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Bard College Berlin
A LIBERAL ARTS UNIVERSITY

PT315: Democracy in the European Union: Working Procedures, Institutions, and Citizens

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Office Hours: by appointment
Course times: Thursday, 9:00-12:15

Course Description

The institutions and political processes of the European Union (EU), namely the concept of supranationality, offer a unique construct of international collaboration that was developed with clear goals by founding members. However, Brexit, the war in Ukraine, the financial crises, and the rise of populist movements and the outcome of the 2024 European Parliament elections, among others, seem to challenge the very concept. At the same time, the political and legal framework of the EU provides its citizens with new opportunities for political participation in multilevel political system, as the cases of Poland and Hungary have vividly displayed. All of this underlines the dynamic development of the EU, which started with the establishment in 1951 of the European Coal and Steel Community (ECSC) geared towards securing peace and long-term economic growth. Today, the Union is much more than that. Article 2 of the Treaty of Lisbon specifies: “The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.” How is this done? How do the institutions work? Where do citizens come into play? What is the relationship between the nation state and the supranational institutions in what political science refers to as “multilevel system”?

The course analyses the institutions that have developed over this 70-plus year history: the European Council, the European Commission, the Council of the European Union, the European Parliament, the Court of Justice of the European Union, and the Committee of the Regions. It will also compare the institutions’ supranational characteristics with those of the nation-state and of international organizations with a focus on governance structures in the EU. Major cases tried in the European Court of Justice and key legal principles that have shaped the Union’s political advancements will be interpreted. Furthermore, we will discuss some of the European Union’s policies and current political developments, among them the European electoral-law reform, the rule-of-law mechanism, gender equality, digital policy, and foreign and security policy. Students will engage with original EU policy documents to acquire the skills of analyzing and interpreting them. At the end of the seminar, students will have a solid knowledge about the functioning of the Union’s institutions, and the evaluation of legal texts, treaty provisions, and policy approaches, enabling a clearer assessment of the future of the European project as well as a more astute understanding of broader political processes. At the end of the seminar the class takes a trip to Brussels.

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.

Accessibility

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) to request an official accommodation.

Requests for longer-term 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) should not affect the participation grade or require documentation.

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 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 ready, 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 group work, which will be presented to the whole class, as well as

activities in class. This grade will reflect your level of investment in classroom discussion. (30% of grade)

FINAL PAPER FOR AND BASED ON THE MODEL EUROPEAN COUNCIL DEBATE:

We will enact a model debate of the European Council (heads of states and governments). The fictitious simulation is based on real issues, situations, and events; however, it exaggerates them and simplifies reality through restrictions. On the one hand, the simulation conveys policy content that is directly related to the current proposals to intensify cooperation in the field of foreign and security policy. On the other hand, that substance is applied creatively, and negotiation methods are learned. Students not only train their communication skills but also intensify your understanding of the decision-making at the level of the EU. This involves communicating complex interrelationships and understanding how solutions to problems come into being. Students leave the purely observational perspective and experience the potential conflict constellations and solutions.

In the model debate, the participants take on predefined roles, which they develop independently in the preparation phase. This phase provides the foundation for both the debate as well as the final paper. With the insights from the classes about the institutions and the legislative process, students assume the role of a head of state or government of a chosen Member State. One session will be devoted to the preparation of the model debate, when students will be tasked with drafting a written outline of the position of "their" Member State. This position will be developed into a paper answering the final essay question: *Should EU foreign and security policy be harmonized and what are the implications for democracy in the European Union. In their paper, students include the position of Member State X in the respective analysis.* (50% of grade)

PRESENTATION IN CLASS: When we will work on the democracy deficit and court cases, you will present the key findings of one paper or court case from the reading material. You will choose one text and present a short power point (2-6 slides) summarizing the key elements of the text/judgment. This presentation will serve as a basis for our discussion in class. The presentation should contain a final slide with a bibliography that evidences the works you consulted to prepare the presentation. The length of your presentation should be circa 10-15 minutes. (20% of grade)

Policy on Late Submission of Papers

Course work that are up to 24 hours late will be downgraded up to one full grade (from B+ to C+, for example). Works that are more than 24 hours late will not be accepted. Where a professor agrees to accept a late assignment, 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 to make an appointment to discuss essay assignments and feedback during instructors' office hours.

Grade Breakdown

- Class participation: 30% of grade
- Final essay on the question "Does the European Union have a democracy deficit?" taking into account the individual Member State position of the simulated European Council debate: 50% of grade
- Presentation in class: 20% of grade

Schedule

WEEK 1 (September 3, 2026)

Introduction of Topic and Discussion of Expectations

In the first session, students will get familiar with the aim of the seminar, the expectations and their assignments. In order to lay the groundwork for the detailed deliberations in class, students will receive an introduction to what we call the integration of the EU – the development of the treaties and expansion of policy areas over the course of time. We will get acquainted with theories of European Integration, namely Liberal Intergovernmentalism and Neo-Functionalism. While Liberal Intergovernmentalism (Andrew Moravcsik) puts the nation-state center stage, Neo-Functionalism (Philippe Schmitter, Leon Lindberg) explains the dynamics of regional integration, closely linked to Jean Monnet's strategy of "petits pas, grands effets." This will provide a first understanding of why and how an idea can develop into concrete policies and institutions. Readings are not required for this session.

WEEK 2 (September 10, 2026)

The European Union Institutions and the Concept of Supranationality

We will look at the factors that led to the concept and the rationale of Jean Monnet, who today is associated with the concept of supranationality (exemplified by the institution of the European Commission and the delegation of competencies). At the time, this constituted 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 get an overview of what laid the groundwork for the respective political institutions. Which mandates and competencies do they have today? Which forms of legal acts exist at the European Union and what are their effects? We will also get a first insight into the difference between primary and secondary law and the respective impacts for political action, which is key for understanding today's proposals for harmonizing foreign and security policy of the EU.

Readings:

- The Schuman Declaration. (1950). 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

WEEK 3 (September 17, 2026)

The European Commission and the European Court of Justice

The European Court of Justice (CJEU) is an institution that is constantly debated: How does it work? Is it an activist institution? Has it advocated for an agenda of its own? Is it the source of an undemocratic development of the European Union? In addition to also learning about the various forms of EU law in greater detail, we 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. Our focus on the European Commission will allow us to look closer at the mechanisms that protect the European Union's values, among them the so-called Article 7 procedure that was used to hold Poland accountable to the values of the EU stipulated in Article 2 TEU as well as the conditionality of the budget. Furthermore, students get familiar with CJEU cases that concerned the legal dispute with the Republic of Poland in the context of its law reforms under the PiS party. Using this example, we will explore structural and social-normative factors that enable or hinder gender concerns' access to the EU, starting at the subnational level.

Readings:

- Grimm, D. (2015). The Democratic Costs of Constitutionalism: The European Case. *European Law Journal*, (21) 4, 460–473.
- Blauburger, M., & van Hüllen, V. (2021). Conditionality of EU funds: an instrument to enforce EU fundamental values?. *Journal of European Integration*, 43(1), 1–16.
- Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget, December 16, 2020 (signature). <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32020R2092>
- Consolidated Version of the Treaty on the European Union (Article 2 TEU): https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF

Additional Voluntary Reading:

- Statute of the Court of Justice of the European Union. https://curia.europa.eu/jcms/upload/docs/application/pdf/2016-08/tra-doc-en-div-c-0000-2016-201606984-05_00.pdf

WEEK 4 (September 24, 2026)

The European Parliament and European Elections

Until 1979, the European Parliament was composed of members appointed by and from national parliaments. The first direct elections took place in 1979. However, the European Parliament is different from parliaments in nation states. Students learn how and why this is the case and evaluate the approach to reform the electoral law that began in 2015 and aims at a higher level of democratic participation in the Union. We work with original documents and identify the suggested components of the reform, which will serve as a basis for our joint analysis as to where to position these reforms in the context of democracy in the EU and the most recent European election that took place in June 2024. A special focus will be giving to democratic backsliding in the EU and what this means for the European Parliament.

Readings:

- European Parliament (2022, May 20). Proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage, repealing Council Decision (76/787/ECSC, EEC, Euratom) and the European Electoral Act, Interinstitutional File: 2022/0902(APP). https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CONSIL:ST_9333_2022_INIT
- European Parliament (2024): Legislative Train. <https://www.europarl.europa.eu/legislative-train/carriage/reform-of-the-electoral-law-of-the-european-union/report?sid=8101>

WEEK 5 (October 1, 2026)

On September 30, 2026, you will attend the lecture “The Magna Charta of refugee protection under pressure – the 1951 Geneva Refugee Convention at 75” by Roland Bank (UNHCR). It takes place at the Lecture Hall at 6:30 pm.

The 1951 Convention Relating to the Status of Refugees turns 75 years on 28 July this year. It is often designated as the “Magna Charta of refugee protection” and praised as the central legal source for refugee protection. However, in recent years, it has come under serious pressure. The discourse on refugee policies in Europe has shifted focus to the control of “irregular migration” with a push for shifting the responsibility for asylum procedures and provision of protection to third states. Moreover, the asylum system frequently has been framed as a security challenge. Not least against this background, violations of European and international refugee law seem to have become more acceptable. This gives rise to the question: Is the Convention still relevant or is it outdated and in need of revision?

Roland Bank has over 20 years of experience of working with UNHCR, mostly in Germany with a short stint in Jordan. He is currently heading the protection work of UNHCR in Germany. After several years of working in academia, he avails of a broad academic background in international human rights and refugee law. Positions included that of a senior researcher at the Max-Planck-Institute for Public International Law in Heidelberg and a Jean-Monnet-Fellowship at the European University Institute in Florence as well as of a Lecturer at the Refugee Studies Centre at the University of Oxford. He also taught as a guest lecturer at the Hertie School of Governance in Berlin. Before joining UNHCR, he worked as the chief lawyer for a world-wide payment program for victims of National Socialist injustice, in particular related to forced labor.

In this session, following Bank’s lecture (we will meet for a shorter time since students attended the lecture on the evening before) this class will look closely at the differences between the ECHR and the CJEU and build on the topics discussed in week 3 (Commission and CJEU).

Reading

- European Court of Human Rights Fedotova and Others v. Russia, 40792/10, 30538/14 and 43439/14

WEEK 6 (October 8, 2026)

Gender Norms, the Single Market, and Competencies

This session explores how the European Union’s approach to gender equality has evolved from early, binary-oriented protections toward a more liberal framework that supports self-determination. In that context, the establishment of the Single Market in 1993 and the incorporation of the Charter of Fundamental Rights into binding Union law in 2009 represent two transformative moments in European integration. While the Single Market has traditionally been associated with economic liberalization, its implications for gender equality and the reconfiguration of state power remain underexplored. This session examines how market integration and fundamental rights have contributed to reshaping gender norms while increasing individual agency and legal cohesion. We will examine how traditional gender norms became embedded in EU law while newer emphases—such as free movement and the right to private and family life—challenge these stereotypes by recognizing the interconnectedness of public and private spheres. Ultimately, the session invites students to consider what a non-binary, liberal approach to EU gender equality would require, and how extending such an approach is crucial for the EU’s legal coherence and normative credibility.

- Marguerite Johnston v Chief Constable of the Royal Ulster Constabulary, C-222/84, May 15, 1986. ECLI:EU:C:1986:206. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:61984CJ0222>
- Lisa Jacqueline Grant v South-West Trains Ltd, C-249/96, February 17, 1998. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:61996CJ0249>
- Alexander Dory v Bundesrepublik Deutschland, C-186/01, March 11, 2003. ECLI:EU:C:2003:146. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:62001CJ0186>
- K. M. H. v Obshtina Stara Zagora (Shipova), C-43/24, September 4, 2025. ECLI:EU:C:2026:183. <https://curia.europa.eu/juris/document/document.jsf?text=&docid=303888&pageIndex=0&doclang=en&mode=req&dir=&occ=first&part=1&cid=17556456>
- European Commission v Hungary, C-769/22, April 21, 2026. ECLI:EU:C:2026:326. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62022CJ0769>

WEEK 7 (October 15, 2026)

The Democracy Deficit (Part 1: Nation-State versus EU or a “Constitution” for the European Union?)

Theories focusing on the so-called “democracy deficit” of the EU institutions center on the lack of accountability to the people, amongst others. Together, we will explore their main arguments. These theoretical frameworks will prompt you to consider your own countries’ political systems and the different methods of addressing the will of the people within a political system. We will examine the distinctions between nation-states, international organizations, and the European Union. We will begin by identifying the various legitimacy-lending processes and sources that contribute to the multilevel-governance structure of the EU. This will allow us to allocate specific sources of legitimacy to different EU institutions.

- 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). Sovereignty in Europe. In Grimm, D. *The Constitution of European Democracy*, Oxford: Oxford University Press, 39–56.
- 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.
- Moravcsik, A. (1993). Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach. *Journal of Common Market Studies*, 31 (4), 473–525.
- Bundesverfassungsgericht (2009) Judgment of the Second Senate of 30 June 2009 (Lissabon-Urteil), 2 BvE 2/08, paras. 1-421.
http://www.bverfg.de/e/es20090630_2bve000208en.html (To be distributed in class)

October 22, 2026 – NO CLASSES (FALL BREAK)

If funding is provided, we will travel to Brussels during fall break (Sunday-Wednesday).

WEEK 8 (October 29, 2026)

The Democracy Deficit? (Part 2: The Responsibility of National Governments)

This session will continue the debate about the democracy deficit of the EU.

- Bakke, E. & Sitter, N. (2020). The EU's Enfants Terribles: Democratic Backsliding in Central Europe since 2010. *Perspectives on Politics*.
- Blatter, J., Schmid, S. D., & Blättler, A. C. (2017). Democratic Deficits in Europe: The Overlooked Exclusiveness of Nation-States and the Positive Role of the European Union. *Journal of Common Market Studies*, 55(3), 449–467.
- Garavoglia, M. (2011). Democracy in Europe: Politicizing Champions for the European Public Sphere. *Istituto Affari Internazionali (IAI)*. www.jstor.org/stable/resrep09693

WEEK 9 (November 5, 2026)

Game Over, Democracy? Welcome to Digitalocracy

Guest Lecture by Prof. Martin Andree (online at 9:00 am)

Prof. Martin Andree teaches media studies at the University of Cologne. He has been researching digital corporations for more than 15 years. In 2025, his book *Media War: Dark Tech and Populists are Seizing Power* was published. Professor Andree completed his studies in Cologne, Münster, Cambridge, and Harvard. He earned his habilitation in 2018.

WEEK 10 (November 12, 2026)

Preparatory Phase of the Model Council Debate – Foreign and Security Policy

Using the knowledge about the legal structure of the European Union that we acquired in the previous sessions, this class will examine the recent proposals for closer coordination of the EU's foreign and security policy. We will delve further into EU's law-making process and learn how debates are conducted and decisions taken. At the end of the class, we will have a solid understanding of the status quo, which will serve as a basis for our European Council debate later in the semester. In this session, students will also research "their" Member State's position and bring the main points together in writing.

- Achenbach, J. (2022). "An Ever-Stronger Union" Under the Radar of the European Public. The EU as a Military Actor. *Verfassungsblog*. Retrieved on December 10, 2025, from <https://verfassungsblog.de/an-ever-stronger-union-under-the-radar-of-the-european-public/>
- Pajon, C. (2025). Macron calls for Europe and Asia to unite and resist 'spheres of coercion'. <https://www.ifri.org/en/media-external-article/macron-calls-europe-and-asia-unite-and-resist-spheres-coercion>

WEEK 11 (November 19, 2026)

Visit of Bayer Pharmaceuticals and Lunch Conversation with Oliver Renner

The European Medicines Agency ('EMA') is an Agency of the European Union. It bears the responsibility for the scientific evaluation of medicines developed by pharmaceutical companies for subsequent use in the EU. Oliver Renner will speak about the process of how medicines get on the market and the many ways the EU has helped to facilitate the promotion of health in the Union. The conversation will take place over a **lunch (11:30-13:00)** at the company.

We will meet in front of the company's building at 11:00 am:

Bayer AG – Division Pharmaceuticals
Müllerstraße 7
13353 Berlin

WEEK 12 (November 26, 2026)

Model Debate of the European Council

We will be hosting the Model European Council debate at Bard College Berlin. Participants are expected to take on the roles as realistically as possible, regardless of their own professional and ethical beliefs. Understanding and acknowledging the perspectives of other roles is crucial for effective compromise and negotiation. Participants should clearly communicate interests, goals, and potential courses of action in the role profile of “their” Member State. There will be a 30-minute session at the beginning of the event to finalize your roles. The debate itself will last 90–100 minutes (depending on the number of Member States represented). After the debate, 30 minutes will be devoted to reflecting on what we have learned from the debate.

WEEK 13 (December 3, 2026)

Final Paper Prep Session

We will use this session to discuss and plan the final paper: *Should EU foreign and security policy be harmonized and what are the implications for democracy in the European Union. In their paper, students include the position of Member State X in the respective analysis.*

WEEK 14 (December 10, 2026)

Conversation with Martin Bauer (Council of the European Union) and Moritz Röttinger (formerly European Commission) including lunch

Moritz Röttinger studied law at the University of Vienna, Ludwig-Maximilians University in Munich, and Université Libre de Bruxelles. He earned a doctorate in law, a certificate in German law, an LL.M. in European law, and an LL.M. in canon law. Specializing in European law, intellectual property law, and canon law, he began his career in Vienna, working in law firms for three years before joining the European Commission in 1990. Since then, he has held various positions, primarily as a legal and policy officer in the Single Market and enterprise policy areas. Moritz Röttinger has managed the *Your Europe Advice* service for 13 years and the Single Market Scoreboard for about four years. Additionally, he spent three years as a lobbyist for a European industry association. His extensive publications focus on EU law and intellectual property law.

Martin Bauer has a law degree from the University of Vienna. After having worked in various government positions in Austria, he became a legal officer in the EFTA Surveillance Authority in Brussels and, later an adviser to the government of Liechtenstein. In 1996, he was recruited as official, first in the Commission and then in the Council Legal Service, where he is working up to date. As senior legal adviser, Martin has worked on a variety of files, including transparency and access to documents, budget, asylum and visa, as well as internal market. His current responsibilities cover in particular institutional matters, the organization and the Rules of procedure of the Court of Justice, as well as Staff Regulations. Martin Bauer also acts as Council agent before the Court of Justice and the General Court. In that function, he has been representing the Council in numerous cases.

A more detailed structure of the topics addressed at this conversation will be distributed as we get closer to the date. **Please also make time available after the seminar to join Martin and Moritz for lunch from 12:30-2:00 pm** (expenses will be covered by the seminar budget).

WEEK 15 Completion Week (No class)

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
- **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

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