
- . “Legal Cultures and the Rule of Law.” In *The Rule of Law after Communism*, edited by Martin Krygier and Adam Czarnota, 21–38. Aldershot: Ashgate, 1999.
- Shapiro, Ian, and Will Kymlicka. “Introduction.” In *Ethnicity and Group Rights*, edited by Ian Shapiro and Will Kymlicka, 3–21. New York: New York University Press, 2000.
- Sher, George. “Rights, Neutrality, and the Oppressive Power of the State.” *Law and Philosophy* 14, no. 2 (1995): 185–201.
- . *Beyond Neutrality: Perfectionism and Politics*. Cambridge: Cambridge University Press, 1997.
- Shestack, Jerome. “The Philosophic Foundations of Human Rights.” *Human Rights Quarterly* 20, no. 2 (1998): 201–34.
- Shklar, Judith. “Putting Cruelty First.” *Daedalus* 111, no. 3 (1982): 17–27.
- . *Ordinary Vices*. Cambridge: Harvard University Press, 1984.
- . “Political Theory and the Rule of Law.” In *The Rule of Law: Ideal or Ideology*, edited by Allan Hutchinson and Patrick Monahan, 1–16. Toronto: Carswell, 1987.
- . “The Liberalism of Fear.” In *Liberalism and the Moral Life*, edited by Nancy Rosenblum, 21–38. Cambridge: Harvard University Press, 1989.
- . “Liberté Positive, Liberté Négative en Amérique.” In *Les Usages de La Liberté (Rencontres Internationales de Genève: Tome XXXII)*, edited by Georges Cottier and Jean Starobinski, 107–25. Neuchâtel: Les Éditions de la Baconnière, 1990.
- . *The Faces of Injustice*. New Haven: Yale University Press, 1990.
- . “Positive Liberty, Negative Liberty in the United States.” In *Redeeming American Political Thought*, edited by Stanley Hoffmann and Dennis Thompson, 111–26. Chicago: University of Chicago Press, 1998.
- Shue, Henry. *Basic Rights*. Princeton: Princeton University Press, 1980.
- . “Mediating Duties.” *Ethics* 98, no. 4 (1988): 687–704.

Bibliography

- Siedentop, Larry. *Inventing the Individual: The Origins of Western Liberalism*. Cambridge: Belknap Press of Harvard University Press, 2014.
- Singer, Peter. *Practical Ethics*. Cambridge: Cambridge University Press, 1993.
- Sinninghe Damsté, Mijke, and Carlijn van Dooren. “Silver Bullet, Golden Skirts, Trickle down? Verschillende Kanten en (On)Waarschijnlijke Effecten van Genderquota in Boek 2 BW.” In *Diversiteit: Een Multidisciplinaire Terreinverkenning*, edited by Claartje Bulten, Charlotte Perquin-Deelen, Mijke Sinninghe Damsté, and Koen Bakker, 347–71. Deventer: Wolters Kluwer, 2020.
- Slager, Seije. “Nashville: Van Theologie naar Cultuur.” *Trouw* January 8th 2019, De Verdieping, 4-5..
- Smith, Stephen. “The Normativity of Private Law.” *Oxford Journal of Legal Studies* 31, no. 2 (2011): 215–42.
- Smits, Jan. “Private Law and Fundamental Rights: A Sceptical View.” In *Constitutionalisation of Private Law*, edited by Tom Barkhuysen and Siewert Lindenbergh, 9–22. Leiden: Martinus Nijhoff, 2006.
- Sociaal-Economische Raad. *Diversiteit in de Top: Tijd voor Versnelling - Deel II: Analyse*. The Hague: Sociaal-Economische Raad, 2019.
- Spät, Eszter. “Yezidi Identity Politics and Political Ambitions in the Wake of the ISIS Attack.” *Journal of Balkan and Near Eastern Studies* 20, no. 5 (2018): 420–38.
- Spencer, Leland. “The Nashville Statement’s Undoing? Grappling with Evangelical Christianity’s Ontology of Sex.” *Journal of Homosexuality* 68, no. 6 (2021): 1059–74.
- Stapleton, Julia. “Introduction.” In *Group Rights: Perspectives Since 1900*, edited by Julia Stapleton, ix–xxxix. Bristol: Thoemmes Press, 1995.
- Steenhorst, René. “Gehandicapten Beter Beschermd: Beledigen en Discriminatie Voortaan Strafbaar.” *De Telegraaf* March 29th 2000, 5.
- Stephens, Sarah. “Freedom from Religion: A Vulnerability Theory Approach to Restricting Conscience Exemptions in Reproductive Healthcare.” *Yale Journal of Law and Feminism* 29, no. 1 (2018): 93–122.
- Sterk, Annemarie, and Patricia Veldhuis. “Hoezo Is Dit Discriminatie en Toen Bijna Alleen Mannen Werden Aangenomen Niet?,” NRC Handelsblad October 10th 2020, Economie, 16-18.
- Sternberg, Robert, and Karin Sternberg. *The Nature of Hate*. New York: Cambridge University Press, 2008.
- Stevenson, Angus (editor). *Oxford Dictionary of English*. Oxford: Oxford

- University Press, 2010.
- Stolker, Carel. *Rethinking the Law School: Education, Research, Outreach and Governance*. Cambridge: Cambridge University Press, 2014.
- Stone, Deborah. *Policy Paradox: The Art of Political Decision Making*. New York: W.W. Norton & Company, 2012.
- Strassler, Robert. *The Landmark Thucydides: A Comprehensive Guide to the Peloponnesian War*. New York: Free Press, 1996.
- Strossen, Nadine. "Balancing the Right to Freedom of Expression and Equality." In *Striking a Balance: Hate Speech, Freedom of Expression, and Non-Discrimination*, edited by Sandra Coliver, 295–312. London: Article 19/University of Essex, 1992.
- . *Hate: Why We Should Resist It with Free Speech, Not Censorship*. Oxford: Oxford University Press, 2018.
- Stullerova, Kamila. "Rethinking Human Rights." *International Politics* 50, no. 5 (2013): 686–705.
- Summers, James. "The Right of Peoples to Self-Determination in Article 1 of the Human Rights Covenants as a Claimable Right." *New England Journal of Public Policy* 31, no. 2 (2019): 1–8.
- Tadros, Victor. *The Ends of Harm: The Moral Foundations of Criminal Law*. Oxford: Oxford University Press, 2011.
- Taekema, Sanne. "Sleutelen aan de Rechtsstaatgedachte: Het Nut van Samenwerking tussen Rechtsfilosofie, Rechtssociologie en Rechtswetenschap." *Tijdschrift voor Constitutioneel Recht* 4, no. 4 (2013): 286–306.
- Taekema, Sanne, and Wibren van der Burg. "Legal Philosophy as an Enrichment of Doctrinal Research Part I: Introducing Three Philosophical Methods." *Law and Method* 10, no. 1 (2020): 1–19.
- Taekema, Sanne, and Bart van Klink. "Een Nieuwe Impuls aan het Methodendebat." *Law and Method* 1, no. 1 (2011): 3–10.
- Tamanaha, Brian. *On the Rule of Law: History, Politics, Theory*. Cambridge: Cambridge University Press, 2004.
- . *Law as a Means to an End: Threat to the Rule of Law*. Cambridge: Cambridge University Press, 2006.
- Tasioulas, John. "Saving Human Rights from Human Rights Law." *Vanderbilt Journal of Transnational Law* 52, no. 5 (2019): 1167–1208.
- Tassenaar, Vincent. "Vrijheid en Gelijkheid in Historisch Perspectief." In *De Strijd van Gelijkheid en Vrijheid*, edited by Jasper Doomen and Afshin Ellian, 245–64. The Hague: Boom Juridische Uitgevers, 2015.

Bibliography

- Taylor, Charles. "The Politics of Recognition." In *Multiculturalism: Examining the Politics of Recognition*, edited by Gutmann Amy, 25–73. Princeton: Princeton University Press, 1992.
- Taylor, Paul. *A Commentary on the International Covenant on Civil and Political Rights: The UN Human Rights Committee's Monitoring of ICCPR Rights*. Cambridge: Cambridge University Press, 2020.
- Teitel, Ruti. "Human Rights Genealogy." *Fordham Law Review* 66, no. 2 (1997): 301–17.
- Temperman, Jeroen. "Homofobe en Transfobe Haatuitingen onder het IVBPR en EVRM: Ontwikkelingen en Reflecties." *Tijdschrift voor Religie, Recht en Beleid* 13, no. 1 (2022): 22–33.
- Tharoor, Shashi. *Inglorious Empire: What the British Did to India*. London: Hurst & co., 2017.
- Thornberry, Patrick. *International Law and the Rights of Minorities*. Oxford: Clarendon Press, 1991.
- . "International Convention on the Elimination of All Forms of Racial Discrimination: The Prohibition of 'Racist Hate Speech'." In *The United Nations and Freedom of Expression and Information*, edited by Tarlach McGonagle and Yvonne Donders, 121–44. Cambridge: Cambridge University Press, 2015.
- . *The International Convention on the Elimination of All Forms of Racial Discrimination: A Commentary*. Oxford: Oxford University Press, 2018.
- Tibi, Bassam. *Europa ohne Identität? Leitkultur oder Wertebeliebigkeit*. Munich: Siedler, 2001.
- Tiedemann, Paul. "The Rechtsstaat-Principle in Germany: The Development from the Beginning Until Now." In *The Legal Doctrines of the Rule of Law and the Legal State (Rechtsstaat)*, edited by James Silkenat, James Hickey, and Peter Barenboim, 171–92. Cham: Springer, 2014.
- Tilly, Charles. "Reflections on the History of European State Making." In *The Formation of National States in Western Europe*, edited by Charles Tilly, 3–83. Princeton: Princeton University Press, 1975.
- Timmer, Alexandra. "A Quiet Revolution: Vulnerability in the European Court of Human Rights." In *Vulnerability: Reflections on a New Ethical Foundation for Law and Politics*, edited by Martha Fineman and Anna Gear, 147–70. Farnham: Ashgate Publishing, 2013.
- . "Seksediscriminatie onder Artikel 14 EVRM: Over Principes, Pragmatisme en Problemen." *Nederlands Tijdschrift voor de*

- Mensenrechten/NJCM-Bulletin* 44, no. 4 (2019): 391–412.
- Timmer, Dick. “Justice, Thresholds, and the Three Claims of Sufficientarianism.” *The Journal of Political Philosophy* 30, no. 3 (2022): 298–323.
- Tronto, Joan. *Moral Boundaries: A Political Argument for an Ethic of Care*. New York: Routledge, 1993.
- . *Caring Democracy: Markets, Equality, and Justice*. New York: New York University Press, 2013.
- Tropman, John. “Review of ‘The New Religious Intolerance?’” *Journal of Sociology and Welfare* 40, no. 1 (2013): 194–96.
- Trouillot, Michel-Rolph. *Silencing the Past: Power and the Production of History*. Boston: Beacon Press, 2015.
- Tyldesley, Joyce. *Judgement of the Pharaoh: Crime and Punishment in Ancient Egypt*. London: Phoenix, 2001.
- Unger, Roberto. *Law in Modern Society: Towards a Criticism of Social Theory*. New York: The Free Press, 1976.
- Vašák, Karel. “Pour une Troisième Génération des Droits de l’Homme.” In *Studies and Essays on International Humanitarian Law and Red Cross Principles in Honour of Jean Pictet*, edited by Christophe Swinarski, 837–50. The Hague: Martinus Nijhoff, 1984.
- Veldman, Albertine. “Speciale Maatregelen en Positieve Acties in de Europese en Nederlandse Rechtsordes.” *Nederlands Tijdschrift voor de Mensenrechten/NJCM-Bulletin* 36, no. 2 (2011): 199–214.
- . “Europeesrechtelijke Grenzen aan Quotamaatregelen ter Bevordering van Diversiteit in (de Top van) het Bedrijfsleven?” In *Diversiteit: Een Multidisciplinaire Terreinverkenning*, edited by Claartje Bulten, Charlotte Perquin-Deelen, Mijke Sinninghe Damsté, and Koen Bakker, 373–92. Deventer: Wolters Kluwer, 2020.
- Venhuizen, Piet. “Duiven Ziet Niets in Aanleg van Regenboogzebrapad,” *De Gelderlander* March 17th 2022, Regio, 3.
- Verbrugge, Ad, Govert Buijs, and Jelle van Baardewijk. *Het Goede Leven en de Vrije Markt: Een Cultuurfilosofische Analyse*. Rotterdam: Lemniscaat, 2018.
- Verhofstadt, Dirk. “Inleiding.” In *Beroemde Feministes: De Strijd voor Vrouwenrechten*, edited by Dirk Verhofstadt, 7–21. Antwerpen: Uitgeverij Houtekiet, 2019.
- Vis, Carlijn. “‘Dor Hout?’ ‘Génant, Dat Slaat Nergens Op.’” *NRC Handelsblad* August 12th 2020, Binnenland, 9.
- Voermans, Wim. “Applicability of Fundamental Rights in Private Law:

Bibliography

- What Is the Legislature to Do?” In *Constitutionalisation of Private Law*, edited by Tom Barkhuysen and Siewert Lindenbergh, 33–41. Leiden: Martinus Nijhoff, 2006.
- . *Het Verhaal van de Grondwet: Zoeken Naar Wij*. Amsterdam: Prometheus, 2019.
- Voermans, Wim, Janneke Gerards, Michiel Emmerik, and Hans-Martien ten Napel. *Juridische Betekenis en Reikwijdte van het Begrip ‘Rechtsstaat’ in de Legisprudentie & Jurisprudentie van de Raad van State*. The Hague: Raad van State, 2011.
- Vos, Bart de. “Constitutionalisering: Een Overschat Vraagstuk?” In *Rechtseenheid en Vermogensrecht*, edited by Elselique Hoogervorst, Iris Houben, Pauline Memelink, Hans Nieuwenhuis, Luuk Reurich, and Robert Verburg, 287–304. Deventer: Kluwer, 2005.
- Vranken, Jan. *Exploring the Jurist’s Frame of Mind: Constraints and Preconceptions in Civil Law Argumentation*. Deventer: Kluwer, 2006.
- Vries, Bouke de. “What Does It Mean to Be ‘Illiberal?’” *Netherlands Journal of Legal Philosophy* 50, no. 1 (2021): 13–21.
- Waard, Peter De. “Grootste Non-Conformist of Zieke Geest.” *De Volkskrant* May 4th 2020, Ten Eerste, 22.
- Wade, Peter. *Race: An Introduction*. Cambridge: Cambridge University Press, 2015.
- Waldron, Jeremy. “Theoretical Foundations of Liberalism.” *The Philosophical Quarterly* 37, no. 147 (1987): 127–50.
- . “Minority Cultures and the Cosmopolitan Alternative.” *University of Michigan Journal of Law Reform* 25, no. 3 (1992): 751–93.
- . “Dignity and Defamation: The Visibility of Hate.” *Harvard Law Review* 123, no. 7 (2010): 1596–657.
- . *The Harm in Hate Speech*. Cambridge: Harvard University Press, 2012.
- Walz, Gregor, and Bauke Fiere. *Discriminatiecijfers in 2021*. Rotterdam: Art. 1, 2022.
- Walzer, Michael. *Spheres of Justice: A Defence of Pluralism and Equality*. New York: Basic Books, 1983.
- Warburton, Nigel. *Free Speech: A Very Short Introduction*. Oxford: Oxford University Press, 2009.
- Weber, Max. *Staatssoziologie: Soziologie der Rationalen Staatsanstaalt und der Modernen Politischen Parteien und Parlamente*. Berlin: Duncker & Humblot, 1966.
- Weingast, Barry, and Gillian Hadfield. “Microfoundations of the Rule of

- Law.” *Annual Review of Political Science* 17, no. 1 (2014): 21–42.
- Weinrib, Ernest. *The Idea of Private Law*. Cambridge: Harvard University Press, 1995.
- Wekker, Gloria. *White Innocence: Paradoxes of Colonialism and Race*. Durham: Duke University Press, 2016.
- Wellman, Carl. “Solidarity, the Individual, and Human Rights.” *Human Rights Quarterly* 22, no. 3 (2000): 639–57.
- Whiteside, Kerry. “Justice Uncertain: Judith Shklar on Liberalism, Skepticism, and Equality.” *Polity* 31, no. 3 (1999): 501–24.
- Wibier, Reinout. “De Taak van de Rechtswetenschapper: Recht als Volwaardige Wetenschappelijke Discipline.” *Nederlands Juristenblad* 95, no. 13 (2020): 883–87.
- Williams, Bernard. “The Women of Trachis: Fictions, Pessimism, Ethics.” In *The Sense of the Past: Essays in the History of Philosophy*, edited by Myles Burnyeat, 49–59. Princeton: Princeton University Press, 2006.
- Witteveen, Willem. “Over de Vermeende Olievlekwerking van het Gelijkheidsbeginsel.” In *de Toekomst van Gelijkheid: De Juridische en Maatschappelijke Inbedding van de Gelijkebehandelingsnorm*, edited by Rikki Holtmaat, 179–92. Utrecht: Kluwer, 2000.
- Wolff, Jonathan. “Fairness, Respect and the Egalitarian Ethos.” *Philosophy and Public Affairs* 27, no. 2 (1998): 97–122.
- . “Fairness, Respect and the Egalitarian ‘Ethos’ Revisited.” *The Journal of Ethics* 14, no. 3/4 (2010): 335–50.
- Wolin, Sheldon. *Politics and Vision: Continuity and Innovation in Western Political Thought*. Princeton: Princeton University Press, 2016.
- Woude, Suzanne van der, and Petra Oden. “Ondernemers en de Regeldruk bij de Participatiewet.” *Nederlands Juristenblad* 94, no. 24 (2019): 1738–41.
- Young-Bruehl, Elisabeth. *The Anatomy of Prejudices*. Cambridge: Harvard University Press, 1996.
- Young, Iris. *Justice and the Politics of Difference*. Princeton: Princeton University Press, 2011.
- Yousefi, Zargham, Alireza Yousefy, and Narges Keshtiaray. “Liberal Humanism and Its Effect on the Various Contemporary Educational Approaches.” *International Education Studies* 8, no. 3 (2015): 103–13.
- Ysselt, Paul van Sasse van. “Grondrechten.” In *Met Recht Discriminatie Bestrijden*, edited by Carolina de Fey, Aranka Kellermann, and Jacky

Bibliography

- Nieuwboer, 49–63. The Hague: Boom Juridische Uitgevers, 2004.
- Zagorin, Perez. *How the Idea of Religious Toleration Came to the West*. Princeton: Princeton University Press, 2003.
- Zakaria, Fareed. *The Future of Freedom: Illiberal Democracy at Home and Abroad*. New York: W.W. Norton & Company, 2003.
- Zoethout, Carla. “Redactioneel: Is het Laatste Woord aan de Staat of Misschien Toch aan de SGP?” *Tijdschrift voor Religie, Recht en Beleid* 1, no. 2 (2010): 3–4.
- Zwart, Tom. “Changing Course by Stealth: How the European Court of Human Rights Has Been Moving the Goalposts in the Area of Political Free Speech.” In *Freedom of Speech under Attack*, edited by Afshin Ellian and Gelijk Molier, 121–33. The Hague: Eleven International Publishing, 2015.

