

Harvard University
Government 2180
Tuesday 2:15-4:00

EUROPEAN STUDIES SEMINAR:

DEMOCRATIC ACCOUNTABILITY IN THE NEW EUROPE

Andrew Moravcsik
Center for European Studies
5-4303 x205
moravcs@fas.harvard.edu
Office Hours: Wednesday 3-4
and by appointment

Cindy Skach
Center for European Studies
5-4303 x259
skach@fas.harvard.edu
Office Hours: Wednesday
3:30-5:30 and by appointment

Topic

Is there a “democratic deficit” in Europe? Political decisions are increasingly delegated to insulated, non-majoritarian institutions, national bureaucracies, constitutional courts, central banks, and international organizations. In what sense are administrators, judges, diplomats, and chief executives democratically accountable? What are the political consequences? The course looks to positive and normative theory, as well as empirical material drawn from European integration, West European political development, and Central European democratic transitions—with assistance from visiting senior European scholars.

Logistics

This seminar will meet Tuesdays from 2:15 to 4 p.m. Several sessions will be rescheduled to Thursdays at the same time. Enrollment is limited, with preference given to Government Department graduate students. Auditors are not permitted, except by special invitation.

Requirements

- 1. Short Papers:** Each student must write two concise essays of no more than 1500 words based on the weekly readings or some subset thereof. A sign-up sheet will be circulated. Two copies of this essay must be e-mailed to Professors Moravcsik and Skach, respectively, by 5 pm on the Monday preceding the class in question. Hard copies will be acceptable as temporary substitutes only in cases of emergency.
- 2. Summaries:** Each student is required to write summaries of at least two readings for distribution to the whole class, and thereby to participate in a note pool.
- 3. Research Paper:** A final research paper of appropriate scholarly length is due on Friday, 19 January, at 5 p.m. by e-mail as above. This paper must be based on a topic and brief prospectus approved by Profs. Moravcsik and Skach. Prospectuses are due before 8 December. We strongly encourage earlier submission.
- 4. Participation and Grading:** Grades will be based on the final research paper (66%), short papers and class participation (34%).

Materials

Readings are subject to change in consultation with visiting faculty. Books recommended for purchase are marked with an asterisk and should be available at the COOP. (*) Readings available electronically are marked with two asterisks (**). To access these readings through Hollis, go to <http://lib.harvard.edu> and find JSTOR or ProQuest under electronic journals. (Note: JSTOR works best with Netscape as your browser, rather than Internet Explorer.) Some are found in other electronic sources.

SYLLABUS

19 September

INTRODUCTION (125 pp.)

Andrew Moravcsik and Cindy Skach

Brian Barry, "Is Democracy Special?" in Barry, ed., *Democracy, Power and Justice: Essays in Political Theory* (Oxford: Oxford University Press, 1989), pp. 24-60.

Jon Elster, "Introduction," Stephen Holmes, "Precommitment and the Paradox of Democracy," and Cass Sunstein, "Constitutions and Democracies," in Jon Elster and Rune Slagstad, eds. *Constitutionalism and Democracy* (Cambridge: Cambridge University Press, 1988), 1-18, 195-240, 327-353.

26 September

ELITES AND PUBLICS IN THE INTELLECTUAL HISTORY OF REPRESENTATIVE GOVERNMENT (256 pp.)

Bernard Manin (CNRS/Paris), Richard Tuck, Andrew Moravcsik and Cindy Skach

Bernard Manin, Adam Przeworski, and Susan C. Stokes, "Elections and Representation," in Adam Przeworski, Susan C. Stokes, and Bernard Manin, eds., *Democracy, Accountability, and Representation* (Cambridge: Cambridge University Press, 1999), pp. 29-54.

* Bernard Manin, *The Principles of Representative Government* (Cambridge: Cambridge University Press, 1997), Introduction (pp. 1-7), Chapter 2 (pp. 42-44, 67-93 only), Chapters 4-6 (pp. 132-235), Conclusion (pp. 236-238).

Hanna Pitkin, *The Concept of Representation* (Berkeley: University of California Press, 1967), Chapters 6, 7, 10 (pp. 112-167, 209-240.)

Recommended:

Jürgen Habermas, *Legitimation Crisis* (Boston: Beacon, 1973).

Tom R. Tyler, *Why People Obey the Law* (New Haven: Yale UP, 1990).

3 October

**CONCEPTUALIZING AND MEASURING DEMOCRACY
(268 pp.)**

Robert Putnam (Harvard Government and KSG) and Cindy Skach

* Robert A. Dahl, *Polyarchy: Participation and Opposition* (New Haven: Yale University Press, 1971), Chapters 1-7. (pp. 1-123)

Robert D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton: Princeton University Press, 1993), Chapter 3, "Measuring Institutional Performance." (pp. 63-82)

** David Collier and Steven Levitsky, "Democracy with Adjectives: Conceptual Innovation in Comparative Research," *World Politics* Vol. 49, No. 3 (April 1997), pp. 430-51.

Arend Lijphart, *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries* (New Haven: Yale University Press, 1984), Chapter 1-6. (pp. 1-105)

Recommended:

Kenneth Shepsle, "Congress is a 'They,' Not an 'It': Legislative Intent as Oxymoron," *International Review of Law and Economics* 12 (1992), pp. 239-256.

David Collier and Robert N. Adcock, "From Concepts to Observations: the Validity of Measurement," manuscript. (approx. 40 pp.).

10 October

**DELEGATION AND DEMOCRACY
(240 pp.)**

Andrew Moravcsik and Cindy Skach

“Delegation and Democracy,” in Arthur Lupia and Matthew McCubbins, *The Democratic Dilemma: Can Voters Learn What They Need to Know?* (Cambridge: Cambridge University Press, 1998), pp. 79-93.

* Robert A. Dahl, *Democracy and its Critics* (New Haven: Yale University Press, 1989), Chapters 10-11, 13-16, 19-21. (pp. 135-162, 176-209, 265-308.

* David Epstein and Sharyn O’Halloran, *Delegating Powers: A Transaction Cost Politics Approach to Policy-Making under Separate Powers* (Cambridge: Cambridge University Press, 1999), pp. 1-51, 77-85, 232-244. (We recommend the remainder to those interested in formal derivation and quantitative testing of these propositions.)

John Ferejohn, “Accountability and Authority: Toward a Theory of Political Accountability,” in Adam Przeworski, Susan C. Stokes, and Bernard Manin, eds., *Democracy, Accountability, and Representation* (Cambridge: Cambridge University Press, 1999), pp. 131-153.

Mark Pollack, “Delegation, Agency and Agenda Setting in the European Community” *International Organization* 51:1 (Winter 1997), pp. 99-134.

Recommended:

Arthur Lupia, “Delegation of Power” (Available as a pdf file at <http://weber.ucsd.edu/~alupia/>) (approx. 10 pp.)

José María Maravall, “Accountability and Manipulation,” in Adam Przeworski, Susan C. Stokes, and Bernard Manin, eds., *Democracy, Accountability, and Representation* (Cambridge: Cambridge University Press, 1999), pp. 154-196.

T. Bergman, W.C. Müller, and K. Strøm, “Introduction: Parliamentary Democracy and the Chain of Delegation”; Arthur Lupia and Mathew D. McCubbins, “Representation or Abdication?”

How Citizens Use Institutions to Help Delegation Succeed”; Torbjörn Bergman, “The European Union as the Next Step of Delegation and Accountability,” in T. Bergman, W.C. Müller, and K. Strøm, eds. Special issue of *European Journal of Political Research* 37:3 (May 2000), pp. 255-260, 291-307, 415-429.

17 October

**CONSTITUTIONALIZING INTERNATIONAL POLITICS:
PROBLEMS OF SCOPE, DIVERSITY, AND
SOVEREIGNTY**

(334 pp.)

Robert Keohane (Duke University) and Andrew Moravcsik

Robert A. Dahl, “Can International Organizations be Democratic? A Skeptic’s View.” In Ian Shapiro and Casiano Hacker-Cordon, eds., *Democracy’s Edges* (Cambridge: Cambridge UP 1999), pp. 19-36.

David Held, “Democracy, the Nation-State and the Global System,” Chapter 10 of Held, *Models of Democracy* (Second edition, 1996), pp. 335-362.

Benjamin R. Barber, “Can Democracy Survive Globalization?” *Government and Opposition* 35-3 (2000), pp. 277-301.

** Robert O. Keohane and Joseph S. Nye, Jr., “The Club Model of Multilateral Cooperation and Problems of Democracy Legitimacy,” Paper prepared for APSA Convention, August 31-September 3, 2000. (28 pp.) *To be sent by e-mail attachment.*

* Fritz Scharpf, *Governing in Europe: Effective and Democratic?* (Oxford 1999), Chs. 1 and Conclusion. (pp. 6-43; 187-204)

Michael Zürn, “Democratic Governance Beyond the Nation State: The EU and Other International Institutions.” *European Journal of International Relations*, v. 6, no. 2 (June 2000), pp. 183-222.

Anne-Marie Slaughter, “Governing Through Government Networks,” in Michael Byers, ed., *The Role of Law in International Politics* (Oxford: Oxford University Press, 2000), pp 177-205.

** Eyal Benvenisti, "Exit and Voice in an Age of Globalization," *Michigan Law Review* 98:1 (October 1999), pp. 167-212. Available through Lexis-Nexus under law reviews.

Robert O. Keohane and Joseph S. Nye, Jr., "Introduction," in Joseph Nye, ed. *Globalization and Governance*, forthcoming. (40 pp.)

Recommended:

James McCall Smith, "The Politics of Dispute Resolution Design: Explaining Legalism in Regional Trade Pacts," *International Organization* 54:1 (Winter 2000), pp. 137-180.

Robert Keohane and Lisa Martin, "Institutional Theory, Endogeneity, and Delegation," (unpublished paper) Available at: <http://www.people.fas.harvard.edu/~llmartin/LAKPAP.html>

Andreas Hasenclever, Peter Mayer, and Volker Rittberger, *Theories of International Regimes* (Cambridge, UK: Cambridge University Press, 1997).

Robert A. Dahl, *On Democracy* (New Haven: Yale University Press, 1999), pp. 83-99, 114-117.

David Held, *Democracy and Global Order: From the Modern State to Cosmopolitan Governance* (Stanford: Stanford University Press, 1995).

Benjamin Barber, *Jihad vs. McWorld: How Globalism and Tribalism are Reshaping the World* (New York: Ballantine, 1995),

Charles Beitz, *Political Theory and International Relations* 2nd edition (Princeton: Princeton University Press, 2000).

Jeremy Rabkin, *Why Sovereignty Matters* (Washington: AEI Press, 1998).

Andrew Moravcsik, "Conservative Idealism and International Institutions," *Chicago Journal of International Law* (forthcoming).
Jeremy Rabkin, *Why Sovereignty Matters* (Washington: AEI Press, 1998).

Philip Alston, "The Myopia of the Handmaidens: International Lawyers and Globalization," 8 *European Journal of International Law*.

26 October
(Thursday)

**THE COUNTER-MAJORITARIAN PROBLEM IN US
CONSTITUTIONAL LAW (265 pp.)**

Cindy Skach and Mark Tushnet (Georgetown Law School)

* Mark Tushnet, *Taking the Constitution Away from the Courts* (Princeton: Princeton University Press, 1999), Chapters 1-3 (6-71) and 6-8 (129-194).

Frank I. Michelman, *Brennan and Democracy* (Princeton: Princeton University Press, 1999), Chapter 1 (pp. 3-62).

Alexander Bickel, *The Least Dangerous Branch: The Supreme Court at the Bar of Politics* (Indianapolis: Bobbs-Merrill, 1962), Chapter 1. (pp. 1-33).

* John Hart Ely, *Democracy and Distrust: A Theory of Judicial Review* (Cambridge: Harvard University Press, 1980), Chapters 1(1-9), 4, 5, 6, Conclusion (73-183).

“Judicial Review, Democracy, and Some Notes on Interpretation,” in Geoffrey R. Stone, Louis M. Seidman, Cass R. Sunstein, and Mark V. Tushnet, *Constitutional Law* (Aspen, 1996), pp. 37-46.

Recommended:

Cass R. Sunstein, *One Case at a Time: Judicial Minimalism on the Supreme Court* (Cambridge: Harvard University Press, 1999), pp. 3-74, and 259-263.

Bruce Ackerman, *We the People: Foundations* (Cambridge: Harvard University Press, 1991), browse.

2 November
(Thursday 1-3 pm)

TRANSNATIONAL GOVERNANCE IN THE EU – PART 1

Andrew Moravcsik and Philippe Schmitter (EUI)

* Philippe Schmitter, *How to Democratize the European Union...And Why Bother?* (Lanham, MD: Rowman and Littlefield, 2000), complete. (133 pp.)

J.H.H. Weiler, *The Constitution of Europe* (Cambridge: Cambridge University Press, 1999), Chapters 1, 2, 8, 10. (pp. 1-101, 264-285, 324-357)

* Fritz Scharpf, *Governing in Europe: Effective and Democratic?* (Oxford: Oxford University Press, April 1999), remaining chapters. (pp. 44-186)

Giandomenico Majone, *Regulating Europe* (London: Routledge, 1996), Chapters 4, 12, 13. (pp. 61-79, 265-301).

** David Laitin, "The Cultural Identities of a European State," *Politics and Society* 25:3 (September 1997), pp. 277- 302. Available at: <http://construct.haifa.ac.il/~danielp/soc/laitin.htm>

** Oliver Gerstenberg and Charles Sabel, "Globalisation and Deliberative Democracy," unpublished paper. *To be e-mailed to the participants.*

William H. Riker, "Federalism," in Fred Greenstein and Nelson W. Polsby, eds., *Handbook of Political Science* (Reading: Addison-Wesley, 1975), Vol. 5, pp. 93-172.

"A Government of Enumerated Powers," and "The Values of Federalism," in Geoffrey R. Stone, Louis M. Seidman, Cass R. Sunstein, and Mark V. Tushnet, *Constitutional Law* (Aspen, 1996), pp. 147-154.

Lisa L. Martin, "National Parliaments and European Integration: Institutional Choice in EU Member States," and "Implementing the EU's Internal Market: the Influence of National Parliaments," in Martin, *Democratic Commitments: Legislatures and International Cooperation* (Princeton, 2000), pp. 147-189.

Jenna Bednar, John Ferejohn, and Geoffrey Garrett, "The Politics of European Federalism," *International Review of Law and Economics* 16 (September 1996), pp. 279-293.

** Lars-Erik Cederman, "Nationalism and Bounded Integration: What it Would Take to Construct a European Demos" (Unpublished Paper, European University Institute, 2000). *To be distributed by e-mail.*

Philippe van Parijs, “Should Europe Be Belgian?” in Karl Hinrichs, Herbert Kitschelt, and Helmut Wisenthal, eds. *Kontingenz und Krise* (Frankfurt/M: Campus, 2000), pp. 59-77.

Recommended:

Andrew Moravcsik, “Why the European Community Strengthens the State: Domestic Politics and International Institutions” *Center for European Studies Working Paper Series 52* (Cambridge: Center for European Studies, 1994).

Jack Hayward, ed. *The Crisis of Representation in Europe* (London: Cass, 1995).

Andrew Moravcsik, “European Federalism: Rhetoric and Reality” in Robert Howse and Kalypso Nicolaïdis, eds. *European and American Federalism in Comparative Perspective* (forthcoming).

A. Føllesdal and P. Koslowski, eds. *Democracy and the European Union* (Berlin: Springer, 1998).

Renaud Dehousse Caroline Morgan, eds. *Europe, the Impossible Status Quo* (New York: St. Martin's Press, July 1997).

Justin Greenwood, *Representing Interests in the European Union* (New York: St. Martin's Press, 1997).

Larry Siedentop, *Democracy in Europe* (Allen Lane: Penguin Press, 2000).

Daniel Elazar, *Exploring Federalism* (University: University of Alabama Press, 1987).

7 November

TRANSNATIONAL GOVERNANCE IN THE EU – PART II

Andrew Moravcsik, Philippe Schmitter (EUI) and Joseph Weiler (HLS)

(Same as 2 November)

14 November

**WHAT'S LEFT? GLOBALIZATION AND
MACROECONOMIC AUTONOMY**

Cindy Skach and Geoffrey Garrett (Yale)

* Geoffrey Garrett, *Partisan Politics in the Global Economy* (Cambridge: Cambridge University Press, 1998), pages to be announced.

** Geoffrey Garrett, "Capital Mobility, Exchange Rates and Fiscal Policy in the Global Economy," *Review of International Political Economy* 7(1) (2000): pp. 153-170. Available at <http://pantheon.yale.edu/~gmg8/>

** Geoffrey Garrett and Deborah Mitchell, "Globalization. Government Spending and Taxation in the OECD." *European Journal of Political Research* 39(3) (2001 forthcoming). The link to the pdf is <http://pantheon.yale.edu/~gmg8/>

** Paul Pierson, "Three Worlds of Welfare State Research," *Comparative Political Studies* 33:6-7 (August-September 2000), pp. 791-821. Available through OLCS "First Search" in Hollis. (If you have difficulty finding it, try the Yahoo search and look for Harvard.)

Paul Pierson, "Irresistible Forces, Immovable Objects: Post-Industrial Welfare States Confront Permanent Austerity," *Journal of European Public Policy* 5:4 (December 1998), pp. 539-560.

** Torben Iversen and David Soskice, "A Theory of Social Policy Preferences" (Unpublished manuscript, Harvard University, 2000). PDF file is available at <http://www.people.fas.harvard.edu/~jfrieden/pegroup.html>

Rodrik, Dani. 1998. Why Do More Open Economies Have Bigger Government? *Journal of Political Economy* 106: 997-1032.

Carlos Boix, *Political Parties, Growth and Equality*, Chs 2-4.

Recommended:

Louis W. Pauly, *Who Elected the Bankers?: Surveillance and Control in the World Economy* (Ithaca: Cornell University Press, 1998).

Martin Rhodes, Maurizio Ferrera and Anton Hemerijck, "Recasting European Welfare States for the 21st Century," forthcoming in *European Review*, Summer 2000 (special issue on 'The Future of the Welfare State', edited by Stephan Leibfried). (17 pp.)

Maurizio Ferrera, Anton Hemerijck, and Martin Rhodes, "The Future of Social Europe: Recasting Work and Welfare in the New Economy," (Report for the Portuguese Presidency of the EU, 2000). (106 pp.)

21 November

AGENDA CONTROL AND PARLIAMENTARY POWER IN THE EUROPEAN UNION

Andrew Moravcsik and George Tsebelis (UCLA)

George Tsebelis, "The Power of the European Parliament as a Conditional Agenda-Setter," *American Political Science Review* 88:1 (March 1994) pp. 128-142.

Debate between Moser and Tsebelis in *APSR*.

"Veto Players and Institutional Analysis" *Governance* (forthcoming). Available at <http://www.polisci.ucla.edu/tsebelis/>

Tsebelis, "The Institutional Foundations of Intergovernmentalism and Supranationalism in the European Union" (with Geoffrey Garrett) *International Organization* (forthcoming). Available at <http://www.polisci.ucla.edu/tsebelis/>

Tsebelis, "Legislative Procedures in the European Union: An Empirical Analysis" with C. B. Jensen, A. Kalandrakis, and A. Kreppel) *British Journal of Political Science* (forthcoming) Available at <http://www.polisci.ucla.edu/tsebelis/>

Amie Kreppel, "What Affects the European Parliament's Legislative Influence?" *Journal of Common Market Studies* (forthcoming). To be distributed electronically.

Stephen Gill, "European Governance and New Constitutionalism: Economic and Monetary Union and Alternatives to Disciplinary Neoliberalism in Europe," *New Political Economy* 3:1 (March 1998), 5-26.

28 November

PARLIAMENTS AND PARTISAN MAJORITIES

Cindy Skach and Michael Laver (Trinity College, Dublin)

Michael Laver and Kenneth A. Shepsle, "Government Accountability in Parliamentary Democracy," Adam Przeworski, Susan C. Stokes, and Bernard Manin, eds., *Democracy, Accountability, and Representation* (Cambridge: Cambridge University Press, 1999), pp. 279-296.

Ian Budge and Hans Keman, *Parties and Democracy: Coalition Formation and Functioning in Twenty States* (Oxford: OUP, 1990).

Kaare Strom, *Minority Government and Majority Rule* (Cambridge: Cambridge University Press, 1990).

Michael Laver and Norman Schofield, *Multiparty Government* (Oxford: Oxford University Press, 1990).

Michael Laver and Kenneth A. Shepsle, *Making and Breaking Governments: Cabinets and Legislatures in Parliamentary Democracies* (Cambridge: Cambridge University Press, 1996).

Paul V. Warwick, *Government Survival in Parliamentary Democracies* (Cambridge: Cambridge University Press, 1994).

5 December

THE EMERGENCE AND EVOLUTION OF CONSTITUTIONAL COURTS

Andrew Moravcsik, John Ferejohn (Stanford/NYU) and Pasquale Pasquino (CNRS/NYU)

New Ferejohn and Pasquino manuscript.

* Alec Stone Sweet, *Governing with Judges: Constitutional Politics in Europe* (Oxford: Oxford University Press, 2000).

Cass R. Sunstein, "The Legitimacy of Constitutional Courts: Notes on Theory and Practice," *East European Constitutional Review*, Vol 6, No. 1 (Winter 1997), pp. 61-63.

Bruce Ackerman, "The New Separation of Powers," *Harvard Law Review* 113 (January 2000), pp. 633-000.

Herman Schwartz, "A Brief History of Judicial Review," in Andreas Schedler, Larry Diamond, and Marc F. Plattner, *The Self-Restraining State: Power and Accountability in New Democracies* (Boulder: Lynne Rienner, 1999), pp. 145-150.

12 December

TRANSNATIONAL CONSTITUTIONALIZATION IN EASTERN EUROPE

Cindy Skach and Jan Zielonka (EUI/Leiden)

Mark Brzezinski, *The Struggle for Constitutionalism in Poland* (London: Macmillan, 1998).

* Andrew Arato, *Civil Society, Constitution, and Legitimacy* (Oxford: Rowman and Littlefield, 2000).

Richard Rose, William Mishler, and Christian Haerpfer, *Democracy and its Alternatives: Understanding Post-Communist Societies* (Baltimore: Johns Hopkins University Press, 1998).

Herman Schwartz, "Surprising Success: The New Eastern European Constitutional Courts," in Andreas Schedler, Larry Diamond, and Marc F. Plattner, eds., *The Self-Restraining State: Power and Accountability in New Democracies* (Boulder: Lynne Rienner, 1999), pp. 195-214.

** Joel S. Hellman, "Winners Take All: The Politics of Partial Reform in Postcommunist Transitions," *World Politics* 50 (January 1998), pp. 203-234.

19 December

**EXTENDED SESSION:
PRESENTATION OF STUDENT PAPERS**

Andrew Moravcsik and Cindy Skach