

**THE LAW AND POLITICS OF TRANSATLANTIC GOVERNANCE**  
**Spring Semester 2002**  
**Professor Gregory Shaffer (UW Law)**  
**(and for 4-5 sessions, Professor Mark Pollack, EUI and UW Political Science)**

Time: Wednesdays 10-12

Room: 3247

Credits: 3 credits

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Office Hours: Wednesday's 12-1 or by appointment.

Class list serve: to be designated.

**Course Description.** This is a new cross-disciplinary course for which 4-5 sessions will be linked by interactive video with the European University Institute in Florence, where Professor Mark Pollack is a senior fellow in the BP Chair on Transatlantic Relations. The course will assess the role of public and private actors in governance networks within the European Union, the United States and transatlantically (per the New Transatlantic Agenda and its outgrowths). For the array of regulatory issues covered, the course will examine (i) the applicable U.S. regulatory system and culture, (ii) the applicable EU regulatory system and culture, (iii) transatlantic mechanisms for cooperation and conflict resolution in the issue-area, and (iv) the normative issues that the mechanisms pose in terms of democratic accountability and legitimacy. Issues covered include trade relations, competition law, standard-setting, telecommunications policy, data privacy and electronic commerce, biotechnology, environmental regulation, agricultural policy, and human rights and development policy. Perhaps of greatest excitement, the course will be a true transatlantic offering, as it will also be offered simultaneously at the European University Institute in Florence.

**Background.** In December of 1995, the Presidents of the United States, the European Commission, and the EU Council of Ministers signed the New Transatlantic Agenda (NTA), committing the signatories to intensive, long-term cooperation and exchange across a range of issue-areas including both economics and security. In the intervening five years, the United States and the European Union have established an ever-growing range of working groups on trade, foreign policy and other issues, and have sponsored the developments of transatlantic civil-society dialogues among business, labor, consumers and environmentalists. By the end of the decade, the US/EU relationship constituted not only one of the most interdependent economic relationships on earth in terms of trade and investment, but also the site of extensive efforts at joint governance at the intergovernmental, transgovernmental, and transnational levels.

This seminar will examine the law and politics of transatlantic governance, with primary focus on the management of economic interdependence since the declaration of the New Transatlantic Agenda. The NTA, it is argued, represents a laboratory for new forms of international governance among two closely interdependent economic units—yet the legal and institutional structure of the transatlantic relationship remains relatively “thin” by comparison with the European Union, raising important issues about the nature, effectiveness, and normative legitimacy of transatlantic governance.

**Assigned Materials:** There is one assigned book: Mark Pollack and Gregory Shaffer, *Transatlantic Governance in the Global Economy* (Rowman & Littlefield 2001).

(ii) The other *required* readings can be found in a course packet available at the Law School Bookmart.

(iii) The European Union's Treaty of Rome (as amended) can be downloaded at <http://ue.eu.int>, or purchased if you would like me to make you a copy.

(iv) The syllabus lists recommended readings (that are not required, but are listed in case you are interested in doing further reading on the subject, whether or not in connection with your research paper).

**Reserve:** In addition to assigned and recommended readings, the following will be on reserve in the Law School Library:

- *Casebook: Cases and Materials on European Community Law* by Bermann, Goebel, Davey and - Fox (West 1993), together with the (blue-colored) *1998 Supplement* to such book and its companion (brown-colored) *European Community Law Selected Documents* (1998).

- Kole & D'Amato, eds., *European Union Law Anthology*, will be placed on reserve as well as a number of secondary sources.

- *Transatlantic Regulatory Governance* (ed. George Bermann, 2000).

- *Ever Closer Partnership, Policy-Making in US-EU Relations* (eds. Eric Philippart & Pascaline Winand, 2001).

- Kevin Featherstone and Roy Ginsberg, *The United States and the European Union in the 1990s: Partners in Transition* (1996).

- Jo Shaw, *European Union Law* (2<sup>nd</sup> ed.)

**Newspapers and periodicals:** Developments in Europe, the European Union and Transatlantic Relations can be followed in such papers and periodicals as *The Financial Times*, *The New York Times*, *The Economist*, *European Voice*, *International Trade Reporter (BNA)*, and *Inside U.S. Trade*. All are available at the Law Library.

**European University Institute Video-linkage.** This course will be simultaneously taught at the European University Institute in Florence, Italy by Professor Mark Pollack. Four-to-five sessions will be held by simultaneous interactive video linkage.

**Speakers:** Some highly-respected U.S. and European policymakers and scholars are scheduled to visit the class and/or the University to present their work and views on topics central to this course.

**Grading:** Grades will be based on the research paper (to be approximately 30 pages). Grades may be shifted up or down to take account of class participation.

**Research Paper.** This course is designed as a 3-credit seminar pursuant to which students will write a paper of their design. Each student will write a paper on an aspect of transatlantic governance (or international governance in which the United States and EU play leading roles) for any issue of his or her choice. It is recommended that the paper be about 30 pages (double-spaced). You are required to prepare a thesis statement, outline

and list of sources by *Class 4 (February 13)*, a final thesis statement, outline and list of sources by *Class 8* and a final paper by the end of the exam period. You should feel free to contact me any time to discuss your topic, including any time after class. Although it is not required, I recommend that you try to write a first draft for my review by or before May 1 (after that date, I will likely not be able to give comments). I guarantee that the earlier you get started on your paper, the better that it will be.

## SYLLABUS (subject to change)

### 1. Wed. Jan. 23. Course Overview: Transatlantic Governance in Historical and Theoretical Perspective

Read Pollack and Shaffer, "Transatlantic Governance in Historical and Theoretical Perspective," chapter 1 in *Transatlantic Governance in the Global Economy*.

From Course Supplement, read excerpt from Molle, *The Economics of European Integration* (on the economics of economic integration and institutional governance).

#### Recommended Background Reading on Transatlantic Governance

\* John Peterson, *Europe and America: Prospects for Partnership* (New York: St. Martin's Press, 1996).

\* Eric Philippart and Pascaline Winand, eds., *Ever Closer Partnership: Policymaking in US-EU Relations* (Brussels: Peter Lang 2001).

\* George Bermann, Matthias Herdegen, and Peter Lindstreth, eds., *Transatlantic Regulatory Co-Operation : Legal Problems and Political Prospects* (New York: Oxford University Press, 2001).

\* Kevin Featherstone and Roy Ginsberg, *The United States and the European Union in the 1990s: Partners in Transition* (1996).

\* Gardner, Anthony, 1997. *A New Era in US-EU Relations? The Clinton Administration and the New Transatlantic Agenda* (Avebury).

### 2. Wed. Jan. 30. Governance in the European Union: Institutions, Players, Legislative Process; Direct Effect and Supremacy of EU Law.

A. EU Cases on Direct Effect and Supremacy of EU Law. From Course Supplement, read Bermann, *Cases and Materials*, pp. 166-185, and 192-195, including the following excerpted cases: *Van Gend en Loos v Nederlandse Administratie der Belastingen* (1963); *Van Duyn v Home Office* (1974); *Defrenne v Societe Anonyme Belge de Navigation Aeriennne Sabena* (1976); and *Costa v Ente Nazionale per L'Energia Elettrica (ENEL)* (1964);

B. Background on the EU: Institutions of the EU. From Course Supplement, read Jo Shaw, *European Union Law*, pages 3-32, 107-142, 147-149 and 152-162 in the Course Supplement (good background information).

#### Recommended Background Readings to Consider:

\* Historical Background to the EU. Read Jo Shaw, *European Union Law*, pages 40-104 in the Course Supplement.

\* Arnall, Anthony, 2000. *The European Union and Its Court of Justice* (New York:

Oxford University Press).

\* Brown, Lionel Neville, and Tom Kennedy, 2000. *The Court of Justice of the European Communities* (London : Sweet & Maxwell).

\* Craig, Paul, and Grainne de Burca, 1998. *EU Law: Cases, Text and Materials* (Oxford: Oxford University Press).

\* Weatherill, Stephen, and Paul Beaumont, 1999. *EC Law: The Essential Guide to the Legal Workings of the European Community, Third Edition* (New York: Penguin Books).

\* Weiler, J.H.H, 1999. *The Constitution of Europe : Essays on the Ends and Means of European Integration* (New York: Oxford University Press).

\* Stone, Alec, and James A. Caporaso, 1998. "From Free Trade to Supranational Polity: The European Court and Integration," in Wayne Sandholtz and Alec Stone Sweet, eds., *Supranational Governance: The Institutionalization of the European Union* (New York: Oxford University Press, 1998), pp. 92-133.

\* Stone-Sweet, Alec, and Thomas J. Brunell, 1998. "Constructing a Supranational Constitution: Dispute Resolution and Governance in the European Community," *American Political Science Review*, Vol. 92, No. 1 (March), pp. 63-81.

\* Mattli, Walter, and Slaughter, Anne-Marie, 1998. "Revisiting the European Court of Justice," *International Organization*, Vol. 52, No. 1, pp. 177-209.

### **3. Wed. Feb. 6. EU Governance II: Comparative Institutional Analysis and EU Governance.**

A. EU Cases concerning relation of EU and Member State Law. From Course Supplement, read the following EU Law cases out of Bermann, pages 197-201, 463-464 & 223-226: *The Queen v Secretary of State for Transport ex parte Factortame Ltd.* (1990); *Commission v UK (Dim-dip lighting)* (1998); and *Queen v Secretary of State for Health ex parte Gallaher ltd.* (1993).

B. Comparative institutional analysis of the EU: Miguel Poiars Maduro, "Europe and the Constitution: What if this is As Good As It Gets?" (forthcoming in *Rethinking European Constitutionalism* (eds. J Weiler & M. Wind) (to be distributed).

C. Read Martin Shapiro, *Codification of Administrative Law: The US and the Union*, 2 *European Law Journal* 26-47 (March 1996); and Francesca Bignami, *The Democratic Deficit in European Community Rulemaking: A Call for Notice and Comment in Comitology*, 40 *Harv. Int'l L. J.* 451-462 & 513-515 (1999). Optional to read or skim the rest.

#### Other Recommended Readings to Consider:

\* Optional cases to consider: Atlanta and T-Port, from Bermann book, pages 106-115 (the banana dispute before the European courts).

\* Martin Shapiro, *The Problems of Independent Agencies in the US and the EU*, 4 *Journal of European Public Policy* 262- (1997)

\* William Wallace, Collective Governance, in *POLICY-MAKING IN THE EUROPEAN UNION* 523-541 (4<sup>th</sup> ed., Helen Wallace and William Wallace, eds. , 2000)

\* Miguel Poiars Maduro, *We. The Court: The European Court of Justice and the European Economic Constitution*, Hart Publishing (1998), read pp.103-126 and read or skim pp 126-149 (Chapter 4: "The Alternative Models of the European Economic Constitution").

\* Hix, Simon, 1999a. *The Political System of the European Union* (New York: St. Martin's Press).

\* Jachtenfuchs, Markus, 2001. "The Governance Approach to European Integration," *Journal of Common Market Studies*.

\* Wallace, Helen, and William Wallace, eds., 2000. *Policy-Making in the European Union* (New York: Oxford University Press)

\* Rosamond, Ben, 1999. *Theories of European Integration* (London: Palgrave).

\* Pollack, Mark A., 2001. "International Relations Theory and European Integration," *Journal of Common Market Studies*.

**B. Research (date and librarians still to be determined).** I hope to arrange for a visit from librarians Telle Zoller and Vicki Hill, who specialize in Europe and the EU. If you have any questions about conducting research, this is a good time to raise them. Check the Web site listed on page 1 of the Course Supplement for research sources. There may be handouts). Visit the following EU-related web sites: <http://europa.eu.int/>; <http://europa.eu/int/eur-lex/en/index.html>; <http://www.eurunion.org/>; <http://wiscinfo.doit.wisc.edu/eucenter/>; <http://europa.eu.int.celex>; <http://www.law.harvard.edu/programs/JeanMonnet/TOC./index.html>;

#### **4. Wed. Feb 13. Normative Perspectives on Transatlantic and International Governance**

A. From Course Supplement, read (i) Daniel Bodansky, *The Legitimacy of International Governance: A Coming Challenge for International Environmental Law*, 93 AMERICAN J. OF INT'L L. 596-624 (July 1999) (assessing legitimacy in terms of state consent, transparency and public participation, and technocratic expertise resulting in "good" decisions);

(ii) Keohane, Robert O., 2001. "Governance in a Partially Globalized World," *American Political Science Review*, Vol. 95, No. 1: 1-13.

(iii) U.S.-EU Context. Read John Peterson, Get Away From Me Closer, You're Near Me Too Far: Europe and America after the Uruguay Round, chapter 2 in *Transatlantic Governance in the Global Economy*.

B. Submit initial thesis statement, outline and preliminary list of sources.

##### Recommended sources to consider:

\* Michael Zurn, *Democratic Governance Beyond the Nation State*, pages 91-114, in *Democracy Beyond the State* (eds. Michael Greven & Louis Pauly) (2000).

\* Greven, Michael, and Louis Pauly, eds., 1999. *Democratic Governance Beyond the Nation-State* (Lanham, MD: Rowman & Littlefield), chapter by Greven.

\* Keohane and Nye, *Governance in a Globalizing World; Efficiency, Equity, and Legitimacy: The Multilateral Trading System at the Millennium* (ed. Joseph Nye, Brookings, 2001);

\* Robert Keohane and Joseph Nye, *Introduction to Governance in a Globalizing World* (eds Joseph Nye & John Donohue) (2000).

\* DAVID HELD, *DEMOCRACY AND THE GLOBAL ORDER: FROM THE MODERN STATE TO COSMOPOLITAN GOVERNANCE* (1995);

\* J.H. Weiler, *European Democracy and its Critique*, 18 W. EUR POL. 4 (1995).

- \* Grainne de Burca, *The Quest for Legitimacy in the European Union*, 59 Mod. L. Rev. (1996);
- \* Philippe Schmitter, *How to Democratize the European Union*, pages 1-22.
- \* Paul Stephan, *Accountability and International Lawmaking: Rules, Rents and Legitimacy*, 17 N.W. J. INT'L L. & BUS. 681 (1997);
- \* THOMAS M. FRANCK, *THE POWER OF LEGITIMACY AMONG NATIONS* (1990).

**5. Wed. Feb. 20. US and EU Trade Disputes.** *First video-linked meeting with EUI,*

A. Read from Course Supplement. Keohane, Robert O., Andrew Moravcsik, and Anne-Marie Slaughter, 2001. "Legalized Dispute Resolution: Interstate and Transnational," *International Organization*, Vol. 54, No. 4: 457-488.

B. Read Ernst-Ulrich Petersmann, "Dispute Prevention and Dispute Settlement in the EU-US Transatlantic Economic Partnership," and Gregory Shaffer, "The Blurring of the Intergovernmental: Public-Private Partnerships behind US and EC Trade Claims," chapters 3 & 4 in *Transatlantic Governance in the Global Economy*;

C. Read materials on the EU-US Bananas Dispute, from Bhala, pages 1462-1518.

D. Read Hudec Robert, 1999. "The New WTO Dispute Settlement Procedure: An Overview of the First Three Years," 8 *Minn. J. Global Trade* 1-3, 21-25 [to be distributed].

Recommended Readings to Consider:

- \* David Vogel, *Barriers or Benefits: Regulation in Transatlantic Trade* (1997),
- \* Frost, Ellen, 1997. *Transatlantic Trade: A Strategic Agenda* (Washington D.C.: Institute for International Economics).
- \* Jackson, John H., 1997. *The World Trading System*, 2<sup>nd</sup> edition (Cambridge: MIT Press).
- \* Jackson, John H., 1998. *The World Trade Organization, Constitution and Jurisprudence* (Cassell Academic).
- \* Kennedy, Daniel L. M., and James D. Southwick, eds., 2001. *The Political Economy of International Trade Law: Essays in Honor of Robert E. Hudec* (New York: Cambridge University Press).
- \* Odell, John, 1993. "International Threats and Internal Politics: Brazil, the European Community, and the United States, 1985-1987," in Peter B. Evans, Harold K. Jacobson, and Robert D. Putnam, eds., 1993. *Double-Edged Diplomacy: International Bargaining and Domestic Politics* (Berkeley: University of California Press).
- \* Commission of the European Communities, 1998: *The New Transatlantic Marketplace*: Draft Communication from the Commission to the Council, the European Parliament and the Economic and Social Committee, available at <http://europa.eu.int/comm.dg01/sectiona.htm>.
- \* Destler, I.M., 1995 *American Trade Politics* (3<sup>rd</sup> ed.) (Washington D.C.: Institute for International Economics).
- \* Stephen Woolcock, *European Trade Policy: Global Pressures and Domestic Constraints*, in *POLICY-MAKING IN THE EUROPEAN UNION* 373-399 (4<sup>th</sup> ed., Helen Wallace and William Wallace, eds., 2000).

\* Meunier, Sophie, 2000. "What Single Voice? European Institutions and EU-U.S. Trade Negotiations," *International Organization*, Vol. 54, No. 1 (Winter), pp. 103-35.

\* Meunier, Sophie, and Kalypso Nicolaidis, 1999. "Who Speaks for Europe?" The Delegation of Trade Authority in the EU," *Journal of Common Market Studies*, Vol. 37, No. 3, pp. 477-501.

**6. Wed. Feb. 27. Technocratic Cooperation: Competition Law** *Second video-linked session with EUI.*

A. Read Francis McGowan, *Competition Policy: The Limits of the European Regulatory State*, in *POLICY-MAKING IN THE EUROPEAN UNION* 115-148 (4<sup>th</sup> ed., Helen Wallace and William Wallace, eds. , 2000).

B. Read Youri Devuyst, "Transatlantic Competition Relations," chapter 5 in *Transatlantic Governance in the Global Economy*.

C. Read news reports/articles about GE-Honeywell merger (to be distributed).

Recommended Readings to Consider:

\* Chad Damro, Building an International Identity: the EU and Extraterritorial Competition Policy, 8:2 *Journal of European Public Policy* 208-226 (2001).

\* McGowan, Lee, and Wilks, Stephen, 1995. "The First Supranational Policy in the European Union: Competition Policy," *European Journal of Political Research*, Vol. 28, pp. 141-69.

\* Cini, Michelle, and Lee McGowan, 1998. *Competition Policy in the European Union* (New York: St. Martin's Press).

\* Faull, Jonathan, and Ali Nikpay, 1999. *The EC Law of Competition* (Oxford: Oxford University Press).

\* Damien, Robin Nuttall, and Paul Seabright, 1993. *Merger in Daylight: The Economics and Politics of European Merger Control* (London: Centre for Economic Policy Research).

**7. Wed., March 6. Mutual Recognition of Standards.** *Third video-linked meeting with EUI*

A. EU Context. Read Bermann, *Cases and Materials*, pp. 343-345, 352-358, 186-189 and 442-447 which includes the following excerpted cases: *Dassonville* (1974); *Cassis de Dijon* (1979); *Keck* (1993); and explanation of the EC's "New Approach" to technical harmonization.

\* Alter, Karen J. and Sophie Meunier-Aitsahalia, 1994. "Judicial Politics in the European Community: European Integration and the Path-Breaking *Cassis de Dijon* Decision," *Comparative Political Studies*, Vol. 26, No. 4 (January): 535-561.

B. Transatlantic Context. Read Gregory Shaffer, "Managing US-EU Relations through Mutual Recognition Agreements" (book chapter manuscript to be distributed).

C. Maria Green Cowles, "The Transatlantic Business Dialogue: Transforming the New Transatlantic Dialogue," chapter 8 in *Transatlantic Governance in the Global Economy*.

Recommended Readings to Consider:

\* Rebecca Steffenson, "Governing the New Transatlantic Marketplace: The EU/US Mutual Recognition Agreements."

\* Michelle Egan, 2001. "Mutual Recognition and Standard Setting: Public and Private Strategies for Governing Markets," chapter 7 in Pollack and Shaffer, *Transatlantic Governance in the Global Economy*.

\* Egan, Michelle, 2001. *Constructing a European Market : Standards, Regulation, and Governance* (New York: Oxford University Press).

\* Mattli, Walter, ed., 2001. "The Politics and Economics of International Institutional Standards Setting," special issue of the *Journal of European Public Policy*, Vol. 8, No. 3.

\* Garrett, Geoffrey, R. Daniel Keleman, and Heiner Schultz, 1998. "The European Court of Justice, National Governments, and Legal Integration in the European Union," *International Organization*, Vol. 52, No. 1 (Winter), pp. 149-176.

**8. Wed. March 13.** Day to meet with Professor Shaffer on projects.

By no later than **Monday March 11 (at noon)**, please submit to Professor Shaffer your final thesis statement, outline and list of sources, preferably in his mailbox or alternatively by e-mail. We will meet to discuss this on Wed. March 13. I will circulate a sign-up sheet the previous week for times.

**9. Wed. March 20. A Role for Networks? Data Privacy Protection, E-Commerce and The Transatlantic Business and Civil Society Dialogues?** *Video-linked session with EUI.* Ambassador David Aaron (now senior partner at the law firm of Dorsey & Whitney), who negotiated the Safe Harbor Agreement on behalf of the United States will lead the discussion.

Read Gregory Shaffer, manuscript to be distributed concerning the U.S.-EC Safe Harbor agreement.

Francesca Bignami and Steven Charnovitz, *Transatlantic Civil Society Dialogues*, chapter 10 in *Transatlantic Governance in the Global Economy*.

Possibly manuscript from Ambassador Aaron to be distributed electronically.

Recommended Readings to Consider:

\* Christopher Kuner, Beyond Safe Harbor: European Data Protection Law and Electronic Commerce, 35 *International Lawyer* 79 (2001).

\* Gregory Shaffer, Globalization and Social Protection: The Impact of EU and International Rules in the Ratcheting Up of U.S. Privacy Standards, 25 *Yale J. of Int'l L.* 1-88 (2000).

\* Gregory Shaffer, "The Power of EU Collective Action: The Impact of EU Data Privacy Regulation on US Business Practice," 5 *European Law Journal* 419 (1999).

\* Spiros Simitis, Data Protection in the European Union– The Quest for Common Rules

\* Maria Green Cowles, *Transatlantic Cooperation and Discord in the New Economy: A Case Study of the Global Business Dialogue on e-Commerce* (May 31, 2001 manuscript, delivered at ECSA).

\* Jane Winn and James Wrathall, Who Owns the Customer? The Emerging Law of

Commercial Transactions in Electronic Customer Data, 56 *Business Lawyer* 213 (2000).

### **10. Wed. April 3. Cultural Clashes: Biotechnology and GMOs.**

Read Pollack and Shaffer, The Challenge of Reconciling Regulatory Differences: Food Safety and GMOs in the Transatlantic Relationship, chapter 6 in *Transatlantic Governance in the Global Economy*;

\* Sheila Jasanoff, International Trade and the Regulation of Biotechnology, paper to be distributed electronically.

\* Alisdair Young, Trading Up or Trading Blows? US Politics and Transatlantic Trade in Genetically Modified Foods

#### Recommended Readings to Consider:

\* Lee Ann Patterson, *Biotechnology Policy*, in POLICY-MAKING IN THE EUROPEAN UNION 373-399 (4<sup>th</sup> ed., Helen Wallace and William Wallace, eds. , 2000).

\* Christian Joerges, Law, Science and the Management of Risks to Health at the National, European and International Level– Stories of Baby Dummies, Mad Cows and Hormones in Beef, 7 *Columbia J of European L.* 1 (2001).

\* Vogel, David, Ships Passing in the Night: The Changing Politics of Risk Regulation in the United States and the European Union, RSCAS Working Paper No. 2001/31, available at [http://www.iue.it/RSC/WP-Texts/01\\_16.pdf](http://www.iue.it/RSC/WP-Texts/01_16.pdf).

**11. Wed. April 10. Environmental Policy and Global Warming.** There will be a visiting speaker to UW this week: Professor Daniel Bodansky, a former high-level official in the Clinton Administration who represented the United States in negotiations relating to the Kyoto Protocol on Climate Change. We will discuss whether to change the timing for this class if you can hear Professor Bodansky's talk.

Michael Grubb and Farhana Yamin, "Climate Collapse at the Hague: What Happened, why, and where do we go from here," 77 *International Affairs* 261-276 (2001).

Daniel Bodansky, Bonn Voyage: Kyoto's Uncertain Revival, *The National Interest* 45-55 (Fall 2001).

News clip: "Transportation: EU, US Officials Exchange Fire over Boeing's Fuel Consumption," 18 *International Trade Rep.* (BNA) 998 (June 28, 2001).

#### Other sources to consider:

\* Reh binder, Eckhard and Stewart, Richard, 1985. "Legal Integration in Federal Systems: European Community Environmental Law," *American Journal of Comparative Law*, Vol. 33, pp. 371-446.

\* Sands, P., 1990. "European Community Environmental Law: Legislation, the European Court of Justice and Common-Interest Groups," *Modern Law Review* 53, pp. 685-98.

\* Alberta Sbragia, *Environmental Policy*, in POLICY-MAKING IN THE EUROPEAN UNION 293-315 (4<sup>th</sup> ed., Helen Wallace and William Wallace, eds. , 2000).

\* Kal Raustiala, *Democracy, Sovereignty, and the Slow Pace of International Negotiations*, 8 INT'L ENV'T'L AFF. 3 (1996);

\* Jonas Ebbesson, *The Notion of Public Participation in International Environmental Law*, 1997 Y.B. INT'L ENV'T'L L. 51 (1998);

## **12. Wed. April 17. Agricultural Policy.**

Read Adam Sheingate, "The Politics of Agricultural Retrenchment," pages 180-222, 233-238 of chapter 5 in *The Rise of the Agricultural Welfare State* (Princeton University Press: 2001).

Alice Landau, *The Agricultural Negotiations in the WTO: The Same Old Story?* 39 *Journal of Common Market Studies* 913-925.

News clips: "In The Great American Desert" (Economist) & "US Drops Restrictions on Imports of Wheat Gluten, Offers Support for Industry" (BNA International Trade Reporter).

Other sources to consider:

\* Tim Josling, *Agricultural Trade Policy: Completing the Reform* (Institute for International Economics, 1998).

\* Wayne Moyer and Tim Josling, *Agricultural Policy Reform: Politics and Process in the EC and USA* (Harvester 1990).

\* Louis Lorvellec, *Back to the Fields after the Storm: Agriculture in the European Union After the Uruguay Round Agreements*, 2 *Drake J. of Agricultural Law* 411 (winter 1997).

\* Elmar Rieger, *The Common Agricultural Policy*, in *POLICY-MAKING IN THE EUROPEAN UNION* 179-209 (4<sup>th</sup> ed., Helen Wallace and William Wallace, eds. , 2000).

## **13. Wed. April 24. Human Rights, Development and Social Policy.** Visit of Professor Grainne de Burca from EUI. Readings to be determined and subsequently distributed.

Possible readings (subject to revision): Read EU White Paper on Trade and Social Policy, EU Human Rights Charter. Comments on them.

Read Jody Knauss and David Trubek, "The Transatlantic Labor Dialogue: Minimal Action in a Weak Structure," chapter 9 in *Transatlantic Governance in the Global Economy*;

Preferably something by Grainne de Burca.

### Recommended Readings to Consider:

\* Gregory Shaffer, "WTO Blue-Green Blues: the Impact of U.S. Domestic Politics on Trade-Labor, Trade-Environment Linkages for the WTO's Future," 24 *Fordham International Law Journal* (2000).

\* Christopher Stevens, *Trade with Developing Countries*, in *POLICY-MAKING IN THE EUROPEAN UNION* 401-425 (4<sup>th</sup> ed., Helen Wallace and William Wallace, eds. , 2000).

## **14. Wed. May 1. Some Conclusions on Transatlantic Governance.**

A. Read Pollack and Shaffer, "Who Governs?," chapter 11 in *Transatlantic Governance in the Global Economy*.

B. Read Michael Zurn, *Democratic Governance Beyond the Nation State*, pages 91-114, in *Democracy Beyond the State* (eds. Michael Greven & Louis Pauly) (2000).