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**Bard College Berlin**  
A LIBERAL ARTS UNIVERSITY

# PS304 What is Europe?

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Office Hours: by appointment  
Seminar Times: Monday, 9:00 a.m.–12:15 p.m.

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## Course Description

Commitment to peace as the underlying European narrative is not a special characteristic of post-World War II European integration. In fact, long before there was a European Union (EU) there were European concepts for superstructures and processes that would better enable peace on the continent. These ideas informed the founding of the European Community for Steel and Coal in 1951, as a peace project brought forth by the Treaty of Paris, and its galvanization in 1957 at the Treaty of Rome. This seminar looks at a variety of historical conceptions to better understand current political debates about the EU—questions about the concept of supranationality, the Union's legitimacy, current trends of democratic backsliding, gender equity policy as well as related challenges to the rule-of-law. The course starts with Pierre du Bois's *The Recovery of the Holy Land*, which dates to 1306, and further elaborates upon Jean-Jacques Rousseau's *A Lasting Peace through the Federation of Europe* (1782), as well as later concepts of European imagination in the interwar period. The seminar leads up to writings by twentieth-century figures such as philosopher Hannah Arendt, journalist Kurt Tucholsky, sociologist Max Weber, and philosopher Jürgen Habermas. We will focus on how (or how not?) an amalgam of these ideas has translated into the current EU framework, as expressed in the Treaties, key policies, and jurisprudence. During completion week, we will visit the main EU institutions in Brussels (May 11– 14, 2025).

## Requirements

### Academic Integrity

Bard College Berlin maintains the highest standards of academic integrity and expects students to adhere to these standards at all times. Instances in which students fail to meet the expected standards of academic integrity will be dealt with under the Code of Student Conduct, Section 14.3 (Academic Misconduct) in the Student Handbook.

### Accommodations

Bard College Berlin is committed to inclusion and providing equal access to all students; we uphold and maintain all aspects of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the ADA Amendments Act of 2008, and Section 3 of the German Disability Equality Act of April 27, 2002 (Federal Law Gazette I p. 1468). If you have a disability, or think you may have a disability, please contact the Disability Accommodation Coordinator, Atticus Kleen, ([accommodations@berlin.bard.edu](mailto:accommodations@berlin.bard.edu)) to request an official accommodation.

Requests for accommodations should be made as early as possible to ensure adequate time for coordination and planning. Please note that accommodations are not retroactive and may require advance notice to implement. If you have already been approved for accommodations with the Disability Accommodation Coordinator, please arrange to meet with me outside of class so that we can develop an implementation plan.

Students may face extenuating circumstances related to various personal or external factors, which impact their academic performance. While these circumstances often do not fall within the legal framework of Disability Accommodations, Bard College Berlin is committed to supporting students experiencing such circumstances. A student needing a short extension or a replacement assignment because of an extenuating circumstance is encouraged to make arrangements directly with instructors if possible. If further support is needed, please visit the [Bard College Berlin Accessibility page](#). Questions about this process can be directed to James Harker (j.harker@berlin.bard.edu) or Maria Anderson-Long (m.andersonlong@berlin.bard.edu).

### **Attendance**

Attendance at all classes is a crucial part of the education offered by Bard College Berlin. To account for minor circumstances, two absences from twice-per-week courses or the equivalent (e.g. one absence from a once-per-week course) do not affect the participation grade or require documentation. For health-related absences that exceed one absence of this once-per-week course, sick notes are required. Other types of absences must be communicated to the instructor in a timely manner in advance. Extra work that ensures the critical engagement with the missed class work will be assigned in those cases.

Bard College Berlin may not offer credit for any course in which a student has missed more than 30% of classes, regardless of the reasons for the absences. The full Bard College Berlin attendance policy can be found in the Student Handbook, Section 2.8.

### **Assessment and Assignments**

**CLASS PREPARATION AND PARTICIPATION:** Each week, students are required to participate in a discussion about the readings. We will engage in conversation, respond to each other, and add additional information or thoughts about the topic. Discussion and participation are a major emphasis in this course. It will be your responsibility to come to class prepared, having read the texts assigned and willing to take part in group knowledge-building. Your participation grade for this class will be primarily based upon small group-work, which will be presented to the whole class, and activities in class. This grade will also reflect your level of investment in classroom discussion. (30 % of grade, 15% for weeks 1-7 and 15% for weeks 8-14)

**PRESENTATION:** You will be asked to present on one of the topics we deal with in class. This presentation will cover one assigned reading. You will choose one text from the below reading list and give a short power point presentation (2-5 slides) summarizing the key elements of the text/judgment. This presentation will serve as a basis for our discussion in class. You should address the topic, summarize the key findings and rationales. Of course, other informational aspects you deem to be meaningful are welcome. The presentation should contain a final slide with a bibliography that evidences the works you consulted to prepare the presentation. In addition to the presentation, you will hand in an annotated version of the text that you presented. The duration of your presentation should not exceed 10-15 minutes. (15% of grade)

**MIDTERM EXAM ABOUT THE EU INSTITUTIONS:** An exam that assesses your understanding of the main institutions of the EU – the European Council, the Council of the European Union, the European Commission, the European Parliament and the Court of Justice of the European Union takes place in week 7 (15% of grade).

**END-OF-SEMESTER ESSAY:** In your end-of-semester essay, you will show that you are able to assess the institutional set-up and policies of the EU (4,500 words) while making use of rigorous academic analysis, including direct and indirect quotes. A bibliography of articles

or monographs you consulted must be included at the end of the essay. The topic of the end-of-semester essay will be given to you in week 7, and the final essay is due on May 16, 2024 (graduating students: May 5, 2024) via email ([b.ebert@bard.berlin.edu](mailto:b.ebert@bard.berlin.edu)). The use of AI for writing the final essay is forbidden. AI may only be used to check grammar and spelling. (40% of grade)

### **Policy on Late Submission of Papers**

Essays that are up to 24 hours late are downgraded by one full grade (from B+ to C+, for example). When a late assignment is accepted, it should be submitted by the new deadline agreed upon by both parties. Thereafter, the student will receive a failing grade for the assignment. Grades and comments will be returned to students in a timely fashion. Students are also entitled and most welcome to make an appointment to discuss essay assignments and feedback during instructors' office hours.

Students receive mid- and end-of-semester grades for their seminar work. Students are entitled to make an appointment with an instructor to discuss seminar participation, or may be asked to meet with the instructor at any stage in the semester regarding class progress.

### **Grade Breakdown**

Oral participation (30%)

Presentation (15%)

Midterm exam about the EU institutions (15%)

Final essay (40%)

### **Schedule**

#### **January 27 (WEEK 1)**

Introduction and Overview

#### **February 3 (WEEK 2)**

##### **Concepts of Europe Before the 20th Century**

The famous Schuman Plan of May 9, 1950 marks the birthday of the European Community for Steel and Coal (ECSC) and led to treaty establishing the ECSC on April 18, 1951. With it, the key supranational institution, the High Authority, today known as the European Commission, was established. However, the EU was not born in a day. Europe has developed over centuries with a variety of ideas that informed the rationale of why states should collaborate. These can be considered first concepts of a united Europe. We will read a small selection of these writings beginning in the 14th century with Pierre du Bois, leading our way up to the 18th and, finally, the early 20th century.

##### Readings:

- Dubois, Pierre (1956). *The Recovery of the Holy Land* (Part II). New York: Columbia University Press, 69–123. (Original work published 1303)
- Rousseau, J.J. (1782). *A Lasting Peace through the Federation of Europe*. Transl. by C. E. Vaughan, ETH Zurich.  
[https://www.files.ethz.ch/isn/125476/5014\\_Rousseau\\_A\\_Lasting\\_Peace.pdf](https://www.files.ethz.ch/isn/125476/5014_Rousseau_A_Lasting_Peace.pdf)
- Tucholsky, K. (2017). *Germany? Germany! Satirical Writings: The Kurt Tucholsky Reader*. New York and Berlin: Berlinica, 46–47, 63–65, 103–107.
- Coudenhove-Kalergi, R. (2019). *Pan-Europa*. Vienna: Pan-Europa Editions, 53–67, 135–138, 151–154. (Original work published 1923)

## February 10 (WEEK 3)

### European Union Institutions & Supranationality

We will look at the factors that led to the concept and the rationale of Jean Monnet, who is today associated with the concept of supranationality, back then a new approach to international politics and now the reason for the Union's uniqueness in comparison with other international organizations. We will define the key features of supranationality and the respective political institutions. How do they function today? Which mandates and competencies do they have? In addition to also learning about the various forms of EU law, we will look at two key CJEU judgments, namely *Costa v. E.N.E.L.*, in which the Court interpreted the supremacy of EC law and *Van Gend en Loos*, which dealt with the so-called direct effect of EC law. We will delve deeper into the legal principles that govern the EU to lay the foundation for later discussions about the democracy deficit and participatory channels in Europe. In this session, we will form working groups. Each group will be assigned one of the major EU institutions that they will assess in detail throughout the semester. **Please bring your Treaty of Lisbon to this session.**

#### Readings:

- The Schuman Declaration. (1950). [https://european-union.europa.eu/principles-countries-history/history-eu/1945-59/schuman-declaration-may-1950\\_en](https://european-union.europa.eu/principles-countries-history/history-eu/1945-59/schuman-declaration-may-1950_en)
- Court of Justice of the European Union (1963). *NV Algemene Transport- en Expeditie Onderneming van Gend & Loos v Netherlands Inland Revenue Administration*, Reference for a preliminary ruling: *Tariefcommissie*, The Netherlands. 5 February 1963. C-26/62.
- Court of Justice of the European Union (1964). *Flaminio Costa v E.N.E.L.*, Reference for a preliminary ruling: *Giudice conciliatore di Milano*, Italy. 15 July 1964. C-6/64.

#### Additional Information (reading is voluntary):

- European Coal and Steel Community (1951). *Treaty Establishing the European Coal and Steel Community*. [https://www.cvce.eu/content/publication/1997/10/13/11a21305-941e-49d7-a171-ed5be548cd58/publishable\\_en.pdf](https://www.cvce.eu/content/publication/1997/10/13/11a21305-941e-49d7-a171-ed5be548cd58/publishable_en.pdf)

## February 17 (WEEK 4)

### Subnational Governments and Interest Groups

When the 1992 Maastricht Treaty established the Committee of the Regions (CoR), research developed around subnational actors' influence on EU policymaking. Brussels offers various access points to influence policy outcomes, Liesbet Hooghe and Gary Marks pioneered research about the multi-level dynamics between EU institutions and subnational actors emphasizing the state-transcending nature of the European multilevel polity and the diversity in the mobilization of actors, which ultimately connects subnational influence with the discussion about the EU's democracy deficit. We will combine multilevel governance theory with Hanna Arendt's thinking using it as a theoretical framework to assess civil disobedience's entrance points to institutions within the multi-layered governance system of the EU. The Polish gender movement and its "Channels to Europe" will serve as an example and link the discussion to the Polish rule-of-law dispute with the EU in the past years.

#### Readings:

- Arendt, H. (1972). *Civil Disobedience*. In Arendt, H: *Crises of the republic: lying in politics, civil disobedience, on violence, thoughts on politics and revolution*. New York: Harcourt Brace Jovanovich Arendt, 69–102.
- Hooghe, L./Marks, G. (2001). *Channels to Europe*. In Hooghe, Liesbeth/Marks, Gary: *Multi-Level Governance and European Integration*. Lanham: Rowman & Littlefield Publishers, 81–92.

- Court of Justice of the European Union (2023). *Judgment of the Court (Grand Chamber) of 5 June 2023. European Commission v Republic of Poland. C-204/01*. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:62021CJ0204>

## February 24 (WEEK 5)

### The Development of Transnational Norms: From Women's Rights to ...

The women of the German 1848/49 Revolution, including Mathilde Franziska Anneke, Louise Aston, Emma Herwegh, Johanna Kinkel, Amalie Struve, or those of the French February Revolution of 1848, such as Marie Comtesse d'Agoult and George Sand, demanded participation of women in all areas of life. Highly educated and often supported by their family and partners, they propagated the abolition of all class differences and full equality of both sexes. This class will ask if and how arguments for women's rights – as well as thoughts about education as expressed by male thinkers – in the 19th century did or did not translate in today's gender equality discourse in the EU by looking at landmark court cases and the European Commission's *Strategy on Gender Equality 2020–2025*. A brief overview of the Union's gender equality provision will frame this session.

#### Readings:

- Wollstonecraft, M. (2015). *A Vindication of the Rights of Women*. London: Random House, 15–33. (Original work published in 1792)
- Anneke, F. M. (1872). On the Occasion of the Inauguration of the German Hall in Milwaukee (Concerning Equal Rights for Women). In Piepke, S. L. (2006). *Mathilde Franziska Anneke (1817-1884). The Works and Life of a German-American Activist*. New York: Peter Lang Publishing, 74–78.
- Anneke, F. M. (1873). The Conviction of Susan B. Anthony. In Piepke, S. L. (2006). *Mathilde Franziska Anneke (1817-1884). The Works and Life of a German-American Activist*. New York: Peter Lang Publishing, 78–81.
- Court of Justice of the European Union (8 April 1976). *Gabrielle Defrenne v Société anonyme belge de navigation aérienne Sabena*. C-43/75. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:61975CJ0043>
- Court of Justice of the European Union (26 October 1999). *Angela Maria Sirdar v The Army Board and Secretary of State for Defence*. C-273/98. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:61997CJ0273>
- Court of Justice of the European Union (15 May 1986). *Marguerite Johnston v Chief Constable of the Royal Ulster Constabulary*. C-222/84. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:61984CJ0222>
- European Commission (2020). *A Union of Equality. Gender Equality Strategy 2020–2025*. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0152> (not part of the reader, please download on your own)

## March 3 (WEEK 6)

### ... Gender Equality Law: The Transnational Norms of the European Union

As early as 1897, sexologist Magnus Hirschfeld (1868–1935), who was born in Poland, founded the Scientific Humanitarian Committee in Berlin, advocating for the decriminalization of gay relations in Europe. The committee had the support of Albert Einstein, Thomas Mann, Hermann Hesse, August Bebel, and Leo Tolstoy. Hirschfeld also joined the League for the Protection of Mothers and supported the legalization of abortion in 1905, the same year Sigmund Freud presented his first theories of sexuality in Vienna. In 1919, at the time of the unprecedented movements against traditional notions of sexuality during the Weimar Republic, Hirschfeld founded Berlin's Institut für Sexualwissenschaft. In 1928, he gathered



international sexologists in the World League for Sexual Reform. While in 2020, Facebook offered as many as 71 gender options and Instagram users can type their gender identity as they see fit, in the 1920s Hirschfeld had already proposed 64 possible forms of identity, well beyond the modern Western fixation on a stable binary grid of “feminine or masculine.” In 1996, the CJEU decided in the case *P v S and Cornwall County Council* (C-13/94), the first case in the world to address the dismissal of a trans\* person and declare it to be contrary to EU law. How does the EU ensure that the principles laid down in Article 2 TEU are ensured?

Readings:

- Marhoefer, L. (2022). *Racism and the Making of Gay Rights. A Sexologist, His Student, and the Making of Gay Rights*. Toronto: Toronto University Press, 22–40.
- Manners, I. (2002). Normative Power in Europe: A Contradiction in Terms?. *Journal of Common Market Studies*, 40(2), 235–258.
- Court of Justice of the European Union (1996). *Judgment of the Court of 30 April 1996. P v S and Cornwall County Council*. C-13/94. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:61994CJ0013>
- Court of Justice of the European Union (1998). *Judgment of the Court of 17 February 1998. Lisa Jacqueline Grant v South-West Trains Ltd*. C-249/96. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:61996CJ0249>
- Court of Justice of the European Union (2018). *Judgment of the Court (Grand Chamber) of 5 June 2018. Relu Adrian Coman and Others v Inspectoratul General pentru Imigrări and Ministerul Afacerilor Interne*. C-673/16. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:62016CJ0673>

**March 10 (WEEK 7)**

**Midterm exams and discussion of essay question**

**March 17 (WEEK 8)**

**Transnational Norms Continued: Democracy, Democratic Backsliding, and the European Parliament**

Until 1979, the European Parliament was composed of members appointed by and from national parliaments. While the first direct elections took place in 1979, the European Parliament is different from parliaments in nation states with implications for the democratic accountability of other EU institutions. As the institution that represents the citizens of the EU, the European Parliament ultimately plays a role in the debate about the existence of a European Public Sphere and political leadership. The latter topic was famously analyzed by sociologist Max Weber (1864–1920), whose elaborations charismatic and bureaucratic leadership will help us understand the debate in the EU today.

Readings:

- Weber, M. (2000). The Three Types of Legitimate Domination. In Weber, M: *Essays in Economic Sociology*. Princeton: Princeton University Press, 99–108.
- Bakke, E. & Sitter, N. (2022). The EU’s Enfants Terribles: Democratic Backsliding in Central Europe since 2010. *Perspectives on Politics*, 20 (1), March 2022 , 22–37. <https://doi.org/10.1017/S1537592720001292>
- Garavoglia, M. (2011). Democracy in Europe: Politicizing Champions for the European Public Sphere. *Istituto Affari Internazionali (IAI)*. <https://www.iai.it/sites/default/files/iaiw1114.pdf>

**In week 8, your midterm grades will be sent to the registrars, and you will receive feedback on your midterm essays.**

### **March 24 (WEEK 9)**

#### **The Democracy Deficit: Overconstitutionalization?**

Theories centering around the so-called “democracy deficit” of the EU focus on the EU institutions’ (lack of) accountability to the people. Together, we will identify their main arguments. These theoretical frameworks will enable you to also think further about the multilayered governance system of the EU and the various ways of addressing the will of the people in other political systems.

#### Readings:

- Habermas, J. (2005). Why Europe Needs A Constitution. In Eriksen, Erik Oddvar (et.al): *Developing a Constitution for Europe*. New York: Routledge, 9–34.
- Grimm, D. (2017). On the Status of the EU’s Democratic Legitimacy after Lisbon. In Grimm, D. *The Constitution of European Democracy*. Oxford: Oxford University Press, 57–80.
- Majone, G. (2017). The European Union Post-Brexit: Static or Dynamic Adaptation?. *European Law Journal*, 23 (1-2), 9–27.
- Constitutional Court of the Federal Republic of Germany (2009). Lisbon Judgement. [https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/EN/2009/06/es20090630\\_2bve000208en.html](https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/EN/2009/06/es20090630_2bve000208en.html) (This judgement is not part of the course reader. Please download.)

### **March 31 (WEEK 10)**

#### **Buffalo Bill and the Sound of America during the 1889 World's Fair Online Guest Lecture by Mark Pottinger (Manhattan University)**

Dr. Pottinger is Professor of Music and Musicology and Chair of the Communication, Sound and Media Arts Department, where he founded the Sound Studies program, an area of research that is at the intersection of musicology, acoustics, audio technology, and performance studies. Winner in 2017 of the prestigious Berlin Prize from the American Academy in Berlin, Dr. Pottinger is the author of a number of publications on the music and cultural life of nineteenth-century Europe and the contemporary listening environment. His current book project, *Science and the Romantic Vision in Early Nineteenth-Century Opera* (Boydell & Brewer), examines the natural sciences in the first half of the nineteenth century and their relationship to the supernatural as found in early German, Italian, and French romantic opera. He is also completing a book on *Lucia di Lammermoor* for the New Cambridge Music Handbook series for Cambridge University Press. Noted for his exuberant energy and passionate conversations about the power of music, Dr. Pottinger regularly lectures for the Metropolitan Opera and their *HD Live in Schools* education program. He is currently serving as co-chief editor of *Sound Studies Review: An International Peer-Reviewed Music Journal* (Brepols Publishers), which is housed in the department and supported by upper-level students in the Sound Studies program.

### **April 7 (WEEK 11)**

Optional class to discuss final essays.

### **April 14–22 (SPRING BREAK AND FEDERAL HOLIDAY IN WEEK 12)**

No classes on Monday April 14 (Spring Break) and on Monday, April 22 (Easter Monday).

### **April 28 (WEEK 13)**

#### **Visit of the Memorial Site Prison Hohenschönhausen**

Europe was not only the development of the European Union. During the Cold War, Europe’s landscape was characterized by the existence of communist dictatorships. Berlin, located in the former German Democratic Republic (GDR) bears testimony to this period. To get a

glimpse of the vast surveillance system that the GDR implemented across the country we will visit the former prison in Hohenschönhausen, now a memorial site where visitors take tours by former prisoners and historians.

<https://www.stiftung-hsh.de/en/>

### **May 5 (WEEK 14)**

#### **Discussion of Stasi Prison Visit and Preparation of trip to Brussels**

We use this session to de-brief on our visit to the Stasi Prison in Hohenschönhausen. Furthermore, we address any open questions to the trip to Brussels and arrange for any open organizational matters.

### **May 11–May 14 (COMPLETION WEEK)**

#### **Trip to Brussels**

During completion week, you will take part in a fully funded trip to Brussels. We visit key EU institutions such as the European Commission, the Council of the European Union, and the European Parliament. You will receive a detailed schedule under separate cover.

### **Essay Deadlines**

The deadline for the final essay is May 20, 2025. Please send your essay to me by email.

### **Grades Submission**

All grades are submitted digitally to the Registrar's Office in a template provided in advance. Your midterm grades will be submitted the registrars in week 8 (by March 21). Your final grades will be submitted by May 30, 2025. Final grades for graduating students are due on May 12. In order to provide the final grade in a timely manner, graduating students are required to submit their final essay by May 5, 2025.

### **Library and Book Purchase Policies**

Please make sure to either **purchase or download a copy of the Treaty of Lisbon**: Treaties of the European Union: Consolidated Versions of Treaty on European Union and Treaty on the Functioning of the European Union (Lisbon Treaty). The treaty of Lisbon is available on amazon. It can also be downloaded from the EU's official website:

**Consolidated Version of the Treaty on European Union (TEU):** [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF)

**Consolidated Version of the Treaty on the Functioning of the European Union (TFEU):** [https://eur-lex.europa.eu/resource.html?uri=cellar:9e8d52e1-2c70-11e6-b497-01aa75ed71a1.0006.01/DOC\\_3&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:9e8d52e1-2c70-11e6-b497-01aa75ed71a1.0006.01/DOC_3&format=PDF)

Official EU documents (directives, regulations, cases) can be read online and downloaded under: <https://eur-lex.europa.eu/homepage.html?locale=en>.

Please also purchase a copy of the course reader at the library.