



SCIENCES PO

Unit Description

Unit code	Specialist module Sciences Po
Unit title	The new European Constitution and comparative federalism (EU-US)
Unit provider	Institut d'études politiques de Paris (Sciences Po) – Prof.. Renaud Dehousse & Prof. Kalypso Nicolaidis
Aims & Learning Objectives	<p>The overall aim of the seminar is to explore the advent of constitutional politics in the EU in a comparative perspective by contrasting US and EU brands of federalism. Students will study the historical process which led to the setting up of a Convention at the Laeken Summit (December 2001) and to the drafting of a new European Constitution. They will be encouraged to critically appraise its content and the extent to which the new framework promises to change European politics.</p> <p>Although the Convention members gave up on the introduction of the F-word in their blueprint, there is no doubt that the EU has long exhibited the main features of a federal system: division of competences between a state and a federal level, tensions between the center and the units (i.e. the states), a sequencing of centralising and decentralising pressures, and mutual participation between the respective legal orders involved– states and federal, but also regional. It seems fruitful therefore to contrast both the historical trajectories of the US and the EU and the prevailing approach in the two systems to the various issues at stake in a federal contract: how does the distribution of competences evolve over time? How are checks and balances created at the center? How is democratic governance to be ensured? How is the system designed to balance unity and diversity?</p> <p>Students taking this course are required to have had at least one introductory course on the EU. Students will be required to present a paper (3000 words) on a topic agreed to with their professor. The final grade will combine participation (30%) and the research paper (70%). <u>The working languages will be French and English.</u></p>
Content	<p><i>Introduction: Constitutionalism without a Constitution (European integration until Nice)</i> We will discuss the state of play on “Constitutionalization” up to the Nice Declaration, December 2000. Students are asked to come to class with a familiarity with the treaties and the history of the EU.</p> <p><i>The Convention in Perspective: Setting the Agenda.</i> <i>Was the Convention so different? Deliberation vs bargaining in Constitution making.</i> <i>Ratifying the Constitution.</i> <i>Bringing in Federalism: federalism as an alternative to statism?</i> <i>From Philadelphia to Brussels: comparing Constitutional change in the US and the EU.</i> <i>Institutionalizing “checks and balances”: separation of powers vs balances of power.</i> <i>The Lilliput syndrome: big vs small States in the US and the EU</i> <i>Political parties in the US and the EU.</i> <i>Democratic legitimacy in federal systems: is the new Constitution more democratic?</i> <i>Centralisation and decentralisation in federal systems: The US “cycles of federalism” and competence debate in the Convention.</i> <i>Public policies, Social policies and the division of labor between state and federal levels.</i> <i>The US and the EU as international actors: one voice or many?</i> <i>Unity in diversity: the European demoi-cracy vs the American melting pot</i></p>
Credits	
Total study hours	20
Year of Programme & Semester in which offered	Euromasters Specialist Module
When available	Beginning April to mid June
Location of study	Sciences Po city campus
Contact person	Astrid Gerecke
Maximum no. of places on unit	30

Relationship to other units (which never varies whatever programme the student is registered on)

Pre-requisites	Working knowledge of French language, basic knowledge of EU policy-making
Co-requisites	
Post-requisites	
Forbidden combinations	

Template Initials of Tutor/Secretary

Taught contact time (per student)

a	Lectures	
b	Tutorials	
c	Seminars	10 seminars x 2 hours
d	Practical classes (labs, computers, language, etc.)	Language classes upon request – 2 to 4 hours a week Proof-reading of French dissertations : 4 – 6 hours at end of module
e	Workshop	Help in preparing presentations, technical files and data work, dossiers and records, dissertations
f	Field courses	Brussels excursion
g	Other (please specify)	Invitations to participate and/or assisting as auditors in conferences, workshops, etc.
Private study time (estimate of time and indication of how it might be used)		15 hours preparation of lectures/seminars plus thorough knowledge of the entire given literature

Assessment (lengths and weightings)

a	assessed coursework	
b	assessed essays	One 3,000 word essay or 9,000 word essay
c	practical classes	
d	written examinations	
e	oral examinations	
f	Other (please specify)	
g	Methods for monitoring progress	Seminars and coursework preparation

Indicative bibliography

We recommend buying :

Dimitris N. Triantafyllou, *La Constitution de l'Union Europeenne selon le Traite de Rome de 2004*, Bruylant, nouvelle edition 2005

Kalypso Nicolaidis and Robert Howse (eds.), *The Federal Vision : Legitimacy and Levels of Governance in the United States and the European Union*, OUP 2001

Senat, Service des Affaires Europeennes, *Constitution Europeenne : Comparaison avec les Traités en Vigueur*, Octobre 2004

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Simon Hix, *The Political System of the European Union*. 2nd ed., London: Palgrave, 2005. <http://www.lse-students.ac.uk/HIX/WorkingPapers.HTM>

Desmond Dinan, *Ever Closer Union: An Introduction to European Integration*. Houndsmills: The Macmillan Press, 1999.

David Galloway, *The Treaty of Nice and Beyond: Realities and Illusions of Power in the EU*. Sheffield: Sheffield Academic Press, 2001.

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MAGNETTE, Paul, *La Constitution de l'Europe*, Ed. de l'Université de Bruxelles (Partie I)

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Hix, "Constitutional Agenda-Setting Through Discretion in Rule Interpretation: Why the European Parliament Won at Amsterdam", *British Journal of Political Science*, 2002, 32(3), p. 259-280.

Read also : Nice Declaration on the Future of the Union to be Included in the Final Act of the Conference

(http://europa.eu.int/futurum/documents/offtext/declaration_en.pdf).

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Paul MAGNETTE and Kalypso NICOLAIDIS, "The European Convention: Constitutional politics or diplomatic bargaining?" w/ Paul Magnette, *West European Politics*, April 2004 at <http://users.ox.ac.uk/~ssfc0041>

Skim the Laeken declaration: http://europa.eu.int/constitution/futurum/documents/offtext/doc151201_en.htm

Magnette, P. (2004), 'Deliberation or bargaining? Coping with constitutional conflicts in the Convention on the Future of Europe', in E. O. Eriksen, J. Fossum and A. Menendez (eds), *Developing a European Constitution*, London: Routledge.

DUHAMEL, Olivier, *Pour l'Europe*, (skim through Part I, Journal)

TRIANAFYLLOU, Dimitris N., "Traite ou Constitution", *La Constitution de l'Union Europeenne selon le Traite de Rome de 2004*, Bruylant, nouvelle edition 2005, pp127-140

Magnette, P. (2004), 'Deliberation or bargaining? Coping with constitutional conflicts in the Convention on the Future of Europe', in E. O. Eriksen, J. Fossum and A. Menendez (eds), *Developing a European Constitution*, London: Routledge.

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TRIANAFYLLOU, Dimitris N., "Traite ou Constitution", *La Constitution de l'Union Europeenne selon le Traite de Rome de 2004*, Bruylant, nouvelle edition 2005, pp127-140

Please consult the Web for current debates. http://europa.eu.int/futurum/ratification_fr.htm

Closa Montero, Carlos (2004b), *Ratifying the EU Constitution: Referendums and their Implications*, The Brookings Institution, Washington, D.C., November (<http://www.brook.edu/fp/cuse/analysis/closa20041101.htm>).

Sebastian Kurpas "What Prospects for the European Constitutional Treaty?". [http://shop.ceps.be/Default.php \(under \"EPIN working papers\"\)](http://shop.ceps.be/Default.php (under \).

Nasser Hussain, « Referendums on the EU Constitutional Treaty : The State of Play, » Chatam House, Feb 2005

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CIDEL Project, "The Constitution Ratification", University of Zaragoza (http://www.unizar.es/euroconstitucion/Treaties/Treaty_Const_Rat.htm).

COSAC, "Ratification of the Constitutional Treaty in EU-25" (<http://www.cosac.org/en/info/ratification/ratification/>).

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Renaud Dehousse, *Une Constitution pour l'Europe ?*, Paris, Presses de Sciences Po ; 2002, chap. 1 ; *The Federalist Papers*, nos 10, 46, 47, 51.

D. J. Elazar, "The United States and the European Union : Models for Their Epochs" in Nicolaidis and Howse (eds.), *The Federal Vision : Legitimacy and Levels of Governance in the United States and the European Union*, OUP 2001, 31-53

NICOLAIDIS, Kalypso, "Introduction" and "Federalism beyond the Nation-State," in Nicolaidis and Howse (eds.), *The Federal Vision : Legitimacy and Levels of Governance in the United States and the European Union*, OUP 2001

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J.A. PIKA and J.A. MALTESE, *The Politics of the Presidency*, 6th ed., Washington, CQ Press, 2004, chapter 5, pp. 175 ff

BOBBAY, Frederic, "Constitution Europeenne: redistribution du pouvoir des Etats au Conseil de l'UE" *Revue Economie et Prevision*, n 163 2004/2

NICOLAIDIS, Kalypso and Paul MAGNETTE, "Coping with the Lilliput Syndrome: Large vs. Small Member States in the European Convention," *Politique Europeenne* no. 14, Spring 2004

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RAUNIO, Tapio, "Political Interests: The EP's Party Groups", in *The Institutions of the European Union*, eds. J.Peterson and M.Shackleton, pp. 257-76

OWENS, John F., "Congress and Partisan Change" in *Developments in US Politics*, 3rd ed., Macmillan, pp. 43-69, 1998

SCHARPF, Fritz, "Democratic Legitimacy under Conditions of Regulatory Competition: Why Europe differs from the United States" in *The Federal Vision*, eds. K.Nicolaidis and R.Howse, pp. 353-74

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NICOLAIDIS, Kalypto, "We the Peoples of Europe" *Foreign Affairs*, October-December 2004

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