

Summer Studies “On the Rhine”

"Public Policy and Administration in the European Union, Germany, and the United States"

13 May – 14 June 2019

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1. Program overview

Speyer University is Germany's centre of competence for public administration. It offers postgraduate studies and executive training with an interdisciplinary approach, working closely with institutions in the public and private sector.

In cooperation with the Sol Price School of Public Policy, University of Southern California, USA and the School of Public and Environmental Affairs, Indiana University, USA, Speyer University offers a joint summer program on comparative public policy and administration in Germany, the European Union and the United States. Five seminars deal with major topics in public management, European economic integration, US and EU constitutional law, policy-making in the EU and German federalism.

The program provides students with an opportunity to study issues of public policy and administration in an interdisciplinary and international context. The instructors have backgrounds in political science, economics and law. US and other international students, e.g. from Eastern Europe, learn side by side with German students. The courses are taught exclusively in English.

The program also features excursions to important German and European institutions: For example the Deutsche Bundestag and Chancellery (Berlin), the European Central Bank (Frankfurt), the European Court of Human Rights (Strasbourg) and the European Parliament, European Council and the Commission (Brussels). Through city tours in Speyer and Heidelberg, students also get to know the Rhein-Neckar region.

2. Faculty

Professor Michael W. Bauer is Jean Monnet Professor of the European Union and holds the Chair of Comparative Public Administration and Policy Analysis at the German University of Administrative Sciences Speyer. He is an expert on comparative public administration, EU policy-making and multi-level governance.

Professor Denvil Duncan is Associate Professor at the School of Public and Environmental Affairs at Indiana University. His research has explored the impact of tax evasion opportunities on income inequality, labor supply, risk taking behavior, and tax incidence.

Professor Andreas Knorr holds the Chair of Economics (Economic and Transport Policy) at the German University of Administrative Sciences Speyer. He is an expert on European economic integration.

Professor William G. Resh is Assistant Professor at the Sol Price School of Public Policy, University of Southern California, USA. He is an expert on public management and executive politics.

Professor Karl-Peter Sommermann holds the Chair of Public Law, Political Theory and Comparative Law at the German University of Administrative Sciences Speyer. He is an expert on comparative law and political theory.

Professor Rahel Schomaker is Professor of Economics and Public Administration at Carinthia University of Applied Sciences (CUAS), Kärnten, Austria and Senior Fellow at the German Research Institute for Public Administration (GRIP), Speyer.

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4. Course structure, credits and requirements

4.1 Course structure

Overview seminars	EU institutions and multilevel policy-making	
	German federalism	
Core course	A comparative perspective on public administration	
Electives (choice of one)	European economic integration	US and European constitutional law

This is how the OTR course structure works: Two overview seminars introduce you to EU policy-making and German federalism. Participation is obligatory, and you are expected to write a memo in both courses. A core course provides a comparative perspective on public administration issues in the US, the EU and Germany. Participation is also obligatory. As a fourth course, you can choose between European economic integration and US and European constitutional law. Both the core course and the electives offer opportunities to deliver presentations and write papers or prepare a third memo. Which requirements you have to fulfil depends on your study program.

4.2 Requirements for SPEA and Price students

Six credits/units (Graduate students)	Six credits/units (Undergrad students)
Active participation in all seminars (15 %)	Active participation in all seminars (15 %)
Two seminar papers (20% each = 40%)	One seminar paper (35%)
Two oral presentations (12.5% each = 25%)	One oral presentation (20%)
Two memos (10% each = 20%)	Three memos (10% each = 30%)
Participation in all excursions (mandatory)	Participation in all excursions (mandatory)

4.3 Requirements for Speyer students and international students

Speyer University students are welcome to participate in the whole program; they can also participate in single seminars as part of their regular curriculum. If you are interested in participating in single seminars, please register via the [regular procedure](#). If you are interested in participating in the whole program, your requirements will be the same as for US undergraduate students (see above; excursions are not mandatory). Please visit our [program website](#) for detailed information and registration options for Speyer students.

Other **international students** should contact their home institutions to decide whether and to what extent they award credits for the OTR courses in the context of their academic programs. Depending on credit point requirements, they can follow either the graduate or the undergraduate track (see also above).

4.4 Choosing requirements

Against the background of different requirements for the student groups, choosing your individual requirements follows one of two main processes. **Undergraduate students, international students on the undergraduate track and Speyer students** follow this process:

You are:

SPEA undergraduate	USC undergraduate	Speyer University student	International on undergraduate track
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You choose an elective course:

"Economic integration"	"Constitutional law"
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You can choose to

- a) deliver a presentation and write a paper in the core course and write a memo in the elective course or to
- b) deliver a presentation and write a paper in the elective course and write a memo in the core course.

Paper in "Comparative public administration" + Memo in "Economic integration"	Memo in "Comparative public administration" + Paper in "Economic integration"	Paper in "Comparative public administration" + Memo in "Constitutional law"	Memo in "Comparative public administration" + Paper in "Constitutional law"
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These are your requirements:

⇓	⇓	⇓	⇓
Paper and presentation in "Comparative public administration" + Memo in "European economic integration" + Memo in "EU policy-making" + Memo in "German federalism"	Memo in "Comparative public administration" + Paper and presentation in "European economic integration" + Memo in "EU policy-making" + Memo in "German federalism"	Paper and presentation in "Comparative public administration" + Memo in "US and European constitutional law" + Memo in "EU policy-making" + Memo in "German federalism"	Memo in "Comparative public administration" + Paper and presentation in "US and European constitutional law" + Memo in "EU policy-making" + Memo in "German federalism"

Graduate students, including internationals on the graduate track, follow this process:

You are:

SPEA graduate student	USC graduate student	International student on graduate track
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You choose an elective course:

„Economic integration“	„Constitutional law“
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These are your requirements:

⇓	⇓
Paper + Presentation in "Comparative public administration" Paper + Presentation in "Economic integration" Memo in "EU Policy" Memo in "German Federalism"	Paper + Presentation in "Comparative public administration" Paper + Presentation in "Constitutional law" Memo in "EU Policy" Memo in "Federalism"

4.5 About papers, presentations and memos

- **Seminar papers** deal with a specific research question related to a topic from a given seminar (10-15 pages). It is recommended, but not obligatory, to write seminar papers on the presentation topics.
- **Oral presentations** give a general overview of a topic (15-20 min), and must be accompanied by a handout of 1-2 pages. Please note that the topics for presentations in the first three program weeks are assigned before the program starts (you will receive further information in March). The remaining topics of each seminar will be assigned in the first week of the program.
- **Memos** are brief reports on a scientific article or book chapter (1-2 pages). The respective instructor will provide you with appropriate selections. Each memo must be

handed in one day before the respective scientific article or book chapter is discussed in class. Memos are accepted only in writing.

4.6 Deadlines and grading

The students hand in their papers to the respective instructor(s) on **July 1, 2019**. In case the papers are turned in late, the grade will be reduced by 5% for every two days it is late. Papers are no longer accepted after **July 4, 2019**.

4.7 Certificate of Participation

Upon request, Speyer University, SPEA and USC also offer a special Certificate of Participation for US and international students who successfully complete the overall program.

5. Logistical information

5.1 Room and board

1. International students live on campus, generally sharing double-bedrooms with German students. Students have access to the library and all other university facilities. Breakfast and lunch are available at the university cafeteria on campus. The dorms offer cooking facilities. The kitchen has to be cleaned regularly – in alternation with the German students.

5.2 Support services

Professor Resh serves as the resident director on site for PRICE students; Professor Duncan serves in the same capacity for SPEA students. Speyer University staff can help with logistics, academic concerns and emergency issues. Prior to departure, SPEA and PRICE interview all IU and USC applicants and solicit information about relevant health issues; in addition, a list of contact numbers is maintained at SPEA and PRICE.

Both PRICE and SPEA cohorts will have a “student liaison” who will be the primary contact for most student questions and concerns. Students should feel free to contact the respective directors and staff in the case of an emergency. However, all questions regarding programmatic details, classroom assignments or details on the different excursions (for example) should be directed first and foremost to your respective student liaison. Details and contact information on the student liaisons will be distributed to each cohort before the program begins.

5.3 Visa procedure

All non-U.S. citizens are responsible for contacting **in time** the German Embassy or Consulate to determine the entry and visa requirements. **Please apply as early as possible for your visa, as the procedure usually takes a long time.**

For up-to-date information, please visit our [website](#).

6. Overview of seminars

EU institutions and multilevel policy-making

Instructor: Professor Schomaker

Overview

This seminar is designed as a brief introduction to the political system of the European Union (EU). It focuses on the history and theory of European integration, the main institutions and procedures of the current EU, and the most important challenges it faces in the years to come. Each session starts with an introductory lecture on the crucial topics of the day. Afterwards, students gather in groups to discuss and research key documents, events and problems of European integration. Each session ends with a wrap-up that brings together the students' findings.

Basic Readings

- Hix, S. & Hoyland, B. (2011): The Political System of the European Union, 3rd ed, Basingstoke: Palgrave Macmillan.
- Peterson, John & Shackleton, M. (eds.) (2006): The Institutions of the European Union, 2nd ed, Oxford: Oxford University Press.
- Wallace, H., Pollack, M. & A. Young (2010): Policy-Making in the European Union, Oxford: Oxford University Press.
- Zimmermann, H., & Dürr, A. (eds). (2012): Key controversies in European integration, Basingstoke: Palgrave Macmillan.

Course Plan

Session 1:

Institutional development and theoretical interpretations of the EU integration process

- | | |
|-------------------|---|
| Objectives: | Students will be able to identify the institutional milestones in European integration and to explain the development of the European Union using different theories. |
| Required reading: | Hix & Hoyland 2011 |
| Recommended: | Rosamond 2000 |
| Group work: | Understanding key documents of European integration; guiding questions: what is the respective vision for a United Europe/the EU, what should it be for? |

- Winston Churchill Speech in Zurich, 1946 (<http://www.cfr.org/europe/churchills-united-states-europe-speech-zurich/p32536>)
- Schuman Declaration 1950 (https://europa.eu/european-union/about-eu/symbols/europe-day/schuman-declaration_en)
- Luxembourg Compromise 1966 (http://www.internationaldemocracywatch.org/attachments/297_Luxembourg%20Compromise.pdf)
- Thatcher Speech in Bruges 1988 (<http://www.margaretthatcher.org/document/107332>)
- Merkel Speech in Bruges 2010 (<http://www.bruessel.diplo.de/contentblob/2959854/Daten/>)

Session 2:

The Main Actors and Their Role in EU Policy-Making

Objectives:	Students will be able to describe the role of the European Commission, the Council of Ministers, the European Council and the European Parliament in EU policy-making.
Required reading:	McCormick 2014 (Chapter 4), European Commission 2012
Recommended:	Peterson 2006 (Commission), Hayes-Renshaw 2006 (Council of Ministers), Carammia, Princen & Timmermans 2016 (European Council), Shackleton 2006 (European Parliament)
Group work:	Getting to know the EU institutions; guiding questions: how are they appointed/elected, what is their purpose? <ul style="list-style-type: none"> • Fact Sheet: The European Commission: http://www.europarl.europa.eu/ftu/pdf/en/FTU_1.3.8.pdf • Fact Sheet: The Council of the European Union: http://www.europarl.europa.eu/ftu/pdf/en/FTU_1.3.7.pdf • Fact Sheet: The European Council: http://www.europarl.europa.eu/ftu/pdf/en/FTU_1.3.6.pdf • Fact Sheet: The European Parliament – Powers: http://www.europarl.europa.eu/ftu/pdf/en/FTU_1.3.2.pdf • Fact Sheet: The European Parliament – Organisation and Operation: http://www.europarl.europa.eu/ftu/pdf/en/FTU_1.3.3.pdf

Session 3:

The Main Decision-making Procedures

Objectives:	Students will be able to understand the EU legislative procedures from the proposal to the adoption and implementation of legislation (legislative decision-making as well as executive law-making).
Required reading:	Craig 2010, Chapter 2
Recommended:	Pollak & Slominski 2004 (Treaty Revision), Costello & Thomson 2013 (Codecision procedure), Christiansen & Dobbels 2013 (Delegated law-making after Lisbon), Borrás & Jacobssen 2004 (Open Method of Coordination)

Group work: Understanding how decisions are made; guiding questions: which issues/policies are decided by supranational/intergovernmental procedures, what sets them apart?

- Supranational decision-making procedure http://www.europarl.europa.eu/ftu/pdf/en/FTU_1.4.1.pdf
- Intergovernmental decision-making procedures http://www.europarl.europa.eu/ftu/pdf/en/FTU_1.4.2.pdf
- Budget procedure http://www.europarl.europa.eu/ftu/pdf/en/FTU_1.4.3.pdf

Session 4:

The Future of the EU – Crises and Challenges

Objectives: Students are aware of current developments and future challenges for the EU, especially regarding Eurosceptic movements, the process and implications of the Brexit as well as a common migration and asylum policy.

Required reading: European Commission 2015

Recommended: Falkner 2016 (EU's problem-solving capacities in times of crisis), Webber 2014 (Likelihood of EU disintegration)

Group work: Envisioning scenarios of future (dis)integration; guiding questions: what are likely trajectories of the EU, what will it look like in 2030?

- Gabriel-Macron: Europe cannot wait any longer, 2015 (<https://www.theguardian.com/commentisfree/2015/jun/03/europe-france-germany-eu-eurozone-future-integrate>)
- Paul Morillas: The EU should abandon 'ever closer union' in favour of 'flexible differentiation' after Brexit, 2016 (<http://blogs.lse.ac.uk/euoppblog/2017/01/13/flexible-differentiation-after-brexite/>)

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- Christiansen, T., and Dobbels, M. (2013). Non-Legislative Rule Making after the Lisbon Treaty: Implementing the New System of Comitology and Delegated Acts. In *European Law Journal*, 19 (1), pp. 42–56.
- Costello, R., and Thomson, R. (2013). The Distribution of Power among EU Institutions: Who Wins under Codecision and Why? In *Journal of European Public Policy*, 20 (7), pp. 1025-1039.

- Craig, P. (2010). *The Lisbon Treaty, Law, Politics and Treaty Reform*. Oxford: Oxford University Press.
- European Commission (2015). *The EU explained: Ten priorities for Europe*. Luxembourg.
- European Commission (2012). *The EU explained: How the European Union works*. Luxembourg.
- Falkner, G. (2016) The EU's current crisis and its policy effects: research design and comparative findings. In *Journal of European Integration*, 38(3), pp.219-235.
- Gillingham, J. (2016) The end of the European dream. In: H. Zimmermann & A. Dür (Eds.): *Key Controversies in European Integration*. Basingstoke: Palgrave Macmillan, pp. 19-31.
- Hayes-Renshaw, F. (2006). The Council of Ministers. In J. Peterson & M. Shackleton (eds.), *The Institutions of the European Union*, 2nd ed, Oxford: Oxford University Press, pp. 60-80.
- Hix, S., and Hoyland, B. (2011). Chapter 1: Explaining the EU Political System. In *Ibid, The Political System of the European Union*, 3rd ed, Basingstoke: Palgrave Macmillan, pp. 1-19.
- McCormick, J. (2014). *Understanding the European Union. A Concise Introduction*. 6th edition. London/New York: Palgrave.
- Peterson, J. (2006). The College of Commissioners. In J. Peterson & M. Shackleton (eds.), *The Institutions of the European Union*, 2nd ed, Oxford: Oxford University Press, pp. 71-94.
- Pollak, J., and Slominski, P. (2004) The Representative Quality of EU Treaty Reform: A Comparison between the IGC and the Convention. In *Journal of European Integration*, 26(3), pp. 201-226.
- Rosamond, B. (2000). Chapter 5: Theorizing the New Europe. In *Ibid, Theories of European Integration*. Basingstoke: Palgrave Macmillan, pp. 89-128.
- Shackleton, M. (2006): The European Parliament. In J. Peterson & M. Shackleton (eds.), *The Institutions of the European Union*, 2nd ed, Oxford: Oxford University Press, pp. 104-124.
- Webber, D. (2014). How likely is it that the European Union will disintegrate? A critical analysis of competing theoretical perspectives.

A comparative perspective on public administration in the EU, Germany, and the US

Instructors: Professors Bauer, Resh and Duncan

Overview

The purpose of the seminar is to compare EU, German and US approaches to common problems of public administration, to present key characteristics of these administrative systems, and to hereby offer a better understanding of one's own system. After a discussion in session 1 of basic theoretical concepts underlying public administration in Europe and the US, there will be seven sessions focusing on administrative approaches in the following problem areas:

- Origins and phases of theorizing about public administration
- Parliaments and bureaucracy
- Case Study: The Internal Revenue Service
- Political approaches to public personnel administration
- The structure and accountability of regulatory agencies
- Politics of budgeting in US, EU and Germany
- Administrative reforms
- Politicized bureaucracy

Each session comprises two topics – we use letters for the sessions, and numbers for the topics for the ease of orientation! Each session thus contains two general introductions to the respective topics by the professors that are followed by the students' presentations of 15-20 min and discussion time of 20 min after each student presentation. The case study on the Internal Revenue Service is an exception.

Topics

Session A (22 May):

Origins and phases of theorizing about public administration

Objectives: Origins of public administration as a discipline: Are Weber's bureaucratic model and Wilson's distinction between politics and administration still relevant today? Weber's focus on legal rationality and Wilson's emphasis on administrative efficiency are generally considered to be starting points of legalistic and managerial approaches to public administration. Students will be able to describe the historical context and purposes of the two concepts and discuss their relevance for modern public administration.

1. Characteristics, purpose and today's relevance of Wilson's distinction between politics and administration

Required reading: Wilson 1887

Recommended reading: Kaufman 1956; Raadschelders 2000; Stillman 1999a, 1999b; Lynn 2001; Rosenbloom 2008

2. Characteristics, purpose and today's relevance of Weber's bureaucratic model

Required reading: Fry/Raadschelders 2008, pp. 19-54

Recommended reading: Sager/Rosser 2009, Weber 1978, vol. 1, chapter III ii (pp. 217-226), vol. 2, chapter XI (pp. 956-1005), Seibel 2010

Session B (24 May):

Parliaments and (their) bureaucracies

Objectives: Parliaments are supposed to control the executive, i.e., the government and the administration. But how are they able to do this? What is their relationship to the administration? Moreover, what is the role of the Parliaments' own bureaucracies? Students will be able to identify the control mechanisms of parliaments in presidential and parliamentary systems and to understand the differences between bureaucrats in legislative and executive branches.

3. Legislative Oversight and Administrative Influence in the US

Required reading: West 1995 (Ch. 6-7)

Recommended reading: Arnold 1980, McCubbins and Schwartz 1984, Rosenbloom 2010

4. Bureaucrats in the European Parliament

Required reading: Winzen 2011

Recommended reading: Egeberg et al. 2012, Dobbels/Neuhold 2013, Pegan 2011

Session C (24 May):

Case Study: The Internal Revenue Service

Objectives: The section will look at the public administration challenges facing the Internal Revenue Service (IRS). We begin with a discussion of the IRS scandal and the resulting efforts to defund the IRS. This is followed by an overview of the impacts of the defunding effort on IRS operations. We contrast tax administration in the US (including the fate of the IRS) to tax administration in Germany. This includes a discussion of the interaction between the states and the federal governments in both countries. We also explore cultural differences that influence tax administration and tax compliance.

Readings: Martinez-Vazquez/Timofeev 2010

Duncan and McLure 1997

IRS 2011 – The tax gap map

The Tax Gap Project Group 2016 – About the concept of tax gaps

Reading on the IRS

- scandal: The scandal: <http://www.cnn.com/2014/07/18/politics/irs-scandal-fast-facts/>
- The defunding: <http://www.cbpp.org/research/federal-tax/irs-funding-cuts-compromise-taxpayer-service-and-weaken-enforcement>
- Potential Impact on compliance: <https://www.irs.gov/uac/irs-releases-new-tax-gap-estimates-compliance-rates-remain-statistically-unchanged-from-previous-study>
- Organizational Chart: https://www.irs.gov/PUP/newsroom/irs_organization_chart_october_2016.pdf
- Other useful information on current changes and proposals: <https://www.irs.gov/uac/strategic-plan-and-other-references>
- Fun video (may contain modestly offensive language): <http://time.com/money/3819382/john-oliver-and-irs-tax-gap/>

Session D (28 May):

Political approaches to public personnel administration

- Objectives: Students will be able to describe, compare and evaluate how conflicts between professional integrity and political loyalty are resolved in the German and US governments.

5. Tensions between political appointees and careerists in the US federal government

Required reading: Kettl and Fesler 2009b

Recommended reading: Kettl and Fesler, 2009a; Heclo 1977; Peters 2004; Durant 1995; Cohen 1998, Resh 2015

6. The “political civil servant” in Germany – a contradiction in itself?

Required reading: Veit/Scholz 2016

Recommended reading: Derlien 2003, Jann/Veit 2010, Goetz 1999

Session E (4 June):

The structure and accountability of regulatory agencies

- Objectives: Students will be able to evaluate the conditions under which regulatory agencies can be effectively structured in the separation-of-powers systems of the United States and European Union. How do varying institutional and ideological perspectives conflict? How is this

conflict manifest in administrative structure? To whom are these agencies accountable?

7. The structure and accountability of regulatory agencies in the US

Required reading: Moe 1989

Recommended reading: Wood/Bohte 2004; Balla/Wright 2001; Furlong/Kerwin 2005; Milakovich/Gordon 2009, pp. 530-535

8. The structure and accountability of regulatory agencies in the European Union

Required reading: Gilardi 2008, pp. 55-72

Recommended reading: Thatcher 2011; Döhler 2002; Thatcher 2007

Session F (11 June):

Politics of budgeting in US, EU and Germany

Objectives: The budget is an important policy document. It reflects the government's opinion about the current and future state of the world, and the policies the government hopes to implement in the coming year(s). Deciding how to divide scarce revenues among often competing departments in an effort to achieve multiple objectives requires a well-functioning political administration process. Students will be able to describe and compare the budgeting process in the US, EU and Germany and to identify some of the key challenges these governments face in developing and implementing their respective budgets.

9. US Public Budgeting: Laws, committees and budgetary agencies; process and timeline; effectiveness of budgetary rules and processes.

Required reading: Mikesell 2011

Recommended reading: Office of Management and Budget 2005

10. German Federal Budgeting and the EU: Laws, committees and budgetary agencies; process and timeline; effectiveness of budgetary rules and processes, and role of the EU.

Required reading: Lübke 2006

Recommended reading: Posen 2005, OECD 2014

Additional: Instruction for logroll simulation.

Session G (13 June):

Administrative reforms

Objectives: In the US, New Public Management (NPM) has been the prevailing administrative reform movement for the last two decades. In the EU, enlargement has triggered a debate on the reform of EU institutions, and led to the Lisbon Treaty. Students will be able to describe, compare and evaluate administrative reform concepts and measures.

11. New public management in Germany – an appraisal

Required reading: Kuhlmann/Bogumil/Grohs 2008

Recommended reading: Kuhlmann 2010, Pollitt/Bouckaert 2003, König 2001

12. New public management in the US – an appraisal

Required reading: Breul and Kamensky 2008

Recommended reading: Moynihan 2006; Thompson 2000; Thompson 2002; Kickert 1997, Spicer 2007, Gregory 2007, Eickenberry/Pautz 2008, Lynn 2008

Session H (14 June):

Politicized Bureaucracy?

Objectives: The relationship between bureaucrats and politicians lies at the centre of this seminar. We started with analysing Weber and Wilson's concerns. In the final session we want to look at current state of affairs (and how students of public administration think about it) in the USA and in Europe. We will see that "politicization" is less a "status" but rather a relationship that is first, specific to the institutional configuration the administration is part of, never stops changing and that probably needs to be re-considered continuously.

13. US: The politicized bureaucracy in a separation of powers system

Required reading: Miller and Whitford, 2016 (Chs. 1-2)

Recommended reading: Lewis 2012, Furlong 1998, Moynihan & Roberts 2010, Gordon 2011, Lewis 2008, Resh 2014

14. EU: Political order, the EU and the European Commission

Required reading: Trondal 2017

Recommended reading: Wille 2012; Christiansen 1997

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German federalism in the EU

Instructor: Professor Bauer

Course Plan

Session 1 (Wed, May 23, 2018; 10.00 am to 12.30 pm)

Introduction to the political system of the Federal Republic of Germany

Objectives: Students will be able to understand the historical background and identify the major institutions of German federalism.

Readings: Kramer 2005; Conradt & Langenbacher 2013

In-class material: - Excerpt (Schmidt 2016) on policy diversity in German federalism

Session 2 (Tue, May 29, 2018; 10.00 am to 12.30 pm)

Party system and party politics (Special emphasis: Federal elections 2017)

Objectives: Students will be familiar with the most prominent German parties and the processes of government formation following a general election.

Readings: Lochocki 2016; Poguntke 2014

In-class material: - Federal election 2017 results
- Government formation – Coalition governments from 1949-2017

Session 3 (Tue, June 5, 2018; 10.00 am to 12.30 pm)

Digitalization and E-Government in Germany

Guest speaker: Dr. Eljalill Tauschinsky, Speyer University

Objectives: Students will know about the challenges of implementing digital public services in the German multilevel system.

Readings: Winkel 2007

Session 4 (Wed, June 6, 2018; 10.00 am to 12.30 pm)

Migration Policy in Focus: Managing the Refugee Crisis

- Guest speaker: Ralf Stettner, Regierungspräsidium Gießen, Head of the Department “Refugees, Reception Centre and Integration”
- Objectives: Students will be familiar with Germany’s migration policy – with an emphasis on the ‘refugee crisis’ 2015-2016 – and its political, social and administrative implications.
- Readings: Jäckle & König 2017

Session 5 (Wed, June 6, 2018; 3.00 pm to 5.30 pm)

The German political system and European integration

- Objectives: Students will be able to describe the role of the German Länder in European integration as well as their preferences for the future.
- Readings: Roberts 2009; Auel & Neuhold 2017
- In-class material: - Art. 23 German Basic Law
- Excerpt (Schmidt 2013) on important rulings of the German constitutional court on European integration
- Protocol to EU treaties on Subsidiarity

Session 6 (Wed, June 13, 2018; 10.00 am to 12.30 pm)

Wrap-up / Extra session: Germany and the US in the Age of Trump

(in case of organisational problems with our guest speakers).

- Objectives: Students will analyse how the US sees Germany and how Germany sees the US in relevant policy areas under the Trump administration.
- Readings: Langenbacher & Wittlinger 2018

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European economic integration

Instructor: Professor Knorr

Overview

The course of study is designed to familiarize students with the key theoretical and political concepts of European economic integration, its successes and its failures. In order to achieve its objectives, the course is divided into two main parts. Session 1, conceived as a brief introduction to the field, kicks off with a short history of the European economic integration process and an overview of the structural elements of alternative forms of regional economic integration. It concludes with a synopsis of the economic theory of regional economic integration. The focus of sessions 2-5 will be on selected areas of the European economic integration as it has evolved in practice: the EU's tax harmonization efforts and the supranational competition policy, the EU's budget, the Common Agricultural Policy, the European Monetary Union (EMU) and the likely economic implications of the proposed post-Brexit era.

The seminar will be taught by Professor Knorr. The first session is a lecture that introduces the overall topic. The following sessions are composed of students' presentations (of term papers and/or reading assignments) of around 20 min., followed by a plenary discussion of some 40 min. per topic.

Topics

Session 1:

Introduction to European economic integration (Prof. Knorr)

Objectives: Students will be able to understand the historical background of European economic integration and its main challenges from the Treaty of Paris to the ongoing "EURO crisis" as well as the diversity of institutional designs of regional economic blocs.

1. A short history of European economic integration (Prof. Knorr)

Required reading: El-Agraa, A. (2011a)

Recommended reading: Bulmer, S. (2007); Baldwin, R./Wyplosz, C. (2012)

For further information please refer to the website of the European Union and the following other sources:

http://europa.eu/about-eu/eu-history/index_en.htm

http://europa.eu/pol/index_en.htm

<https://agenda.weforum.org/2015/04/a-history-of-europes-economic-integration/>

2. Alternative forms of regional economic integration (Prof. Knorr)

Required reading: Pelkmans, J. (2006), pp. 2-17

Recommended reading: Haenggi, H. (2006).

<http://www.cfr.org/world/european-union-model-regional-integration/p22935>

Session 2:

The economics of regional integration

Objectives: Students will be able to identify and to understand the causes and consequences of the - positive as well as negative - economic effects of regional economic integration on members and non-members.

3. The economics behind the four basic freedoms of the Single Market

Required reading: Ardy, B./El-Agraa, A. (2011a)

Recommended reading: McDonald, F. (2005); Young, A.R. (2010); Ziltener, P. (2004)

4. The economic effects of regional economic integration – the theory of customs unions

Required reading: El-Agraa, A. (2011b)

Recommended reading: Baldwin, R./Wyplosz, C. (2012); Hitiris, T. (2003); Venables, A.J. (2007)

Session 3:

The Single Market

Objectives: Students will be able to understand the pros and cons of tax harmonization as well as the crucial role of the EU's supranational competition rules for the functioning of the Single Market.

5. Tax harmonization in the Single Market?

Required reading: Ardy, B./El-Agraa, A. (2011b)

Recommended reading: Fourçans, A./Warin, T. (2001); Hitiris, T. (2003); McCarthy, K. J./Van Doorn, F./ Unger, B. (2008)

For current/further information please refer to the website of the European Commission and the following other sources:

http://ec.europa.eu/taxation_customs/taxation/gen_info/tax_policy/index_en.htm

<http://www.ifs.org.uk/comms/r63.pdf>

https://mpira.ub.uni-muenchen.de/40350/1/MPRA_paper_40350.pdf

<http://bruegel.org/2014/07/tax-harmonization-in-europe-moving-forward/>
[http://wcfia.harvard.edu/files/wcfia/files/fwasserfallen political and economic integration.pdf](http://wcfia.harvard.edu/files/wcfia/files/fwasserfallen_political_and_economic_integration.pdf)

6. The EU's supranational competition policy and control of state aids

Required reading: Sauter, W. (2011)

Recommended reading: Baldwin, R./Wyplosz, C. (2012); Blauburger, M. (2008); Martin, S. (2007)

For current/further information, please refer to the website of the European Commission and the following other sources:

http://ec.europa.eu/competition/index_en.html

http://ec.europa.eu/competition/state_aid/overview/index_en.html

http://europa.eu/pol/pdf/flipbook/en/competition_en.pdf

Session 4:

The EU's budget and the Common Agricultural Policy (CAP)

Objectives: Students will be able to understand the very different structure of the EU's budget compared to national budgets as well as the causes of the EU's reoccurring budgetary crises. Furthermore, students will be able to evaluate the objectives and instruments of the EU's Common Agricultural Policy and the need for fundamental reform.

7. The EU's budget (incl. budgetary crises and reforms)

Required reading: Ardy, B./El-Agraa, A. (2011c)

Recommended reading: Heinemann, F./Mohl, P./Osterloh, S. (2010); Pelkmans, J. (2006); Baldwin, R./Wyplosz, C. (2012)

For current/further information, please refer to the website of the European Commission:

http://ec.europa.eu/budget/explained/budg_system/index_en.cfm

http://ec.europa.eu/budget/index_en.cfm

8. Agricultural policy and agricultural protectionism in the EU and USA: objectives, policy instruments, economic costs and benefits

Required reading: Koester, U./El-Agraa, A. (2011)

Recommended reading: Blandford, D./Josling, T./Bureau, J.-C. (2011); Colman, D. (2007); Neal, L. (2007)

For current/further information, please refer to the website of the European Commission and the following other sources:

http://ec.europa.eu/policies/agriculture_fisheries_food_en.htm

http://ec.europa.eu/agriculture/policy-perspectives/policy-briefs/05_en.pdf

Session 5:

Monetary integration; economic disintegration

Objectives: Students will be able to understand the economics of and the key steps towards monetary integration in the EU as well as causes of and the potential fallout from the ongoing so-called “EURO crisis” and the UK’s Brexit decision.

9. The aborted “Werner Plan” of 1970, the de facto 1992 collapse of the EMS/ERM and today's “EURO crisis”: Will monetary integration in the EU fail for the third time in less than fifty years?

Required reading: Mayes, D./El-Agraa, A. (2011)

Recommended reading: Alesina, A./Giavazzi, F. (2010); Baldwin, R./Wyplosz, C. (2012); Wyplosz, C. (2010)

For current/further information please refer to the website of the European Commission and the following other sources:

<http://www.imf.org/external/pubs/ft/fandd/2014/03/moghadam.htm>

<http://www.cfr.org/eu/eurozone-crisis/p22055>

10. The (potential) economic consequences of BREXIT

Required reading: Jackson, J. K. / Akhtar, S.I. / Mix, D.E (2016) Economic Implications of a United Kingdom Exit from the European Union / Available online: <https://fas.org/sgp/crs/row/R44559.pdf>

Recommended reading: OECD (2016) The economic consequences of BREXIT: a taxing decision (April 2016) / Available online:

<http://www.oecd.org/eco/the-economic-consequences-of-brex-it-a-taxing-decision.htm>

For current/further information, please refer to the following other sources:

Sampson, T. (2017), Brexit : The Economics of International Disintegration, in: Journal of Economic Perspectives, JEP 2017, pp. 163-184

<http://www.economist.com/brexit> (Overview)

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Selected Journals:

- Current Politics and Economics of Europe
- Economic Policy
- European Economic Review
- Journal of Common Market Studies
- Journal of International Economics
- Journal of World Trade
- World Competition
- World Economy

US and European constitutional law from a comparative perspective (cases)

Instructor: Professor Sommermann

Overview

The seminar “US and European Constitutional Law from a Comparative Perspective” aims at identifying and analyzing structural differences and similarities in the constitutional law of the US on the one hand and of Germany and select other European states on the other hand. It will examine to which extent constitutional arguments or patterns of argumentation are transferable from one system to the other. Special regard will be paid to select fundamental rights such as freedom of speech or freedom of religion.

The sessions will cover:

- Introduction to US and European Constitutionalism
- General principles of Constitutional Comparativism
- Comparison of fundamental rights in the US and in Europe
- Analysis of select case law

Each session is composed of at least two student presentations which will be the basis for the following plenary discussion. For a more sensitized understanding and a broader knowledge about the constitutional traditions of the respective countries, it is intended to change roles and perspectives: US students will be asked to represent the European position, German students, in contrast, will take the US view.

This method is meant to reveal differences in the legal cultures of both continents and to review commonly used argumentation patterns in the US as well as in the European constitutional tradition.

Session 1: Introduction to US and European Constitutionalism

Objectives: Introduction to general principles of US and European Constitutionalism and identification of common constitutional concepts.

1. US Constitutionalism

Required reading:

Tushnet, Mark: An overview of the history of the US Constitution, in: M. Tushnet, The Constitution of the United States of America. A contextual analysis, Oxford: Hart Publishing, 2008, pp. 9-41.

Recommended reading:

Tushnet, Mark: Constitution, in: M. Rosenfeld /A. Sajó (ed.), Comparative Constitutional Law, Oxford: Oxford University Press, 2012, pp. 217-232;

Griffin, Stephen M.: American Constitutionalism, New Jersey: Princeton University Press 1998;

Balkin, Jack: Living Originalism, Cambridge/MA: Harvard University Press 2011.

2. European Constitutionalism

Required reading:

Grimm, Dieter: The Basic Law at 60 – Identity and Change, in: German Law Journal, 2010, Vol. 11, No. 1, pp. 33-46.

Recommended reading:

Nolte, Georg (ed.): European and US Constitutionalism, Strasbourg: Council of Europe 2005;

Starck, Christian (ed.): Constitutionalism, Universalism and Democracy - A Comparative Analysis, Baden-Baden: Nomos 1999;

Salvadori, Massimo (ed.): European Liberalism, New York: Wiley 1972 (Chapter I: European Liberalism: An introduction, pp. 1-24).

3. The European systems for the protection of human rights

Required reading:

Bond, Martin: The Council of Europe and Human Rights, Strasbourg: Council of Europe 2010 (pp. 62-67).

Recommended reading:

Kaczorowska, Alina: European Union Law, second edition, Oxon: Routledge 2011, Chapter 9, Protection of Human Rights in the EU (pp. 241-248);

Leach, Philip: Taking a case to the European Court of Human Rights, third edition, New York: Oxford University Press 2011, Chapter 5, Underlying Convention Principles (pp. 59-64);

Tomuschat, Christian: Human Rights between Idealism and Realism, third edition, New York: Oxford University Press 2014. Chapter 14, Supervision by International Tribunals, Europe (pp. 286-302).

Session 2: Federalism

Objectives: Reflection on the origins and the conceptualization of federalism; identification of centralizing and decentralizing forces and strategies; comparison between the guiding principles of US, German and British federalism.

4. US perspective

Required reading

United States Supreme Court, Judgement of June 27, 1997, Printz v. United States, 521 U.S. 898 – Authority of the Congress for enacting the Handgun Violence Prevention Act 1993;

United States Supreme Court, Judgment of April 19, 2016, Hughes, Chairman, Maryland Public Service Commission, et al. v. Talen Energy Marketing, LLC, FKA PPL Energyplus, LLC, et al., 578 U.S.__(2016) – Pre-emption of Maryland's regulatory plan for energy prices through federal regulation.

Recommended reading:

United States Supreme Court, Judgement of May 15, 2000, *United States v. Morrison*, 529 U.S. 598 - Federal civil remedy for the victims of gender-motivated violence;

United States Supreme Court, Judgement of June 28, 2012, *National Federation of Independent Business v. Sebelius*, 567 U.S. __ (2012) – Obamacare (Social policy as a matter of competences?).

5. European perspective

Required reading

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of February 28, 1961, BVerfGE 12, pp. 205 et seq. - Television Case (English translation and summary taken from Bröhmer/Hill (eds.), 60 Years German Basic Law: The German Constitution and its Court. Landmark Decision of the Federal Constitutional Court of Germany in the Area of Fundamental Rights, Berlin/Ampang: Konrad Adenauer Stiftung, 2010, pp. 423-451).

Recommended reading:

UK Supreme Court, Judgement of July 9, 2014, *Agricultural Sector (Wales) Bill*, [2014] UKSC 43;

Dorsen, Norman/Rosenfeld, Michel/Sajó, András/Baer, Susanne: Comparative Constitutionalism, third edition, St. Paul: West Group, 2016.

Session 3: Democracy and Freedom of speech

Objectives: Comparison of conceptual approaches towards democracy; analysis of supranational implications; comparison of the US and the European perspective on aspects of the freedom of speech; taking a closer look at ground-breaking case-law of EU and US constitutional jurisprudence.

6. US perspective

Required reading:

Democracy

United States Supreme Court, Judgement of April 5, 1982, *Brown v. Hartlage*, 456 U.S. 45 - Commitment to lowering county commissioners' salaries if elected;

United States Supreme Court, Judgment of March 1, 2017, *Bethune-Hill et al. v. Virginia State Board of Elections et al.*, 580 U.S. __ (2017) – Permissibility of the use of race in the design of election districts.

Freedom of Speech

United States Supreme Court, Judgement of March 9, 1964, *New York Times v. Sullivan*, 376 U.S. 254 – Chilling effect of liability in case of criticism of government and public officials based on erroneous or false statements (required);

United States Supreme Court, Judgment of June 19, 2017, *Packingham v. North Carolina*, 582 U.S. (2017) – Restrictions in the access to social media on registered sex offenders.

Recommended reading:

Democracy

United States Supreme Court, Judgment of April 4, 2016, *Evenwel et al. v. Abbott, Governor of Texas, et al.*, 578 U.S. __ (2016) - Constitutional rule of districting based on total population and not on voter population;

United States Supreme Court, Judgment of June 27, 2016, *McDonnell v. United States*, 579 U.S. __ (2016). Sentence for a Governor of a State for accepting gifts from a businessman in exchange of facilitating access to public officials of interest for him.

Freedom of Speech

United States Supreme Court, Judgement of June 22, 1992, *R.A.V. v. City of St. Paul*, 505 U.S. 377 – Municipal ordinance against hate speech;

United States Supreme Court, Judgement of June, 26, 2014, *McCullen et al. v. Coakley*, 573 U.S. ... - Buffer zones at abortion clinics.

7. European perspective

Required reading:

Democracy

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of June 30, 2009, BVerfGE 123, pp. 267 et seq. (Lisbon Treaty) (English translation);

European Court of Human Rights (Grand Chamber), Judgment of October 6, 2005, *Hirst v. The United Kingdom (N° 2)* – Blanket ban on convicted prisoners from voting in elections.

Freedom of Speech

European Court of Human Rights, Judgement of June 24, 2004, *Caroline von Hannover v. Germany* – Freedom of press vs. right to privacy;

European Court of Human Rights (Grand Chamber), Judgement of June 16, 2015, *Delfi AS v. Estonia* – Liability of the managers of an internet portal for allowing hate-inciting comments on their website;

European Court of Human Rights (Grand Chamber), Judgement of October 15, 2015, *Perincek v. Switzerland* – Conviction for denial of Armenian genocide.

Recommended reading

Democracy

European Court of Human Rights (Grand Chamber), Judgement of February 18, 1999, *Matthews v. The United Kingdom* – Right of the citizens of Gibraltar to take part in the elections to the European Parliament;

European Court of Human Rights, decision of June 13, 2017, *Moohan and Gillon v. the United Kingdom* – Exclusion of convicted prisoners from voting in the Scottish independence referendum of 2014.

Freedom of Speech

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of January 15, 1958, BVerfGE 7, pp.198 et seq. (Lüth Case) – Fundamental rights as

an order of values (English translation and summary taken from Donald P. Kommers: The Constitutional Jurisprudence of the Federal Republic of Germany, second edition, Durham and London: Duke University Press, 1997, pp. 360-369);

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of May 24, 2005, BVerfGE 113, pp. 63 et seq. - Report of the Office for the Protection of the Constitution of a Land referring to a suspicion that a press publishing house has shown tendencies hostile to the constitution (English translation).

Session 4: Freedom of religion

Objectives: Comparison of the US and the European perspective on aspects of the freedom of religion. Special attention will be paid to possible conflicts between particular religious convictions or practices on the one hand and diverging basic constitutional and societal values on the other hand.

8. US perspective

Required reading:

United States Supreme Court, Judgement of June 24, 1992, Lee v. Weisman, 505 U.S. 577 – Prayers at graduation ceremonies.

Recommended reading:

United States Supreme Court, Judgement of June 16, 1977, Trans World Airlines, inc. v. Hardison, 432 U.S. 63 – accommodation of religious needs of employees unless unreasonable for employer (religious belief prohibiting working on Saturdays –Sabbath);

United States Supreme Court, Judgement of May 5, 2014, Town of Greece v. Galloway – Prayers in town board meetings;

United States Supreme Court, Judgment of June 26, 2017, Trinity Lutheran Church of Columbia, inc. v. Comer, Director, Missouri Department of Natural Resources, 582 U.S.__(2017) – Exclusion of a welfare activity of the Lutheran Church from state funding.

9. European perspective

Required reading:

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of October 16, 1979, BVerfGE 52, pp. 223 et seq. (School Prayer Case) (English translation and summary taken from Bröhmer/Hill (eds.), 60 Years German Basic Law: The German Constitution and its Court. Landmark Decision of the Federal Constitutional Court of Germany in the Area of Fundamental Rights, Berlin/Ampang: Konrad Adenauer Stiftung 2010, pp. 287-300);

Federal Constitutional Court of the Republic of Germany (BVerfG), Order of January 27, 2015, BVerfGE 138, pp. 296 et seq. (ban on headscarf for school teachers) (English translation);

European Court of Human Rights (Grand Chamber), Judgement of July 1, 2014, S.A.S. v. France – Ban on wearing burqa or niqab in public places;

European Court of Human Rights, Judgment of December 5, 2017, Hamidović v. Bosnia and Herzegovina – Expulsion from court room for wearing a skullcap.

Recommended reading:

European Court of Human Rights (Grand Chamber), Judgement of March 18, 2011, Lautsi v. Italy – Classroom Crucifix;

European Court of Human Rights, Judgement of January 15, 2013, Eweida and others v. The United Kingdom – Protection against employers prohibiting the wearing of religious symbols;

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of May 16, 1995, BVerfGE 93, pp. 1 et seq. - Classroom Crucifix English translation and summary taken from Bröhmer/Hill (eds.), 60 Years German Basic Law: The German Constitution and its Court. Landmark Decision of the Federal Constitutional Court of Germany in the Area of Fundamental Rights, Berlin/Ampang: Konrad Adenauer Stiftung 2010, pp. 301-317);

UK Supreme Court, Judgement of November 27, 2013, Bull and another, (2013) UKSC 73 – Behaviour of Christian hotel keeper towards homosexual couples.

Session 5: The challenge of Secession or Withdrawal from a Union of States

Objectives: Identifying different degrees of integration of States, taking the US and the EU as reference; examination of the prerequisites for a secession or a withdrawal respectively; reflecting on the consequences of a secession, withdrawal or dissolution of a Union.

10. US perspective

Required reading

United States Supreme Court, Judgement of April 12, 1869, Texas v. White, 74 U.S. 700 (1869) – indissoluble relation of the United States.

Recommended reading

Mancini, Susanna: Secession and Self-Determination, in: M. Rosenfeld /A. Sajó (ed.), Comparative Constitutional Law, Oxford: Oxford University Press, 2012, pp. 481-500.

11. European perspective

Required reading

UK Supreme Court, Judgement of January 24, 2017, R. (Miller) v. Secretary of State for Exiting the European Union, [2017] UKSC 5;

Constitutional Court of Spain, Judgment of October 17, 2017, Boletín Oficial del Estado (Official Gazette) no. 256 of October 24, 2017 – Unconstitutionality of a law of the Parliament of Catalonia regulating an independence referendum.

Recommended reading

The High Court of Justice, Queen's Bench Division, Divisional Court, Judgement of November 3, 2016, R. (Miller) v. Secretary of State for Exiting the European Union, [2016] EWHC 2768 (Admin) – “Brexit” and the role of Parliament;

Feldman, David: 'Brexit, the Royal Prerogative, and Parliamentary Sovereignty' UK Const. L. Blog (8th Nov 2016) (available at <http://ukconstitutionallaw.org>);

Gordon, Richard/ Moffatt, Rowena: Brexit: The Immediate Legal Consequences, London: The Constitution Society, 2016 (available at <https://www.consoc.org.uk/wp-content/uploads/2016/05/Brexit-PDF.pdf>).

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Balkin, Jack M.: Living Originalism, Cambridge/MA: Harvard University Press 2011;

Bogdandy, Armin von/Bast, Jürgen (eds.): Principles of European constitutional law, 2nd ed., Oxford: Hart Publishing, 2010;

Bond, Martin: The Council of Europe and Human Rights, Council of Europe: Strasbourg 2010;

Bröhmer, Jürgen/Hill, Clauspeter (Eds.): 60 Years German Basic Law: The German Constitution and its Court, Berlin/Ampang: Konrad-Adenauer-Stiftung 2011;

Dorsen, Norman/Rosenfeld, Michel/Sajó, András/Baer, Susanne: Comparative Constitutionalism, St. Paul: West Group, 2003;

Feldman, David: 'Brexit, the Royal Prerogative, and Parliamentary Sovereignty' UK Const. L. Blog (8th Nov 2016) (available at <http://ukconstitutionallaw.org>);

Greer, Stevan: The European Convention on Human Rights, 1st ed., Cambridge: Cambridge University Press, 2006;

Griffin, Stephen M.: American Constitutionalism, New Jersey: Princeton University Press, 1998;

Grimm, Dieter: The Basic Law at 60 – Identity and Change, in: German Law Journal, 2010, Vol. 11, No. 1, pp. 33-46;

Gordon, Richard/ Moffatt, Rowena: Brexit: The Immediate Legal Consequences, London: The Constitution Society, 2016 (available at <https://www.consoc.org.uk/wp-content/uploads/2016/05/Brexit-PDF.pdf>).

Hall, Kermit L. (ed.): The Oxford Guide to United States Supreme Court Decisions, 2nd ed., Oxford/New York: Oxford University Press, 2009;

Heun, Werner: The Constitution of Germany. A Contextual Analysis, Oxford/Portland (Or.): Hart Publishing, 2011;

Kaczorowska, Alina: European Union Law, second edition, Oxon: Routledge 2011;

Kommers, Donald P.: The Constitutional Jurisprudence of the Federal Republic of Germany, 2nd ed., Durham/London 1997;

Leach, Philip: Taking a case to the European Court of Human Rights, third edition, New York: Oxford University Press 2011;

Mancini, Susanna: Secession and Self-Determination, in: M. Rosenfeld /A. Sajó (ed.), Comparative Constitutional Law, Oxford: Oxford University Press, 2012, pp. 481-500;

- Nolte, Georg* (ed.): *European and US Constitutionalism*, Cambridge: Cambridge University Press, 2005;
- Riedel, Eibe* (ed.): *Constitutionalism - Old Concepts, New Worlds*, Berlin: Berliner Wiss.-Verlag, 2005;
- Rossum, Ralph A./Tarr, George Alan*: *American constitutional law*, 2 vol., 8th ed., Boulder: Westview, 2010;
- Salvadori, Massimo* (ed.): *European Liberalism*, New York: Wiley 1972 (Chapter I: European Liberalism: An introduction, pp. 1-24);
- Starck, Christian* (ed.): *Constitutionalism, Universalism and Democracy - a comparative analysis*, Baden-Baden: Nomos, 1999;
- Starck, Christian* (ed.): *Studies in German Constitutionalism*, Baden-Baden: Nomos, 1995;
- Strauss, David A.*: *The Living Constitution*, Oxford: Oxford University Press, 2010;
- Tomuschat, Christian*: *Human Rights between Idealism and Realism*, third edition, New York: Oxford University Press 2014;
- Tribe, Laurence H.*: *American constitutional law*, 3rd ed., Mineola (NY): Foundation, 2000;
- Tushnet, Mark*: *The Constitution of the United States of America. A contextual analysis*, Oxford: Hart Publishing, 2008, pp. 9-41;
- Tushnet, Mark*: *Constitution*, in: M. Rosenfeld /A. Sajó (ed.), *Comparative Constitutional Law*, Oxford: Oxford University Press, 2012, pp. 217-232;
- White, Robin C. A./Ovey, Clare*: *The European Convention on Human Rights*, 5th ed., Oxford: Oxford University Press 2010.

Relevant case-law

- European Court of Human Rights (Grand Chamber), Judgement of February 18, 1999, Matthews v. The United Kingdom;*
- European Court of Human Rights, Judgement of June 24, 2004, Caroline von Hannover v. Germany;*
- European Court of Human Rights (Grand Chamber), Judgement of November 10, 2005, Sahin v. Turkey;*
- European Court of Human Rights (Grand Chamber), Judgement of March 18, 2011, Lautsi v. Italy;*
- European Court of Human Rights, Judgement of January 15, 2013, Eweida and others v. The United Kingdom;*
- European Court of Human Rights (Grand Chamber), Judgement of July 1, 2014, S.A.S. v. France;*
- European Court of Human Rights (Grand Chamber), Judgement of June 16, 2015, Delfi AS v. Estonia;*
- European Court of Human Rights (Grand Chamber), Judgement of October 15, 2015, Perincek v. Switzerland.*

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of January 15, 1958, BVerfGE 7, pp.198 et seq. (Lüth Case);

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of February 28, 1961, BVerfGE 12, pp. 205 et seq. (Television Case);

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of October 16, 1979, BVerfGE 52, pp. 223 et seq., (School Prayer Case);

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of May 16, 1995, BVerfGE 93, pp. 1 et seq. (Classroom Crucifix Case);

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of May 24, 2005, BVerfGE 113, pp. 63 et seq. (Report of the Office for the Protection of the Constitution of a Land);

Federal Constitutional Court of the Republic of Germany (BVerfG), Judgement of June 30, 2009, BVerfGE 123, pp. 267 et seq. (Lisbon Treaty);

United Kingdom Supreme Court, Judgement of November 27, 2013, Bull and another, [2013] UKSC 73;

United Kingdom Supreme Court, Judgement of July 9, 2014, Agricultural Sector (Wales) Bill, [2014] UKSC 43;

UK Supreme Court, Judgement of January 24, 2017, R. (Miller) v. Secretary of State for Exiting the European Union, [2017] UKSC 5;

The High Court of Justice, Queen's Bench Divion, Divisional Court, Judgement of November 3, 2016, R. (Miller) v. Secretary of State for Exiting the European Union [2016], EWHC 2768 (Admin).

United States Supreme Court, Judgement of April 12, 1869, Texas v. White, 74 U.S. 700 (1869);

United States Supreme Court, Judgement of March 9, 1964, New York Times v. Sullivan, 376 U.S. 254;

United States Supreme Court, Judgement of June 16, 1977, Trans World Airlines, inc. v. Hardison, 432 U.S. 63;

United States Supreme Court, Judgement of April 5, 1982, Brown v. Hartlage, 456 U.S. 45;

United States Supreme Court, Judgement of June 22, 1992, R.A.V. v. City of St. Paul, 505 U.S. 377;

United States Supreme Court, Judgement of June 24, 1992, Lee v. Weisman, 505 U.S. 577;

United States Supreme Court, Judgement of June 27, 1997, Printz v. United States, 521 U.S. 898;

United States Supreme Court, Judgement of May 15, 2000, United States v. Morrison, 529 U.S. 598;

United States Supreme Court, Judgement of June 28, 2012, National Federation of Independent Business v. Sebelius, 567 U.S. __ (2012);

United States Supreme Court, Judgement of June 25, 2013, Shelby County v. Holder, 570 U.S. __ (2013);

United States Supreme Court, Judgement of May 5, 2014, Town of Greece v. Galloway, 572 U.S. __ (2014);

United States Supreme Court, Judgement of June, 26, 2014, McCullen et al. v. Coakley, 573 U.S. __ (2014);

United States Supreme Court, Judgment of April 4, 2016, Evenwel et al. v. Abbott, Governor of Texas, et al., 578 U.S. __ (2016).

United States Supreme Court, Judgment of April 19, 2016, Hughes, Chairman, Maryland Public Service Commission, et al. v. Talen Energy Marketing, LLC, FKA PPL Energyplus, LLC, et al., 578 U.S. __ (2016);

United States Supreme Court, Judgment of June 27, 2016, McDonnell v. United States, 579 U.S. __ (2016);

Appendix A

University of Southern California Statement on Academic Conduct and Support Systems

Academic Conduct

Plagiarism – presenting someone else’s ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in SCampus in Section 11, Behavior Violating University Standards <https://scampus.usc.edu/1100-behavior-violating-university-standards-and-appropriate-sanctions/>. Other forms of academic dishonesty are equally unacceptable. See additional information in SCampus and university policies on scientific misconduct, <http://policy.usc.edu/scientific-misconduct/>.

Discrimination, sexual assault, and harassment are not tolerated by the university. You are encouraged to report any incidents to the Office of Equity and Diversity <http://equity.usc.edu/> or to the Department of Public Safety <http://capsnet.usc.edu/department/departement-public-safety/online-forms/contact-us>. This is important for the safety whole USC community. Another member of the university community – such as a friend, classmate, advisor, or faculty member – can help initiate the report, or can initiate the report on behalf of another person. The Center for Women and Men <http://www.usc.edu/student-affairs/cwm/> provides 24/7 confidential support, and the sexual assault resource center webpage sarc@usc.edu describes reporting options and other resources.

Support Systems

A number of USC’s schools provide support for students who need help with scholarly writing. Check with your advisor or program staff to find out more. Students whose primary language is not English should check with the American Language Institute <http://dornsife.usc.edu/ali>, which sponsors courses and workshops specifically for international graduate students. The Office of Disability Services and Programs http://sait.usc.edu/academicsupport/centerprograms/dsp/home_index.html provides certification for students with disabilities and helps arrange the relevant accommodations. If an officially declared emergency makes travel to campus infeasible, USC Emergency Information <http://emergency.usc.edu/> will provide safety and other updates, including ways in which instruction will be continued by means of blackboard, teleconferencing, and other technology.

Appendix B

Indiana University Statement on Academic Conduct

Academic honesty

Students are expected to adhere to SPEA's standards on cheating and other academic behavior. These standards are clearly outlined at https://spea.indiana.edu/doc/undergraduate/ugrd_student_honorcode.pdf.

SPEA's policy dictates that "Academic dishonesty can result in a grade of F for the class (an F for academic dishonesty cannot be removed from the transcript). Significant violations of the Code can result in expulsion from the University." It is critical that you become familiar with these standards.

Appendix C

Guidelines on seminar papers

1. Seminar paper

- Cover sheet (full name, topic, student ID number, course ID, submission deadline)
- Contents
- List of abbreviations
- Text
- References
- Appendices (if applicable)
- Length: 3000 – 4000 words (approx.. 10 pages)

2. Referencing and citing

- All widely used formats are acceptable, as long as they are used consistently.
- Use respectable sources only. *Wikipedia* is not one of them.
- Plagiarism will **not** be tolerated!

Plagiarism consists of any act of borrowing the words, opinions, ideas, sequence of ideas, statistical data, or other findings of another author without proper attribution. This means that, for instance, the literal citation of a text must be put in quotation marks. Mere reference to the author in a footnote is not sufficient. Plagiarism will result in lower grades and might even lead to a grade of 0. If 10% or more of a paper represents plagiarism, the paper will not be graded, and the person will be removed from the seminar.